

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-571-E**

5 AN ORDINANCE ADOPTING A SMALL-SCALE AMENDMENT
6 TO THE FUTURE LAND USE MAP SERIES OF THE 2030
7 *COMPREHENSIVE PLAN* BY CHANGING THE FUTURE LAND
8 USE DESIGNATION FROM AGRICULTURE IV (AGR-IV) TO
9 RURAL RESIDENTIAL (RR) ON APPROXIMATELY 1.25±
10 ACRES LOCATED IN COUNCIL DISTRICT 2 AT 0 BETZ
11 ROAD, BETWEEN SPRING HAMMOCK ROAD AND BRADHAM
12 ROAD, OWNED BY BRIAN K. MCKENZIE AND ANGELA D.
13 MCKENZIE, AS MORE PARTICULARLY DESCRIBED
14 HEREIN, PURSUANT TO APPLICATION NUMBER L-5466-
15 20C; PROVIDING A DISCLAIMER THAT THE AMENDMENT
16 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
17 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
18 PROVIDING AN EFFECTIVE DATE.
19

20 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
21 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an
22 application for a proposed Small-Scale Amendment to the Future Land
23 Use Map series (FLUMs) of the *2030 Comprehensive Plan* to change the
24 Future Land Use designation from Agriculture IV (AGR-IV) to Rural
25 Residential (RR) on 1.25± acres of certain real property in Council
26 District 2, was filed by Matthew Chmura, on behalf of the owners,
27 Brian K. McKenzie and Angela D. McKenzie; and

28 **WHEREAS**, the Planning and Development Department reviewed the
29 proposed revision and application and has prepared a written report
30 and rendered an advisory recommendation to the City Council with
31 respect to the proposed amendment; and

1 **WHEREAS**, the Planning Commission, acting as the Local Planning
2 Agency (LPA), held a public hearing on this proposed amendment,
3 with due public notice having been provided, reviewed and
4 considered comments received during the public hearing and made its
5 recommendation to the City Council; and

6 **WHEREAS**, the Land Use and Zoning (LUZ) Committee of the City
7 Council held a public hearing on this proposed amendment to the
8 *2030 Comprehensive Plan*, pursuant to Chapter 650, Part 4, *Ordinance*
9 *Code*, considered all written and oral comments received during the
10 public hearing, and has made its recommendation to the City
11 Council; and

12 **WHEREAS**, the City Council held a public hearing on this
13 proposed amendment, with public notice having been provided,
14 pursuant to Section 163.3187, *Florida Statutes* and Chapter 650,
15 Part 4, *Ordinance Code*, and considered all oral and written
16 comments received during public hearings, including the data and
17 analysis portions of this proposed amendment to the *2030*
18 *Comprehensive Plan* and the recommendations of the Planning and
19 Development Department, the Planning Commission and the LUZ
20 Committee; and

21 **WHEREAS**, in the exercise of its authority, the City Council
22 has determined it necessary and desirable to adopt this proposed
23 amendment to the *2030 Comprehensive Plan* to preserve and enhance
24 present advantages, encourage the most appropriate use of land,
25 water, and resources consistent with the public interest, overcome
26 present deficiencies, and deal effectively with future problems
27 which may result from the use and development of land within the
28 City of Jacksonville; now, therefore

29 **BE IT ORDAINED** by the Council of the City of Jacksonville:

30 **Section 1. Purpose and Intent.** This Ordinance is adopted
31 to carry out the purpose and intent of, and exercise the authority

1 set out in, the Community Planning Act, Sections 163.3161 through
2 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
3 amended.

4 **Section 2. Subject Property Location and Description.**

5 The approximately 1.25± acres (R.E. No. 159760-0060) are located in
6 Council District 2 at 0 Betz Road, between Spring Hammock Road and
7 Bradham Road, as more particularly described in **Exhibit 1**, dated
8 August 6, 2020, and graphically depicted in **Exhibit 2**, both
9 **attached hereto** and incorporated herein by this reference (Subject
10 Property).

11 **Section 3. Owner and Applicant Description.** The Subject

12 Property is owned by Brian K. McKenzie and Angela D. McKenzie. The
13 applicant is Matthew Chmura, 3202 River Road, Green Cove Springs,
14 Florida 32043; (904) 392-9841.

15 **Section 4. Adoption of Small-Scale Land Use Amendment.**

16 The City Council hereby adopts a proposed Small-Scale revision to
17 the Future Land Use Map series of the *2030 Comprehensive Plan* by
18 changing the Future Land Use Map designation from Agriculture IV
19 (AGR-IV) to Rural Residential (RR), pursuant to Application Number
20 L-5466-20C.

21 **Section 5. Applicability, Effect and Legal Status.** The

22 applicability and effect of the *2030 Comprehensive Plan*, as herein
23 amended, shall be as provided in the Community Planning Act,
24 Sections 163.3161 through 163.3248, *Florida Statutes*, and this
25 Ordinance. All development undertaken by, and all actions taken in
26 regard to development orders by governmental agencies in regard to
27 land which is subject to the *2030 Comprehensive Plan*, as herein
28 amended, shall be consistent therewith as of the effective date of
29 this amendment to the plan.

30 **Section 6. Effective date of this Plan Amendment.**

31 (a) If the amendment meets the criteria of Section 163.3187,

