

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-197**

5 AN ORDINANCE ADOPTING A SMALL-SCALE AMENDMENT TO
6 THE FUTURE LAND USE MAP SERIES OF THE 2030
7 *COMPREHENSIVE PLAN* BY CHANGING THE FUTURE LAND
8 USE DESIGNATION FROM RURAL RESIDENTIAL (RR) IN
9 THE RURAL AREA TO LOW DENSITY RESIDENTIAL (LDR)
10 IN THE SUBURBAN AREA ON APPROXIMATELY 30.11±
11 ACRES LOCATED IN COUNCIL DISTRICT 2 AT 0 NORTH
12 MAIN STREET, BETWEEN YELLOW BLUFF ROAD AND
13 SATSUMA STREET (R.E. NOS. 108096-0000, 108195-
14 0000, AND 108415-0200), OWNED BY SARAH MCNAIR,
15 JOSEPH G LLC, AND ELIZABETH C. SESSIONS, AS
16 TRUSTEE OF THE ELIZABETH C. SESSIONS REVOCABLE
17 LIVING TRUST, UNDER AGREEMENT DATED FEBRUARY 18,
18 1993, AS MORE PARTICULARLY DESCRIBED HEREIN,
19 INCLUDING A REVISION TO THE DEVELOPMENT AREAS
20 MAP, PURSUANT TO APPLICATION NUMBER L-5656-22C;
21 PROVIDING A DISCLAIMER THAT THE AMENDMENT GRANTED
22 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
23 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
24 EFFECTIVE DATE.
25

26 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
27 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an
28 application for a proposed Small-Scale Amendment to the Future Land
29 Use Map series (FLUMs) of the *2030 Comprehensive Plan* to change the
30 Future Land Use designation from Rural Residential (RR) in the Rural
31 Area to Low Density Residential (LDR) in the Suburban Area on 30.11±

1 acres of certain real property in Council District 2 was filed by
2 Paul Harden, Esq., on behalf of the owners, Sarah McNair, Joseph G
3 LLC, and Elizabeth C. Sessions, as Trustee of the Elizabeth C.
4 Sessions Revocable Living Trust, under agreement dated February 18,
5 1993; and

6 **WHEREAS**, the Planning and Development Department reviewed the
7 proposed revision and application and has prepared a written report
8 and rendered an advisory recommendation to the City Council with
9 respect to the proposed amendment; and

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

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

20 **WHEREAS**, the City Council held a public hearing on this proposed
21 amendment, with public notice having been provided, pursuant to
22 Section 163.3187, *Florida Statutes* and Chapter 650, Part 4, *Ordinance*
23 *Code*, and considered all oral and written comments received during
24 public hearings, including the data and analysis portions of this
25 proposed amendment to the *2030 Comprehensive Plan* and the
26 recommendations of the Planning and Development Department, the
27 Planning Commission and the LUZ Committee; and

28 **WHEREAS**, in the exercise of its authority, the City Council has
29 determined it necessary and desirable to adopt this proposed amendment
30 to the *2030 Comprehensive Plan* to preserve and enhance present
31 advantages, encourage the most appropriate use of land, water, and

1 resources consistent with the public interest, overcome present
2 deficiencies, and deal effectively with future problems which may
3 result from the use and development of land within the City of
4 Jacksonville; now, therefore

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

6 **Section 1. Purpose and Intent.** This Ordinance is adopted
7 to carry out the purpose and intent of, and exercise the authority
8 set out in, the Community Planning Act, Sections 163.3161 through
9 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
10 amended.

11 **Section 2. Subject Property Location and Description.** The
12 approximately 30.11± acres (R.E. Nos. 108096-0000, 108195-0000, and
13 108415-0200) are located in Council District 2 at 0 North Main Street,
14 between Yellow Bluff Road and Satsuma Street, as more particularly
15 described in **Exhibit 1**, dated January 4, 2022, and graphically
16 depicted in **Exhibit 2**, both **attached hereto** and incorporated herein
17 by this reference (the "Subject Property").

18 **Section 3. Owner and Applicant Description.** The Subject
19 Property is owned by Sarah McNair, Joseph G LLC, and Elizabeth C.
20 Sessions, as Trustee of the Elizabeth C. Sessions Revocable Living
21 Trust, under agreement dated February 18, 1993. The applicant is
22 Paul Harden, Esq., 1431 Riverplace Boulevard, Suite 901,
23 Jacksonville, Florida 32207; (904) 396-5731.

24 **Section 4. Adoption of Small-Scale Land Use Amendment.** The
25 City Council hereby adopts a proposed Small-Scale revision to the
26 Future Land Use Map series of the *2030 Comprehensive Plan* by changing
27 the Future Land Use Map designation from Rural Residential (RR) in
28 the Rural Area to Low Density Residential (LDR) in the Suburban Area,
29 pursuant to Application Number L-5656-22C.

30 **Section 5. Development Areas Map.** The approval herein
31 includes a proposed revision to the Development Areas Map adopted as

1 Future Land Use Element Map L-21, Transportation Element Map T-4, and
2 Capital Improvements Element Map CI-1 of the *2030 Comprehensive Plan*,
3 as depicted in **Exhibit 3, attached hereto.**

4 **Section 6. Applicability, Effect and Legal Status.** The
5 applicability and effect of the *2030 Comprehensive Plan*, as herein
6 amended, shall be as provided in the Community Planning Act, Sections
7 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All
8 development undertaken by, and all actions taken in regard to
9 development orders by governmental agencies in regard to land which
10 is subject to the *2030 Comprehensive Plan*, as herein amended, shall
11 be consistent therewith as of the effective date of this amendment
12 to the plan.

13 **Section 7. Effective Date of this Plan Amendment.**

14 (a) If the amendment meets the criteria of Section 163.3187,
15 *Florida Statutes*, as amended, and is not challenged, the effective
16 date of this plan amendment shall be thirty-one (31) days after
17 adoption.

18 (b) If challenged within thirty (30) days after adoption, the
19 plan amendment shall not become effective until the state land
20 planning agency or the Administration Commission, respectively,
21 issues a final order determining the adopted Small-Scale Amendment
22 to be in compliance.

23 **Section 8. Disclaimer.** The amendment granted herein shall
24 **not** be construed as an exemption from any other applicable local,
25 state, or federal laws, regulations, requirements, permits or
26 approvals. All other applicable local, state or federal permits or
27 approvals shall be obtained before commencement of the development
28 or use, and issuance of this amendment is based upon acknowledgement,
29 representation and confirmation made by the applicant(s), owner(s),
30 developer(s) and/or any authorized agent(s) or designee(s) that the
31 subject business, development and/or use will be operated in strict

