

1 The Land Use and Zoning Committee offers the following substitute to
2 File No. 2021-417:

3
4 Introduced by the Land Use and Zoning Committee:

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7 **ORDINANCE 2021-417**

8 AN ORDINANCE ADOPTING A SMALL-SCALE AMENDMENT TO
9 THE FUTURE LAND USE MAP SERIES OF THE 2030
10 *COMPREHENSIVE PLAN* BY CHANGING THE FUTURE LAND
11 USE DESIGNATION FROM LOW DENSITY RESIDENTIAL
12 (LDR) TO LIGHT INDUSTRIAL (LI) ON APPROXIMATELY
13 0.59± ACRES LOCATED IN COUNCIL DISTRICT 7 AT 1239
14 EAST 32ND STREET AND 1240 EAST 32ND STREET,
15 BETWEEN FRANKLIN STREET AND POPLAR STREET, OWNED
16 BY INGRINE LATONIA LYLE, ALSO KNOWN AS INGRINE L.
17 LYLE, AS MORE PARTICULARLY DESCRIBED HEREIN,
18 PURSUANT TO APPLICATION NUMBER L-5561-21C;
19 PROVIDING A DISCLAIMER THAT THE AMENDMENT GRANTED
20 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
21 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
22 EFFECTIVE DATE.

23
24 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
25 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an
26 application for a proposed Small-Scale Amendment to the Future Land
27 Use Map series (FLUMs) of the *2030 Comprehensive Plan* to change the
28 Future Land Use designation from Low Density Residential (LDR) to
29 Light Industrial (LI) on 0.59± acres of certain real property in
30 Council District 7, was filed by Ethelbert E. Worrell, on behalf of
31 the owner, Ingrine Latonia Lyle, a/k/a Ingrine L. Lyle; and

1 **WHEREAS**, the Planning and Development Department reviewed the
2 proposed revision and application and has prepared a written report
3 and rendered an advisory recommendation to the City Council with
4 respect to the proposed amendment; and

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

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

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

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

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

1 **Section 1. Purpose and Intent.** This Ordinance is adopted
2 to carry out the purpose and intent of, and exercise the authority
3 set out in, the Community Planning Act, Sections 163.3161 through
4 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
5 amended.

6 **Section 2. Subject Property Location and Description.** The
7 approximately 0.59± acres (R.E. Nos. 132367-0000 and 132377-0000) are
8 located in Council District 7, at 1239 East 32nd Street and 1240 East
9 32nd Street, between Franklin Street and Poplar Street, as more
10 particularly described in **Exhibit 1**, dated September 16, 2021, and
11 graphically depicted in **Exhibit 2**, both **attached hereto** and
12 incorporated herein by this reference (the "Subject Property").

13 **Section 3. Owner and Applicant Description.** The Subject
14 Property is owned by Ingrine Latonia Lyle, a/k/a Ingrine L. Lyle.
15 The applicant is Ethelbert E. Worrell, 1239 East 32nd Street,
16 Jacksonville, Florida 32206; (904) 232-8177.

17 **Section 4. Adoption of Small-Scale Land Use Amendment.** The
18 City Council hereby adopts a proposed Small-Scale revision to the
19 Future Land Use Map series of the *2030 Comprehensive Plan* by changing
20 the Future Land Use Map designation from Low Density Residential
21 (LDR) to Light Industrial (LI), pursuant to Application Number L-
22 5561-21C.

23 **Section 5. Applicability, Effect and Legal Status.** The
24 applicability and effect of the *2030 Comprehensive Plan*, as herein
25 amended, shall be as provided in the Community Planning Act, Sections
26 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All
27 development undertaken by, and all actions taken in regard to
28 development orders by governmental agencies in regard to land which
29 is subject to the *2030 Comprehensive Plan*, as herein amended, shall
30 be consistent therewith as of the effective date of this amendment
31 to the plan.

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

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

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

11 **Section 7. Disclaimer.** The amendment granted herein shall
12 **not** be construed as an exemption from any other applicable local,
13 state, or federal laws, regulations, requirements, permits or
14 approvals. All other applicable local, state or federal permits or
15 approvals shall be obtained before commencement of the development
16 or use and issuance of this amendment is based upon acknowledgement,
17 representation and confirmation made by the applicant(s), owner(s),
18 developer(s) and/or any authorized agent(s) or designee(s) that the
19 subject business, development and/or use will be operated in strict
20 compliance with all laws. Issuance of this amendment does **not** approve,
21 promote or condone any practice or act that is prohibited or
22 restricted by any federal, state or local laws.

23 **Section 8. Effective Date.** This Ordinance shall become
24 effective upon signature by the Mayor or upon becoming effective
25 without the Mayor's signature.

26 Form Approved:

27
28 /s/ Mary E. Staffopoulos

29 Office of General Counsel

30 Legislation Prepared By: Kristen Reed