

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2020-473**

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 USE  
8 DESIGNATION FROM COMMUNITY/GENERAL COMMERCIAL  
9 (CGC) AND RESIDENTIAL-PROFESSIONAL-INSTITUTIONAL  
10 (RPI) TO RESIDENTIAL-PROFESSIONAL-INSTITUTIONAL  
11 (RPI) ON APPROXIMATELY 8.97± ACRES LOCATED IN  
12 COUNCIL DISTRICT 6 AT 0 SAN JOSE BOULEVARD, 12375  
13 SAN JOSE BOULEVARD, 12387 SAN JOSE BOULEVARD, AND  
14 12421 SAN JOSE BOULEVARD, BETWEEN PADDLE CREEK  
15 DRIVE AND JULINGTON CREEK ROAD, OWNED BY  
16 CENTERSTATE BANK OF FLORIDA, N.A., ET AL., AS MORE  
17 PARTICULARLY DESCRIBED HEREIN, PURSUANT TO  
18 APPLICATION NUMBER L-5450-20C; ADOPTING NEW SITE  
19 SPECIFIC POLICY 4.4.17 IN THE FUTURE LAND USE  
20 ELEMENT; PROVIDING A DISCLAIMER THAT THE AMENDMENT  
21 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN  
22 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
23 PROVIDING AN EFFECTIVE DATE.  
24

25 **WHEREAS**, pursuant to the provisions of Section 650.402(b),  
26 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an  
27 application for a proposed Small-Scale Amendment to the Future Land Use  
28 Map series (FLUMs) of the *2030 Comprehensive Plan* to change the Future  
29 Land Use designation from Community/General Commercial (CGC) and  
30 Residential-Professional-Institutional (RPI) to Residential-  
31 Professional-Institutional (RPI) on 8.97± acres of certain real

1 property in Council District 6, as more particularly described in  
2 Section 2, was filed by Paul M. Harden, Esq., on behalf of the owners,  
3 Centerstate Bank of Florida, N.A., et al.; and

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

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

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

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

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

1 result from the use and development of land within the City of  
2 Jacksonville; now, therefore

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

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

8 **Section 2. Subject Property Location and Description.** The  
9 approximately 8.97± acres are located in Council District 6 at 0 San  
10 Jose Boulevard, 12375 San Jose Boulevard, 12387 San Jose Boulevard, and  
11 12421 San Jose Boulevard, between Paddle Creek Drive and Julington  
12 Creek Road, as more particularly described in **Exhibit 1**, dated May 27,  
13 2020, and graphically depicted in **Exhibit 2**, both **attached hereto** and  
14 incorporated herein by this reference (Subject Property).

15 **Section 3. Owner and Applicant Description.** The Subject  
16 Property is owned by Centerstate Bank of Florida, N.A., et al. The  
17 applicant is Paul M. Harden, Esq., 501 Riverside Avenue, Suite 901,  
18 Jacksonville, Florida; (904) 396-5731.

19 **Section 4. Adoption of Small-Scale Land Use Amendment.** The  
20 City Council hereby adopts a proposed Small-Scale revision to the  
21 Future Land Use Map series of the *2030 Comprehensive Plan* by changing  
22 the Future Land Use Map designation from Community/General Commercial  
23 (CGC) and Residential-Professional-Institutional (RPI) to Residential-  
24 Professional-Institutional (RPI), pursuant to Application Number L-  
25 5450-20C.

26 **Section 5. Site Specific Policy.** Future Land Use Element  
27 (FLUE) Policy 4.4.17 is hereby adopted as **attached hereto** in **Exhibit 3**  
28 and dated July 28, 2020.

29 **Section 6. Applicability, Effect and Legal Status.** The  
30 applicability and effect of the *2030 Comprehensive Plan*, as herein  
31 amended, shall be as provided in the Community Planning Act, Section

1 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All  
2 development undertaken by, and all actions taken in regard to  
3 development orders by governmental agencies in regard to land which is  
4 subject to the *2030 Comprehensive Plan*, as herein amended, shall be  
5 consistent therewith as of the effective date of this amendment to the  
6 plan.

7 **Section 7. Effective date of this Plan Amendment.**

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

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

16 **Section 8. Disclaimer.** The amendment granted herein shall **not**  
17 be construed as an exemption from any other applicable local, state, or  
18 federal laws, regulations, requirements, permits or approvals. All  
19 other applicable local, state or federal permits or approvals shall be  
20 obtained before commencement of the development or use and issuance of  
21 this amendment is based upon acknowledgement, representation and  
22 confirmation made by the applicant(s), owner(s), developer(s) and/or  
23 any authorized agent(s) or designee(s) that the subject business,  
24 development and/or use will be operated in strict compliance with all  
25 laws. Issuance of this amendment does **not** approve, promote or condone  
26 any practice or act that is prohibited or restricted by any federal,  
27 state or local laws.

28 **Section 9. Effective Date.** This Ordinance shall become  
29 effective upon signature by the Mayor or upon becoming effective  
30 without the Mayor's signature.

1 Form Approved:

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3       /s/ Shannon K. Eller      

4 Office of General Counsel

5 Legislation Prepared By: Susan Kelly

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