

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2018-607**

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 MEDIUM DENSITY RESIDENTIAL (MDR)
9 TO COMMUNITY/GENERAL COMMERCIAL (CGC) ON
10 APPROXIMATELY 2.12± ACRES LOCATED IN COUNCIL
11 DISTRICT 12, AT 10062 103RD STREET, BETWEEN CONNIE
12 JEAN ROAD AND CHARDON ROAD, OWNED BY VINCENT
13 SERRANO, AS MORE PARTICULARLY DESCRIBED HEREIN,
14 PURSUANT TO APPLICATION NUMBER L-5303-18C;
15 PROVIDING A DISCLAIMER THAT THE AMENDMENT GRANTED
16 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM
17 ANY OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
18 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 Use
23 Map series (FLUMs) of the *2030 Comprehensive Plan* to change the Future
24 Land Use designation from Medium Density Residential (MDR) to
25 Community/General Commercial (CGC) on approximately 2.12± acres of
26 certain real property in Council District 12, as more particularly
27 described in Section 2, was filed by Lara D. Hipps, on behalf of the
28 owner, Vincent Serrano; and

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

1 the proposed amendment; and

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

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

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

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

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

29 **Section 1. Purpose and Intent.** This ordinance is adopted to
30 carry out the purpose and intent of, and exercise the authority set out
31 in the Community Planning Act, Sections 163.3161 through 163.3248,

1 *Florida Statutes*, and Chapter 166, *Florida Statutes*, as amended.

2 **Section 2. Subject Property Location and Description.** The
3 approximately 2.12± acres (R.E. No. 015347-0000) is located in Council
4 District 12, at 10062 103rd Street, between Connie Jean Road and
5 Chardon Road, as more particularly described in **Exhibit 1**, dated June
6 1, 2018, and graphically depicted in **Exhibit 2**, both **attached hereto**
7 and incorporated herein by this reference (Subject Property).

8 **Section 3. Owner and Applicant Description.** The subject
9 property is owned by Vincent Serrano. The applicant is Lara D. Hipps,
10 Hipps Group, Inc., 1650 Margaret Street, #323, Jacksonville, Florida
11 32204; (904) 781-2654.

12 **Section 4. Adoption of Small-Scale Land Use Amendment.** The
13 City Council hereby adopts a proposed Small-Scale revision to the
14 Future Land Use Map series of the *2030 Comprehensive Plan* by changing
15 the Future Land Use Map designation from Medium Density Residential
16 (MDR) to Community/General Commercial (CGC), pursuant to Application
17 Number L-5303-18C.

18 **Section 5. Applicability, Effect and Legal Status.** The
19 applicability and effect of the *2030 Comprehensive Plan*, as herein
20 amended, shall be as provided in the Community Planning Act, Section
21 163.3161 through 163.3248, *Florida Statutes*, and this ordinance. All
22 development undertaken by, and all actions taken in regard to
23 development orders by governmental agencies in regard to land which is
24 subject to the *2030 Comprehensive Plan*, as herein amended, shall be
25 consistent therewith as of the effective date of this amendment to the
26 plan.

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

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

31 (b) If challenged within thirty (30) days after adoption, the

1 plan amendment shall not become effective until the State Land Planning
2 Agency or the Administration Commission, respectively, issues a final
3 order determining the adopted Small-Scale Amendment to be in
4 compliance.

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

17 **Section 8. Effective Date.** This ordinance shall become
18 effective upon signature by the Mayor or upon becoming effective
19 without the Mayor's signature.

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21 Form Approved:

22
23 /s/ Shannon K. Eller

24 Office of General Counsel

25 Legislation Prepared By: Jody McDaniel

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