

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-677**

5 AN ORDINANCE ADOPTING A SMALL-SCALE AMENDMENT TO
6 THE FUTURE LAND USE MAP SERIES OF THE 2045
7 *COMPREHENSIVE PLAN* BY CHANGING THE FUTURE LAND
8 USE DESIGNATION FROM AGRICULTURE (AGR) TO MEDIUM
9 DENSITY RESIDENTIAL (MDR) ON APPROXIMATELY 41.04±
10 ACRES LOCATED IN COUNCIL DISTRICT 12 AT 0, 14062,
11 14066 AND 14080 NORMANDY BOULEVARD, BETWEEN
12 NATHAN HALE ROAD AND BELL ROAD (R.E. NO(S).
13 002258-0310, 002260-0010, 002261-0130 AND
14 002261-0200), OWNED BY ALVIN L. SMITH AND DARLENE
15 A. SMITH, SIMON HOEK SPAANS AND ALINA GONZALEZ,
16 CYNTHIA J. ROBERTS (LIFE ESTATE) AND CYNTHIA J.
17 ROBERTS, JAMES W. MARTIN AND CHRISTY J. MARTIN,
18 AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT
19 TO APPLICATION NUMBER L-5956-24C; PROVIDING A
20 DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN
21 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
22 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
23 DATE.
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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
28 Use Map series (FLUMs) of the *2045 Comprehensive Plan* to change the
29 Future Land Use designation from Agriculture (AGR) to Medium Density
30 Residential (MDR) on 41.04± acres of certain real property in Council
31 District 12 was filed by M. Hayden Phillips, Esq. on behalf of the

1 owners, Alvin L. Smith and Darlene A. Smith, Simon Hoek Spaans and
2 Alina Gonzalez, Cynthia J. Roberts (Life Estate) and Cynthia J.
3 Roberts, James W. Martin and Christy J. Martin; and

4 **WHEREAS,** the Planning and Development Department reviewed the
5 proposed revision and application and has prepared a written report
6 and rendered an advisory recommendation to the City Council with
7 respect to 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
12 recommendation 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 *2045*
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
19 proposed amendment, with public notice having been provided, pursuant
20 to Section 163.3187, *Florida Statutes*, and Chapter 650, Part 4,
21 *Ordinance Code*, and considered all oral and written comments received
22 during public hearings, including the data and analysis portions of
23 this proposed amendment to the *2045 Comprehensive Plan* and the
24 recommendations of the Planning and Development Department, the
25 Planning Commission and the LUZ Committee; and

26 **WHEREAS,** in the exercise of its authority, the City Council
27 has determined it necessary and desirable to adopt this proposed
28 amendment to the *2045 Comprehensive Plan* to preserve and enhance
29 present advantages, encourage the most appropriate use of land, water,
30 and 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
5 to carry out the purpose and intent of, and exercise the authority
6 set out in, the Community Planning Act, Sections 163.3161 through
7 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
8 amended.

9 **Section 2. Subject Property Location and Description.** The
10 approximately 41.04± acres are located in Council District 12 at 0,
11 14062, 14066 and 14080 Normandy Boulevard, between Nathan Hale Road
12 and Bell Road (R.E. No(s). 002258-0310, 002260-0010, 002261-0130 and
13 002261-0200), as more particularly described in **Exhibit 1**, dated May
14 31, 2024, and graphically depicted in **Exhibit 2**, both attached hereto
15 and incorporated herein by this reference (the "Subject Property").

16 **Section 3. Owner and Applicant Description.** The Subject
17 Property is owned by Alvin L. Smith and Darlene A. Smith, Simon Hoek
18 Spaans and Alina Gonzalez, Cynthia J. Roberts (Life Estate) and
19 Cynthia J. Roberts, James W. Martin and Christy J. Martin. The
20 applicant is M. Hayden Phillips, Esq., 1301 Riverplace Boulevard,
21 Suite 1500, Jacksonville, Florida, 32207; (904) 346-5535.

22 **Section 4. Adoption of Small-Scale Land Use Amendment.** The
23 City Council hereby adopts a proposed Small-Scale revision to the
24 Future Land Use Map series of the *2045 Comprehensive Plan* by changing
25 the Future Land Use Map designation of the Subject Property from
26 Agriculture (AGR) to Medium Density Residential (MDR), pursuant to
27 Application Number L-5956-24C.

28 **Section 5. Applicability, Effect and Legal Status.** The
29 applicability and effect of the *2045 Comprehensive Plan*, as herein
30 amended, shall be as provided in the Community Planning Act, Sections
31 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All

1 development undertaken by, and all actions taken in regard to
2 development orders by governmental agencies in regard to land which
3 is subject to the *2045 Comprehensive Plan*, as herein amended, shall
4 be consistent therewith as of the effective date of this amendment
5 to the plan.

6 **Section 6. Effective Date of this Plan Amendment.**

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

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

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

28 **Section 8. 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/ Dylan Reingold

4 Office of General Counsel

5 Legislation Prepared By: Marcus Salley

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