

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-608**

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 LOW DENSITY RESIDENTIAL
9 (LDR) TO COMMUNITY GENERAL COMMERCIAL (CGC) ON
10 APPROXIMATELY 3.14± ACRES LOCATED IN COUNCIL
11 DISTRICT 2 AT 3029 NEW BERLIN ROAD, BETWEEN NEW
12 BERLIN ROAD AND YELLOW BLUFF ROAD, OWNED BY
13 TIMOTHY H. JOY AND LAURIE A. JOY, AS MORE
14 PARTICULARLY DESCRIBED HEREIN, PURSUANT TO
15 APPLICATION NUMBER L-5473-20C; PROVIDING A
16 DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN
17 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
18 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
19 DATE.
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21 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
22 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an
23 application for a proposed Small-Scale Amendment to the Future Land
24 Use Map series (FLUMs) of the *2030 Comprehensive Plan* to change the
25 Future Land Use designation from Low Density Residential (LDR) to
26 Community General Commercial (CGC) on 3.14± acres of certain real
27 property in Council District 2, was filed by the owners, Timothy H.
28 Joy and Laurie A. Joy; and

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

1 respect to 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
6 recommendation 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
14 Section 163.3187, *Florida Statutes* and Chapter 650, Part 4, *Ordinance*
15 *Code*, and considered all oral and written comments received during
16 public hearings, including the data and analysis portions of this
17 proposed amendment to the *2030 Comprehensive Plan* and the
18 recommendations of the Planning and Development Department, the
19 Planning Commission and the 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
30 to carry out the purpose and intent of, and exercise the authority
31 set out in, the Community Planning Act, Sections 163.3161 through

1 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
2 amended.

3 **Section 2. Subject Property Location and Description.** The
4 approximately 3.14± acres (R.E. No. 106926-0200) are located in
5 Council District 2 at 3029 New Berlin Road, between New Berlin Road
6 and Yellow Bluff Road, as more particularly described in **Exhibit 1**,
7 dated September 15, 2020, and graphically depicted in **Exhibit 2**, both
8 **attached hereto** and incorporated herein by this reference (Subject
9 Property).

10 **Section 3. Owner and Applicant Description.** The Subject
11 Property is owned by Timothy H. Joy and Laurie A. Joy. The applicant
12 is Timothy H. Joy, P.O. Box 350337, Jacksonville, Florida 32235;
13 (904) 537-3207.

14 **Section 4. Adoption of Small-Scale Land Use Amendment.** The
15 City Council hereby adopts a proposed Small-Scale revision to the
16 Future Land Use Map series of the *2030 Comprehensive Plan* by changing
17 the Future Land Use Map designation from Low Density Residential
18 (LDR) to Community General Commercial (CGC), pursuant to Application
19 Number L-5473-20C.

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

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

30 (a) If the amendment meets the criteria of Section 163.3187,
31 *Florida Statutes*, as amended, and is not challenged, the effective

