

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-681-E**

5 AN ORDINANCE ADOPTING A SMALL-SCALE AMENDMENT
6 TO THE FUTURE LAND USE MAP SERIES OF THE 2030
7 *COMPREHENSIVE PLAN* BY CHANGING THE FUTURE LAND
8 USE DESIGNATION FROM PUBLIC BUILDINGS AND
9 FACILITIES (PBF) TO LOW DENSITY RESIDENTIAL
10 (LDR) ON APPROXIMATELY 9.08± ACRES LOCATED IN
11 COUNCIL DISTRICT 10 AT 4250 MATADOR DRIVE AND
12 4200 GEORGETOWN DRIVE, BETWEEN MATADOR DRIVE
13 AND GEORGETOWN DRIVE, OWNED BY JOHN C. SHAVER
14 AND THE CHURCH AT SUN COAST OF NORTH FLORIDA,
15 INC., AS MORE PARTICULARLY DESCRIBED HEREIN,
16 PURSUANT TO APPLICATION NUMBER L-5467-20C;
17 PROVIDING A DISCLAIMER THAT THE AMENDMENT
18 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
19 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
20 PROVIDING AN EFFECTIVE DATE.
21

22 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
23 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an
24 application for a proposed Small-Scale Amendment to the Future Land
25 Use Map series (FLUMs) of the *2030 Comprehensive Plan* to change the
26 Future Land Use designation from Public Buildings and Facilities
27 (PBF) to Low Density Residential (LDR) on 9.08± acres of certain
28 real property in Council District 10, was filed by Steve Diebenow,
29 Esq., on behalf of the owners, John C. Shaver and The Church at Sun
30 Coast of North Florida, Inc.; and

31 **WHEREAS**, the Planning and Development Department reviewed the

1 proposed revision and application and has prepared a written report
2 and rendered an advisory recommendation to the City Council with
3 respect to the proposed amendment; and

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

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

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

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

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

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

7 **Section 2. Subject Property Location and Description.**
8 The approximately 9.08± acres (R.E. Nos. 013930-0602 (portion) and
9 013930-1000) are located in Council District 10 at 4250 Matador
10 Drive and 4200 Georgetown Drive, between Matador Drive and
11 Georgetown Drive, as more particularly described in **Exhibit 1**,
12 dated September 23, 2020, and graphically depicted in **Exhibit 2**,
13 both **attached hereto** and incorporated herein by this reference
14 (Subject Property).

15 **Section 3. Owner and Applicant Description.** The Subject
16 Property is owned by John C. Shaver and The Church at Sun Coast of
17 North Florida, Inc. The applicant is Steve Diebenow, Esq., One
18 Independent Drive, Suite 1200, Jacksonville, Florida 32202; (904)
19 807-8211.

20 **Section 4. Adoption of Small-Scale Land Use Amendment.**
21 The City Council hereby adopts a proposed Small-Scale revision to
22 the Future Land Use Map series of the *2030 Comprehensive Plan* by
23 changing the Future Land Use Map designation from Public Buildings
24 and Facilities (PBF) to Low Density Residential (LDR), pursuant to
25 Application Number L-5467-20C.

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

1 land which is subject to the *2030 Comprehensive Plan*, as herein
2 amended, shall be consistent therewith as of the effective date of
3 this amendment to the plan.

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

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

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

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

27 **Section 8. Effective Date.** This Ordinance shall become
28 effective upon signature by the Mayor or upon becoming effective
29 without the Mayor's signature.

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31 Form Approved:

1 /s/ Shannon K. Eller

2 Office of General Counsel

3 Legislation Prepared By: Edward Lukacovic

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