

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-974**

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 RURAL RESIDENTIAL (RR) TO
9 LOW DENSITY RESIDENTIAL (LDR) ON APPROXIMATELY
10 27.19± ACRES LOCATED IN COUNCIL DISTRICT 8 AT 0,
11 3674, 3746, 3751, 3774, 3791, 3797, 3827, AND
12 3838 HEMLOCK STREET, WEST OF LEM TURNER ROAD
13 (R.E. NO(S). 019451-0055, 019451-0040, 019451-
14 0050, 019466-0160, 019451-0020, 019466-0150,
15 019466-0050, 019466-0060 AND 019452-0000), OWNED
16 BY EVA FOWLER, CLAUDIA BISER PA, JOHN COMBS, JOHN
17 HUNT AND KATHLEEN PLYMEL, AS MORE PARTICULARLY
18 DESCRIBED HEREIN, PURSUANT TO APPLICATION NUMBER
19 L-5993-24C; PROVIDING A DISCLAIMER THAT THE
20 AMENDMENT GRANTED HEREIN SHALL NOT BE CONSTRUED
21 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
22 PROVIDING AN EFFECTIVE DATE.
23

24 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
25 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an
26 application for a proposed Small-Scale Amendment to the Future Land
27 Use Map series (FLUMs) of the *2045 Comprehensive Plan* to change the
28 Future Land Use designation from Rural Residential (RR) to Low Density
29 Residential (LDR) on 27.19± acres of certain real property in Council
30 District 8 was filed by Cyndy Trimmer, Esq., on behalf of the owners,
31 Eva Fowler, Claudia Biser PA, John Combs, John Hunt and Kathleen

1 Plymel; and

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

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

11 **WHEREAS,** the Land Use and Zoning (LUZ) Committee of the City
12 Council held a public hearing on this proposed amendment to the *2045*
13 *Comprehensive Plan*, pursuant to Chapter 650, Part 4, *Ordinance Code*,
14 considered all written and oral comments received during the public
15 hearing, and has made its recommendation to the City Council; and

16 **WHEREAS,** the City Council held a public hearing on this
17 proposed amendment, with public notice having been provided, pursuant
18 to Section 163.3187, *Florida Statutes*, and Chapter 650, Part 4,
19 *Ordinance Code*, and considered all oral and written comments received
20 during public hearings, including the data and analysis portions of
21 this proposed amendment to the *2045 Comprehensive Plan* and the
22 recommendations of the Planning and Development Department, the
23 Planning Commission and the LUZ 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 *2045 Comprehensive Plan* to preserve and enhance
27 present advantages, encourage the most appropriate use of land, water,
28 and resources consistent with the public interest, overcome present
29 deficiencies, and deal effectively with future problems which may
30 result from the use and development of land within the City of
31 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.** The
8 approximately 27.19± acres are located in Council District 8 at 0,
9 3674, 3746, 3751, 3774, 3791, 3797, 3827, and 3838 Hemlock Street,
10 west of Lem Turner Road (R.E. No(s). 019451-0055, 019451-0040, 019451-
11 0050, 019466-0160, 019451-0020, 019466-0150, 019466-0050, 019466-0060
12 and 019452-0000), as more particularly described in **Exhibit 1**, dated
13 October 21, 2024, and graphically depicted in **Exhibit 2**, both attached
14 hereto and incorporated herein by this reference (the "Subject
15 Property").

16 **Section 3. Owner and Applicant Description.** The Subject
17 Property is owned by Eva Fowler, Claudia Biser PA, John Combs, John
18 Hunt and Kathleen Plymel. The applicant is Cyndy Trimmer, Esq., 1
19 Independent Drive, Suite 1200, Jacksonville, Florida, 32202; (904)
20 807-0185.

21 **Section 4. Adoption of Small-Scale Land Use Amendment.** The
22 City Council hereby adopts a proposed Small-Scale revision to the
23 Future Land Use Map series of the *2045 Comprehensive Plan* by changing
24 the Future Land Use Map designation of the Subject Property from
25 Rural Residential (RR) to Low Density Residential (LDR), pursuant to
26 Application Number L-5993-24C.

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

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

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

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

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

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

1 Form Approved:

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3 /s/ Dylan Reingold

4 Office of General Counsel

5 Legislation Prepared By: Jermaine Anderson

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