

1 Introduced by the Land Use and Zoning Committee:  
2  
3

4 **ORDINANCE 2022-244**

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 AGRICULTURE-IV (AGR-IV) ON APPROXIMATELY  
10 38.29± ACRES LOCATED IN COUNCIL DISTRICTS 2 AND  
11 7 AT 13990 WEBB ROAD, BETWEEN SHIFERDEK ROAD AND  
12 STARRATT ROAD (R.E. NO. 106283-0300), OWNED BY  
13 LYNN CLIFTON SHIFERDEK AND MONICA LEIGH  
14 SHIFERDEK, TRUSTEES, OR THEIR SUCCESSORS IN  
15 TRUST, FOR THE LYNN CLIFTON SHIFERDEK AND MONICA  
16 LEIGH SHIFERDEK LIVING TRUST DATED MARCH 5, 2013,  
17 AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT  
18 TO APPLICATION NUMBER L-5676-22C; PROVIDING A  
19 DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN  
20 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY  
21 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE  
22 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 2030 Comprehensive Plan to change the  
28 Future Land Use designation from Low Density Residential (LDR) to  
29 Agriculture-IV (AGR-IV) on 38.29± acres of certain real property in  
30 Council Districts 2 and 7 was filed by Cyndy Trimmer, Esq., on behalf  
31 of the owners, Lynn Clifton Shiferdek and Monica Leigh Shiferdek,

1 Trustees, or their successors in Trust, for the Lynn Clifton Shiferdek  
2 and Monica Leigh Shiferdek Living Trust dated March 5, 2013; and

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

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

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

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

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

1 Jacksonville; now, therefore

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

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

8 **Section 2. Subject Property Location and Description.** The  
9 approximately 38.29± acres are located in Council Districts 2 and 7  
10 at 13990 Webb Road, between Shiferdek Road and Starratt Road (R.E.  
11 No. 106283-0300), as more particularly described in **Exhibit 1**, dated  
12 February 16, 2022, and graphically depicted in **Exhibit 2**, both  
13 **attached hereto** and incorporated herein by this reference (the  
14 "Subject Property").

15 **Section 3. Owner and Applicant Description.** The Subject  
16 Property is owned by Lynn Clifton Shiferdek and Monica Leigh  
17 Shiferdek, Trustees, or their successors in Trust, for the Lynn  
18 Clifton Shiferdek and Monica Leigh Shiferdek Living Trust dated March  
19 5, 2013. The applicant is Cyndy Trimmer, Esq., 1 Independent Drive,  
20 Suite 1200, Jacksonville, Florida 32202; (904) 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 *2030 Comprehensive Plan* by changing  
24 the Future Land Use Map designation from Low Density Residential  
25 (LDR) to Agriculture-IV (AGR-IV), pursuant to Application Number L-  
26 5676-22C.

27 **Section 5. Applicability, Effect and Legal Status.** The  
28 applicability and effect of the *2030 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 *2030 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:

2

3           /s/ Mary E. Staffopoulos          

4 Office of General Counsel

5 Legislation Prepared By: Marcus Salley

6 GC-#1490026-v2-2022-244\_(L-5676-22C).docx