

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-352-E**

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 MEDIUM DENSITY RESIDENTIAL (MDR) ON
10 APPROXIMATELY 4.85± ACRES LOCATED IN COUNCIL
11 DISTRICT 10 AT 0 JACKS ROAD, 5710 JACKS ROAD,
12 5738 JACKS ROAD AND 5740 JACKS ROAD, BETWEEN
13 DAVELL ROAD AND JACKS ROAD (R.E. NOS. 083352-
14 0040, 083386-0000, 083352-0020 AND 083352-0000),
15 OWNED BY TERESA EARLENE CROWDER (ALSO KNOWN AS
16 TERESA E. CROWDER), NANNETTE V. RAMEY, AND BILLY
17 LEE RHODEN AND DORIS J. RHODEN, AS MORE
18 PARTICULARLY DESCRIBED HEREIN, PURSUANT TO
19 APPLICATION NUMBER L-5687-22C; 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.
24

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 *2030 Comprehensive Plan* to change the
29 Future Land Use designation from Low Density Residential (LDR) to
30 Medium Density Residential (MDR) on 4.85± acres of certain real
31 property in Council District 10 was filed by Curtis Hart on behalf

1 of the owners, Teresa Earlene Crowder (also known as Teresa E.
2 Crowder), Nannette V. Ramey, and Billy Lee Rhoden and Doris J. Rhoden;
3 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 *2030*
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 proposed
19 amendment, with public notice having been provided, pursuant to
20 Section 163.3187, *Florida Statutes* and Chapter 650, Part 4, *Ordinance*
21 *Code*, and considered all oral and written comments received during
22 public hearings, including the data and analysis portions of this
23 proposed amendment to the *2030 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 has
27 determined it necessary and desirable to adopt this proposed amendment
28 to the *2030 Comprehensive Plan* to preserve and enhance present
29 advantages, encourage the most appropriate use of land, water, and
30 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 4.85± acres are located in Council District 10 at 0
11 Jacks Road, 5710 Jacks Road, 5738 Jacks Road and 5740 Jacks Road,
12 between Davell Road and Jacks Road (R.E. Nos. 083352-0040, 083386-
13 0000, 083352-0020 and 083352-0000), as more particularly described
14 in **Exhibit 1**, dated February 28, 2022, and graphically depicted in
15 **Exhibit 2**, both **attached hereto** and incorporated herein by this
16 reference (the "Subject Property").

17 **Section 3. Owner and Applicant Description.** The Subject
18 Property is owned by Teresa Earlene Crowder (also known as Teresa E.
19 Crowder), Nannette V. Ramey, and Billy Lee Rhoden and Doris J. Rhoden.
20 The applicant is Curtis Hart, 8051 Tara Lane, Jacksonville, Florida
21 32216; (904) 993-5008.

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 *2030 Comprehensive Plan* by changing
25 the Future Land Use Map designation from Low Density Residential
26 (LDR) to Medium Density Residential (MDR), pursuant to Application
27 Number L-5687-22C.

28 **Section 5. Applicability, Effect and Legal Status.** The
29 applicability and effect of the *2030 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 *2030 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,
14 issues a final order determining the adopted Small-Scale Amendment
15 to be in 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**
26 approve, promote or condone any practice or act that is prohibited
27 or 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/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Krista Fogarty

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