

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-662**

5 AN ORDINANCE ADOPTING A LARGE-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 RURAL RESIDENTIAL (RR) IN
9 THE RURAL DEVELOPMENT AREA TO LOW DENSITY
10 RESIDENTIAL (LDR) IN THE SUBURBAN DEVELOPMENT
11 AREA ON APPROXIMATELY 25.00± ACRES IN COUNCIL
12 DISTRICT 2 AT 3915 STARRATT ROAD AND 3917
13 STARRATT ROAD, BETWEEN TIKI LANE AND GROVER ROAD
14 (R.E. NOS. 108093-0010 AND 108094-0000), OWNED BY
15 KATIE COVE DEVELOPMENT, INC., AS MORE
16 PARTICULARLY DESCRIBED HEREIN, INCLUDING A
17 REVISION TO THE DEVELOPMENT AREAS MAP, PURSUANT
18 TO APPLICATION NUMBER L-5691-22A; 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*, Application Number L-5691-22A requesting a revision
26 to the Future Land Use Map series of the *2030 Comprehensive Plan* to
27 change the future land use designation from Rural Residential (RR)
28 in the Rural Development Area to Low Density Residential (LDR) in the
29 Suburban Development Area has been filed by Curtis Hart on behalf of
30 the owner of certain real property located in Council District 2, as
31 more particularly described in Section 2; and

1 **WHEREAS**, the City, by the adoption of Ordinance 2022-338-E,
2 approved this Large-Scale Amendment to the *2030 Comprehensive Plan*
3 for transmittal to the Department of Economic Opportunity (DEO), as
4 the State Land Planning Agency, and other required state agencies,
5 for review and comment; and

6 **WHEREAS**, by various letters and e-mails, the DEO and other state
7 reviewing agencies transmitted their comments, if any, regarding this
8 proposed amendment; and

9 **WHEREAS**, the Planning and Development Department reviewed the
10 proposed revision and application, considered all comments received,
11 prepared a written report, and rendered an advisory recommendation
12 to the Council with respect to this proposed amendment; and

13 **WHEREAS**, the Planning Commission, acting as the Local Planning
14 Agency (LPA), held a public hearing on this proposed amendment, with
15 due public notice having been provided, and having reviewed and
16 considered all comments during the public hearing, made its
17 recommendation to the City Council; and

18 **WHEREAS**, pursuant to Section 650.406, *Ordinance Code*, the Land
19 Use and Zoning (LUZ) Committee held a public hearing on this proposed
20 amendment, and made its recommendation to the City Council; and

21 **WHEREAS**, pursuant to Section 163.3184(3), *Florida Statutes*, and
22 Chapter 650, Part 4, *Ordinance Code*, the City Council held a public
23 hearing with public notice having been provided on this proposed
24 amendment to the *2030 Comprehensive Plan*; and

25 **WHEREAS**, the City Council further considered all oral and
26 written comments received during public hearings, including the data
27 and analysis portions of this proposed amendment to the *2030*
28 *Comprehensive Plan*, the recommendations of the Planning and
29 Development Department, the LPA, the LUZ Committee and the comments,
30 if any, of the DEO and the other state reviewing agencies; and

31 **WHEREAS**, in the exercise of its authority, the City Council has

1 determined it necessary and desirable to adopt this proposed amendment
2 to the *2030 Comprehensive Plan* to preserve and enhance present
3 advantages, encourage the most appropriate use of land, water, and
4 resources consistent with the public interest, overcome present
5 deficiencies, and deal effectively with future problems which may
6 result from the use and development of land within the City of
7 Jacksonville; now, therefore

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

9 **Section 1. Purpose and Intent.** This Ordinance is adopted
10 to carry out the purpose and intent of, and exercise the authority
11 set out in, the Community Planning Act, Sections 163.3161 through
12 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
13 amended.

14 **Section 2. Subject Property Location and Description.** The
15 approximately 25.00± acres are located in Council District 2 at 3915
16 Starratt Road and 3917 Starratt Road, between Tiki Lane and Grover
17 Road (R.E. Nos. 108093-0010 and 108094-0000), as more particularly
18 described in **Exhibit 1**, dated March 10, 2022, and graphically depicted
19 in **Exhibit 2**, both of which are attached hereto and incorporated
20 herein by this reference (the "Subject Property").

21 **Section 3. Owner and Applicant Description.** The Subject
22 Property is owned by Katie Cove Development, Inc. The applicant is
23 Curtis Hart, 8051 Tara Lane, Jacksonville, Florida 32216; (904) 993-
24 5008.

25 **Section 4. Adoption of Large-Scale Land Use Amendment.** The
26 City Council hereby adopts a proposed Large-Scale revision to the
27 Future Land Use Map series of the *2030 Comprehensive Plan* by changing
28 the Future Land Use designation from Rural Residential (RR) in the
29 Rural Development Area to Low Density Residential (LDR) in the
30 Suburban Development Area, pursuant to Application Number L-5691-22A.

31 **Section 5. Development Areas Map.** The approval herein

1 includes a proposed revision to the Development Areas Map adopted as
2 Future Land Use Element Map L-21, Transportation Element Map T-4 and
3 Capital Improvements Element Map C-1 of the *2030 Comprehensive Plan*,
4 as depicted in **Exhibit 3**, attached hereto.

5 **Section 6. Applicability, Effect and Legal Status.** The
6 applicability and effect of the *2030 Comprehensive Plan*, as herein
7 amended, shall be as provided in the Community Planning Act, Sections
8 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All
9 development undertaken by, and all actions taken in regard to
10 development orders by governmental agencies in regard to land which
11 is subject to the *2030 Comprehensive Plan*, as herein amended, shall
12 be consistent therewith as of the effective date of this amendment
13 to the plan.

14 **Section 7. Effective Date of this Plan Amendment.** Unless
15 this plan amendment is timely challenged under the procedures set
16 forth in Section 163.3184(3), *Florida Statutes*, this plan amendment
17 shall be effective thirty-one (31) days after DEO notifies the City
18 that the plan amendment or plan amendment package is complete. If
19 this plan amendment is timely challenged under Section 163.3184(3),
20 *Florida Statutes*, this plan amendment shall become effective when the
21 DEO or the Administration Commission enters a final order determining
22 the adopted amendment to be in compliance. If this plan amendment
23 is found not to be in compliance under the standards and procedures
24 set forth in Chapter 163, Part II, *Florida Statutes*, then this plan
25 amendment shall become effective only by further action by the City
26 Council. No development orders, development permits, or land uses
27 dependent on this amendment may be issued or commence before it has
28 become effective.

29 **Section 8. Disclaimer.** The amendment granted herein shall
30 **not** be construed as an exemption from any other applicable local,
31 state, or federal laws, regulations, requirements, permits or

1 approvals. All other applicable local, state or federal permits or
2 approvals shall be obtained before commencement of the development
3 or use and issuance of this amendment is based upon acknowledgement,
4 representation and confirmation made by the applicant(s), owner(s),
5 developer(s) and/or any authorized agent(s) or designee(s) that the
6 subject business, development and/or use will be operated in strict
7 compliance with all laws. Issuance of this amendment does **not** approve,
8 promote or condone any practice or act that is prohibited or
9 restricted by any federal, state or local laws.

10 **Section 9. Effective Date.** This Ordinance shall become
11 effective upon signature by the Mayor or upon becoming effective
12 without the Mayor's signature.

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14 Form Approved:

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/s/ Mary E. Staffopoulos

17 Office of General Counsel

18 Legislation Prepared By: Abigail Trout

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