

1 The Land Use and Zoning Committee offers the following Substitute to
2 File No. 2021-572:

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4 Introduced by the Land Use and Zoning Committee:

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7 **ORDINANCE 2021-572**

8 AN ORDINANCE ADOPTING A SMALL-SCALE AMENDMENT TO
9 THE FUTURE LAND USE MAP SERIES OF THE 2030
10 *COMPREHENSIVE PLAN* BY CHANGING THE FUTURE LAND
11 USE DESIGNATION FROM LOW DENSITY RESIDENTIAL
12 (LDR) TO MEDIUM DENSITY RESIDENTIAL (MDR) ON
13 APPROXIMATELY 8.44± ACRES LOCATED IN COUNCIL
14 DISTRICT 12 AT 740 CAHOON ROAD, 0 RAMONA
15 BOULEVARD WEST, 8146 RAMONA BOULEVARD WEST, 8158
16 RAMONA BOULEVARD WEST, AND 8172 RAMONA BOULEVARD
17 WEST, BETWEEN CAHOON ROAD AND ESTATES COVE ROAD
18 (R.E. NOS. 007018-0010, 007018-0020, 007019-
19 0000, 007020-0000, 007022-0010, 007022-0020,
20 007023-0000 AND 007023-0010), OWNED BY SHEPHERD'S
21 CHASE LLC AND RENEE F. MCNULTY, AS MORE
22 PARTICULARLY DESCRIBED HEREIN, PURSUANT TO
23 APPLICATION NUMBER L-5584-21C; PROVIDING A
24 DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN
25 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
26 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
27 DATE.

28
29 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
30 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an
31 application for a proposed Small-Scale Amendment to the Future Land

1 Use Map series (FLUMs) of the *2030 Comprehensive Plan* to change the
2 Future Land Use designation from Low Density Residential (LDR) to
3 Medium Density Residential (MDR) on 8.44± acres of certain real
4 property in Council District 12 was filed by Curtis Hart on behalf
5 of the owners, Shepherd's Chase LLC and Renee F. McNulty; and

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

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

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

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

28 **WHEREAS**, in the exercise of its authority, the City Council has
29 determined it necessary and desirable to adopt this proposed amendment
30 to the *2030 Comprehensive Plan* to preserve and enhance present
31 advantages, encourage the most appropriate use of land, water, and

1 resources consistent with the public interest, overcome present
2 deficiencies, and deal effectively with future problems which may
3 result from the use and development of land within the City of
4 Jacksonville; now, therefore

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

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

11 **Section 2. Subject Property Location and Description.** The
12 approximately 8.44± acres are located in Council District 12 at 740
13 Cahoon Road, 0 Ramona Boulevard West, 8146 Ramona Boulevard West,
14 8158 Ramona Boulevard West and 8172 Ramona Boulevard West, between
15 Cahoon Road and Estates Cove Road (R.E. Nos. 007018-0010, 007018-
16 0020, 007019-0000, 007020-0000, 007022-0010, 007022-0020, 007023-0000
17 and 007023-0010), as more particularly described in **Exhibit 1**, dated
18 August 22, 2022, and graphically depicted in **Exhibit 2**, both **attached**
19 **hereto** and incorporated herein by this reference (the "Subject
20 Property").

21 **Section 3. Owner and Applicant Description.** The Subject
22 Property is owned by Shepherd's Chase LLC and Renee F. McNulty. The
23 applicant is Curtis Hart, 8051 Tara Lane, Jacksonville, Florida 32216;
24 (904) 993-5008.

25 **Section 4. Adoption of Small-Scale Land Use Amendment.** The
26 City Council hereby adopts a proposed Small-Scale revision to the
27 Future Land Use Map series of the *2030 Comprehensive Plan* by changing
28 the Future Land Use Map designation of the Subject Property from Low
29 Density Residential (LDR) to Medium Density Residential (MDR),
30 pursuant to Application Number L-5584-21C.

31 **Section 5. Applicability, Effect and Legal Status.** The

1 applicability and effect of the *2030 Comprehensive Plan*, as herein
2 amended, shall be as provided in the Community Planning Act, Sections
3 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All
4 development undertaken by, and all actions taken in regard to
5 development orders by governmental agencies in regard to land which
6 is subject to the *2030 Comprehensive Plan*, as herein amended, shall
7 be consistent therewith as of the effective date of this amendment
8 to the plan.

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

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

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

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

31 **Section 8. Effective Date.** This Ordinance shall become

1 effective upon signature by the Mayor or upon becoming effective
2 without the Mayor's signature.

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4 Form Approved:

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6 /s/ Mary E. Staffopoulos

7 Office of General Counsel

8 Legislation Prepared By: Krista Fogarty

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