

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2021-341-E**

5 AN ORDINANCE ADOPTING A SMALL-SCALE AMENDMENT  
6 TO 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) AND COMMUNITY/GENERAL COMMERCIAL (CGC) TO  
10 MEDIUM DENSITY RESIDENTIAL (MDR) WITH SITE  
11 SPECIFIC FLUE POLICY 4.4.21 ON APPROXIMATELY  
12 7.80± ACRES LOCATED IN COUNCIL DISTRICT 7, AT 0  
13 STARRATT ROAD, BETWEEN AIRPORT CENTER DRIVE  
14 EAST AND NEW BERLIN ROAD, OWNED BY STARRATT  
15 CROSSING, LLC, AND INCLUDING SITE SPECIFIC  
16 POLICY 4.4.21 IN THE FUTURE LAND USE ELEMENT,  
17 AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT  
18 TO APPLICATION NUMBER L-5492-20C; 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) and  
29 Community/General Commercial (CGC) to Medium Density Residential  
30 (MDR), with Site Specific FLUE Policy 4.4.21, on 7.80± acres of  
31 certain real property in Council District 7 was filed by Paul M.

1 Harden, Esq., on behalf of the owner, Starratt Crossing, LLC; 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,  
8 with due public notice having been provided, reviewed and  
9 considered 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  
13 *2030 Comprehensive Plan*, pursuant to Chapter 650, Part 4, *Ordinance*  
14 *Code*, considered all written and oral comments received during the  
15 public hearing, and has made its recommendation to the City  
16 Council; and

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

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

1 which may result from the use and development of land within the  
2 City of 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.**  
10 The approximately 7.80± acres (R.E. No. 106936-7000) are located in  
11 Council District 7, at 0 Starratt Road, between Airport Center  
12 Drive East and New Berlin Road, as more particularly described in  
13 **Exhibit 1**, dated October 23, 2020, and graphically depicted in  
14 **Exhibit 2**, both **attached hereto** and incorporated herein by this  
15 reference (Subject Property).

16 **Section 3. Owner and Applicant Description.** The Subject  
17 Property is owned by Starratt Crossing, LLC. The applicant is Paul  
18 M. Harden, Esq., 501 Riverside Avenue, Suite 901, Jacksonville,  
19 Florida 32202; (904) 396-5731.

20 **Section 4. Adoption of Small-Scale Land Use Amendment.**  
21 The City Council hereby adopts a proposed Small-Scale revision to  
22 the Future Land Use Map series of the *2030 Comprehensive Plan* by  
23 changing the Future Land Use Map designation from Low Density  
24 Residential (LDR) and Community/General Commercial (CGC) to Medium  
25 Density Residential (MDR) with Site Specific FLUE Policy 4.4.21,  
26 pursuant to Application Number L-5492-20C.

27 **Section 5. Site Specific Policy.** The City Council hereby  
28 adopts FLUE Policy 4.4.21, dated May 25, 2021, and **attached hereto**  
29 as **Exhibit 3**.

30 **Section 6. Applicability, Effect and Legal Status.** The  
31 applicability and effect of the *2030 Comprehensive Plan*, as herein

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

8           **Section 7.           Effective date of this Plan Amendment.**

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

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

18           **Section 8.           Disclaimer.** The amendment granted herein shall  
19 **not** be construed as an exemption from any other applicable local,  
20 state, or federal laws, regulations, requirements, permits or  
21 approvals. All other applicable local, state or federal permits or  
22 approvals shall be obtained before commencement of the development  
23 or use and issuance of this amendment is based upon  
24 acknowledgement, representation and confirmation made by the  
25 applicant(s), owner(s), developer(s) and/or any authorized agent(s)  
26 or designee(s) that the subject business, development and/or use  
27 will be operated in strict compliance with all laws. Issuance of  
28 this amendment does **not** approve, promote or condone any practice or  
29 act that is prohibited or restricted by any federal, state or local  
30 laws.

31           **Section 9.           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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5 Form Approved:

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7           /s/ Shannon K. Eller          

8 Office of General Counsel

9 Legislation Prepared By: Krista Fogarty

10 GC-#1435302-v1-2021-341\_Original\_Bill\_