

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

4 **ORDINANCE 2024-908-E**

5 AN ORDINANCE ADOPTING A SMALL-SCALE AMENDMENT TO
6 THE FUTURE LAND USE MAP SERIES OF THE 2045
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 8.95± ACRES LOCATED IN COUNCIL
11 DISTRICT 4 AT 0 NEWTON ROAD AND 0 CARGAL STREET,
12 SOUTH OF BEACH BOULEVARD AND WEST OF SOUTHSIDE
13 BOULEVARD (R.E. NO(S). 136163-0000 AND 136257-
14 0000), OWNED BY ANTHONY GRISSETT, ANGELA J.
15 DARLING, AND CHOICE PLUS, LLC, AS MORE
16 PARTICULARLY DESCRIBED HEREIN, PURSUANT TO
17 APPLICATION NUMBER L-5984-24C; PROVIDING A
18 DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN
19 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
20 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
21 DATE.
22

23 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
24 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an
25 application for a proposed Small-Scale Amendment to the Future Land
26 Use Map series (FLUMs) of the *2045 Comprehensive Plan* to change the
27 Future Land Use designation from Low Density Residential (LDR) to
28 Medium Density Residential (MDR) on 8.95± acres of certain real
29 property in Council District 4 was filed by Cyndy Trimmer, Esq., on
30 behalf of the owners, Anthony Grissett, Angela J. Darling, and Choice
31 Plus, LLC; and

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

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

10 **WHEREAS**, the Land Use and Zoning (LUZ) Committee of the City
11 Council held a public hearing on this proposed amendment to the *2045*
12 *Comprehensive Plan*, pursuant to Chapter 650, Part 4, *Ordinance Code*,
13 considered all written and oral comments received during the public
14 hearing, and has made its recommendation to the City Council; and

15 **WHEREAS**, the City Council held a public hearing on this
16 proposed amendment, with public notice having been provided, pursuant
17 to Section 163.3187, *Florida Statutes*, and Chapter 650, Part 4,
18 *Ordinance Code*, and considered all oral and written comments received
19 during public hearings, including the data and analysis portions of
20 this proposed amendment to the *2045 Comprehensive Plan* and the
21 recommendations of the Planning and Development Department, the
22 Planning Commission and the LUZ Committee; and

23 **WHEREAS**, in the exercise of its authority, the City Council
24 has determined it necessary and desirable to adopt this proposed
25 amendment to the *2045 Comprehensive Plan* to preserve and enhance
26 present advantages, encourage the most appropriate use of land, water,
27 and resources consistent with the public interest, overcome present
28 deficiencies, and deal effectively with future problems which may
29 result from the use and development of land within the City of
30 Jacksonville; now therefore

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

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

6 **Section 2. Subject Property Location and Description.** The
7 approximately 8.95± acres are located in Council District 4 at 0
8 Newton Road and 0 Cargal Street, South of Beach Boulevard and west
9 of Southside Boulevard (R.E. No(s). 136163-0000 and 136257-0000), as
10 more particularly described in **Exhibit 1**, dated August 30, 2024, and
11 graphically depicted in **Exhibit 2**, both attached hereto and
12 incorporated herein by this reference (the "Subject Property").

13 **Section 3. Owner and Applicant Description.** The Subject
14 Property is owned by Anthony Grissett, Angela J. Darling, and Choice
15 Plus, LLC. The applicant is Cyndy Trimmer, Esq., 1 Independent Drive,
16 Suite 1200, Jacksonville, Florida, 32202; (904) 807-0185.

17 **Section 4. Adoption of Small-Scale Land Use Amendment.** The
18 City Council hereby adopts a proposed Small-Scale revision to the
19 Future Land Use Map series of the *2045 Comprehensive Plan* by changing
20 the Future Land Use Map designation of the Subject Property from Low
21 Density Residential (LDR) to Medium Density Residential (MDR),
22 pursuant to Application Number L-5984-24C.

23 **Section 5. Applicability, Effect and Legal Status.** The
24 applicability and effect of the *2045 Comprehensive Plan*, as herein
25 amended, shall be as provided in the Community Planning Act, Sections
26 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All
27 development undertaken by, and all actions taken in regard to
28 development orders by governmental agencies in regard to land which
29 is subject to the *2045 Comprehensive Plan*, as herein amended, shall
30 be consistent therewith as of the effective date of this amendment
31 to the plan.

1 **Section 6. Effective Date of this Plan Amendment.**

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

6 (b) If challenged within thirty (30) days after adoption, the
7 plan amendment shall not become effective until the state land
8 planning agency or the Administration Commission, respectively, issue
9 a final order determining the adopted Small-Scale Amendment to be in
10 compliance.

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

23 **Section 8. Effective Date.** This Ordinance shall become
24 effective upon signature by the Mayor or upon becoming effective
25 without the Mayor's signature.

26
27 Form Approved:

28 /s/ Dylan Reingold

29 Office of General Counsel

30 Legislation Prepared By: Jermaine Anderson