

1 Introduced and substituted by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-240**

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 HEAVY INDUSTRIAL (HI) AND
9 LIGHT INDUSTRIAL (LI) TO COMMUNITY/GENERAL
10 COMMERCIAL (CGC) WITH FUTURE LAND USE ELEMENT
11 (FLUE) SITE SPECIFIC POLICY 4.4.31 ON
12 APPROXIMATELY 7.25± ACRES LOCATED IN COUNCIL
13 DISTRICT 9 AT 1505 DENNIS STREET, 1720 DENNIS
14 STREET AND 1802 DENNIS STREET, BETWEEN
15 INTERSTATE-95 AND MARGARET STREET (R.E. NOS.
16 075459-0000, 076737-0000 AND 077741-0100), OWNED
17 BY 95 ARCH PARTNERS, LLC, AS MORE PARTICULARLY
18 DESCRIBED HEREIN, PURSUANT TO APPLICATION NUMBER
19 L-5647-21C; ADOPTING A NEW SITE SPECIFIC POLICY
20 4.4.31 IN THE FUTURE LAND USE ELEMENT; PROVIDING
21 A DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN
22 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
23 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
24 DATE.
25

26 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
27 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an
28 application for a proposed Small-Scale Amendment to the Future Land
29 Use Map series (FLUMs) of the *2030 Comprehensive Plan* to change the
30 Future Land Use designation from Heavy Industrial (HI) and Light
31 Industrial (LI) to Community/General Commercial (CGC) with FLUE Site

1 Specific Policy 4.4.31 on approximately 7.25± acres of certain real
2 property in Council District 9 was filed by Cyndy Trimmer, Esq., on
3 behalf of the owner, 95 Arch Partners, LLC; 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 7.25± acres are located in Council District 9 at 1505
11 Dennis Street, 1720 Dennis Street and 1802 Dennis Street, between
12 Interstate-95 and Margaret Street (R.E. Nos. 075459-0000, 076737-0000
13 and 077741-0100), as more particularly described in **Exhibit 1**, dated
14 December 10, 2021, and graphically depicted in **Exhibit 2**, both
15 **attached hereto** and incorporated herein by this reference (the
16 "Subject Property").

17 **Section 3. Owner and Applicant Description.** The Subject
18 Property is owned by 95 Arch Partners, LLC. The applicant is Cyndy
19 Trimmer, Esq., 1 Independent Drive, Suite 1200, Jacksonville, Florida
20 32202; (904) 807-0185.

21 **Section 4. Adoption of Small-Scale Land Use Amendment.** The
22 City Council hereby adopts a proposed Small-Scale revision to the
23 Future Land Use Map series of the *2030 Comprehensive Plan* by changing
24 the Future Land Use Map designation from Heavy Industrial (HI) and
25 Light Industrial (LI) to Community/General Commercial (CGC) with FLUE
26 Site Specific Policy 4.4.31, pursuant to Application Number L-5647-
27 21C.

28 **Section 5. Site Specific Policy.** Future Land Use Element
29 (FLUE) Site Specific Policy 4.4.31 dated April 28, 2022, **attached**
30 **hereto** as **Exhibit 3**, is hereby adopted.

31 **Section 6. 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 7. 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 8. 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 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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4 Form Approved:

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6 /s/ Mary E. Staffopoulos

7 Office of General Counsel

8 Legislation Prepared By: Krista Fogarty

9 GC-#1498141-v1-2022-240_LUZ_Sub_&_Rerefer_(Enrolled)