

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-395**

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 COMMUNITY/GENERAL
9 COOMMERCIAL (CGC), PURSUANT TO ORDINANCE
10 2009-621-E, ADOPTING A REMEDIAL AMENDMENT TO THE
11 2010 COMPREHENSIVE PLAN, TO COMMUNITY/GENERAL
12 COOMMERCIAL (CGC) ON APPROXIMATELY 43.80± ACRES
13 LOCATED IN COUNCIL DISTRICT 13 AT 13911 ATLANTIC
14 BOULEVARD (R.E. NO. 167140-0100), OWNED BY
15 JACKSONVILLE INTRACOASTAL, LLC, AS MORE
16 PARTICULARLY DESCRIBED HEREIN, PURSUANT TO
17 APPLICATION NUMBER L-5810-23C; 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 Community/General Commercial (CGC),
28 pursuant to Ordinance 2009-621-E, adopting a remedial amendment to
29 the 2010 Comprehensive Plan, to Community/General Commercial (CGC)
30 on 43.80± acres of certain real property in Council District 13 was
31 filed by Cyndy Trimmer, Esq., on behalf of the owner, Jacksonville

1 Intracoastal, 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, with
8 due public notice having been provided, reviewed and considered
9 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 *2045*
13 *Comprehensive Plan*, pursuant to Chapter 650, Part 4, *Ordinance Code*,
14 considered all written and oral comments received during the public
15 hearing, and has made its recommendation to the City Council; and

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

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

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

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

7 **Section 2. Subject Property Location and Description.** The
8 approximately 43.80± acres are located in Council District 13 at 13911
9 Atlantic Boulevard (R.E. No. 167140-0100), as more particularly
10 described in **Exhibit 1**, dated March 1, 2023, and graphically depicted
11 in **Exhibit 2**, both attached hereto and incorporated herein by this
12 reference (the "Subject Property").

13 **Section 3. Owner and Applicant Description.** The Subject
14 Property is owned by Jacksonville Intracoastal, LLC. The applicant
15 is Cyndy Trimmer, Esq, 1 Independent Drive, Suite 1200, Jacksonville,
16 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
21 Community/General Commercial (CGC), pursuant to Ordinance 2009-621-E,
22 adopting a remedial amendment to the 2010 Comprehensive Plan, to
23 Community/General Commercial (CGC), pursuant to Small-Scale
24 Application Number L-5810-23C.

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

1 be consistent therewith as of the effective date of this amendment
2 to the plan.

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

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

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

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

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

1 Form Approved:

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3 /s/ Dylan Reingold

4 Office of General Counsel

5 Legislation Prepared By: Helena Parola

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