

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2023-411-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 MEDIUM DENSITY RESIDENTIAL  
9 (MDR) TO COMMUNITY/GENERAL COMMERCIAL (CGC) ON  
10 APPROXIMATELY 0.47± ACRES LOCATED IN COUNCIL  
11 DISTRICT 12 AT 620 CHAFFEE ROAD SOUTH, BETWEEN  
12 INTERSTATE 10 EXPRESSWAY AND CRYSTAL SPRINGS ROAD  
13 (R.E. NO. 001848-0000 (PORTION)), OWNED BY FIRST  
14 COAST ENERGY, L.L.P., AS MORE PARTICULARLY  
15 DESCRIBED HEREIN, PURSUANT TO APPLICATION NUMBER  
16 L-5830-23C; PROVIDING A DISCLAIMER THAT THE  
17 AMENDMENT GRANTED HEREIN SHALL NOT BE CONSTRUED  
18 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
19 PROVIDING AN EFFECTIVE DATE.  
20

21 **WHEREAS**, pursuant to the provisions of Section 650.402(b),  
22 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an  
23 application for a proposed Small-Scale Amendment to the Future Land  
24 Use Map series (FLUMs) of the *2045 Comprehensive Plan* to change the  
25 Future Land Use designation from Medium Density Residential (MDR) to  
26 Community/General Commercial (CGC) on 0.47± acres of certain real  
27 property in Council District 12 was filed by Steve Diebenow, Esq. on  
28 behalf of the owner, First Coast Energy, L.L.P.; and

29 **WHEREAS**, the Planning and Development Department reviewed the  
30 proposed revision and application and has prepared a written report  
31 and rendered an advisory recommendation to the City Council with

1 respect to the proposed amendment; and

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

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

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

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

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

29 **Section 1. Purpose and Intent.** This Ordinance is adopted  
30 to carry out the purpose and intent of, and exercise the authority  
31 set out in, the Community Planning Act, Sections 163.3161 through

1 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as  
2 amended.

3       **Section 2.       Subject Property Location and Description.** The  
4 approximately 0.47± acres are located in Council District 12 at 620  
5 Chaffee Road South, between Interstate 10 Expressway and Crystal  
6 Springs Road (R.E. No. 001848-0000 (portion)), as more particularly  
7 described in **Exhibit 1**, dated May 11, 2023, and graphically depicted  
8 in **Exhibit 2**, both attached hereto and incorporated herein by this  
9 reference (the "Subject Property").

10       **Section 3.       Owner and Applicant Description.** The Subject  
11 Property is owned by First Coast Energy, L.L.P. The applicant is  
12 Steve Diebenow, Esq., One Independent Drive, Suite 1200,  
13 Jacksonville, Florida 32202; (904) 301-1269.

14       **Section 4.       Adoption of Small-Scale Land Use Amendment.** The  
15 City Council hereby adopts a proposed Small-Scale revision to the  
16 Future Land Use Map series of the *2045 Comprehensive Plan* by changing  
17 the Future Land Use Map designation of the Subject Property from  
18 Medium Density Residential (MDR) to Community/General Commercial  
19 (CGC), pursuant to Application Number L-5830-23C.

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

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

30       (a) If the amendment meets the criteria of Section 163.3187,  
31 *Florida Statutes*, as amended, and is not challenged, the effective

