

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2024-671**

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 RURAL RESIDENTIAL (RR) TO  
9 LOW DENSITY RESIDENTIAL (LDR) ON APPROXIMATELY  
10 12.30± ACRES LOCATED IN COUNCIL DISTRICT 2 AT  
11 2109, 2123, 2230, 2241 AND 2248 ED JOHNSON DRIVE,  
12 EAST OF YELLOW BLUFF ROAD (R.E. NO(S). 106150-  
13 0940, 106150-0970, 106150-1000, 106151-0024 AND  
14 A PORTION OF R.E. NO. 106151-0000), OWNED BY  
15 DONALDSON INVESTMENTS, LLC, AS MORE PARTICULARLY  
16 DESCRIBED HEREIN, PURSUANT TO APPLICATION NUMBER  
17 L-5948-24C; PROVIDING A DISCLAIMER THAT THE  
18 AMENDMENT GRANTED HEREIN SHALL NOT BE CONSTRUED  
19 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
20 PROVIDING AN EFFECTIVE DATE.  
21

22 **WHEREAS**, pursuant to the provisions of Section 650.402(b),  
23 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an  
24 application for a proposed Small-Scale Amendment to the Future Land  
25 Use Map series (FLUMs) of the *2045 Comprehensive Plan* to change the  
26 Future Land Use designation from Rural Residential (RR) to Low Density  
27 Residential (LDR) on 12.30± acres of certain real property in Council  
28 District 2 was filed by Brian Small, on behalf of the owner, Donaldson  
29 Investments, LLC; and

30 **WHEREAS**, the Planning and Development Department reviewed the  
31 proposed revision and application and has prepared a written report

1 and rendered an advisory recommendation to the City Council with  
2 respect to the proposed amendment; and

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

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

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

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

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

30 **Section 1. Purpose and Intent.** This Ordinance is adopted  
31 to carry out the purpose and intent of, and exercise the authority

1 set out in, the Community Planning Act, Sections 163.3161 through  
2 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as  
3 amended.

4       **Section 2. Subject Property Location and Description.** The  
5 approximately 12.30± acres are located in Council District 2 at 2109,  
6 2123, 2230, 2241 and 2248 Ed Johnson Drive, east of Yellow Bluff Road  
7 (R.E. No(s). 106150-0940, 106150-0970, 106150-1000, 106151-0024 and  
8 a portion of R.E. No. 106151-0000), as more particularly described  
9 in **Exhibit 1**, dated May 15, 2024, and graphically depicted in **Exhibit**  
10 **2**, both attached hereto and incorporated herein by this reference  
11 (the "Subject Property").

12       **Section 3. Owner and Applicant Description.** The Subject  
13 Property is owned by Donaldson Investments, LLC. The applicant is  
14 Brian Small, 3948 3<sup>rd</sup> Street S., 116, Jacksonville, Florida, 32250;  
15 (843) 384-9333.

16       **Section 4. Adoption of Small-Scale Land Use Amendment.** The  
17 City Council hereby adopts a proposed Small-Scale revision to the  
18 Future Land Use Map series of the *2045 Comprehensive Plan* by changing  
19 the Future Land Use Map designation of the Subject Property from  
20 Rural Residential (RR) to Low Density Residential (LDR), pursuant to  
21 Application Number L-5948-24C.

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

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

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

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

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

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

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26 Form Approved:

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28 \_\_\_\_\_ /s/ Dylan Reingold

29 Office of General Counsel

30 Legislation Prepared By: Marcus Salley

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