

1 Introduced and amended by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2026-6-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) WITH  
10 FUTURE LAND USE ELEMENT (FLUE) SITE SPECIFIC  
11 POLICY 4.4.46 ON APPROXIMATELY 9.70± ACRES  
12 LOCATED IN COUNCIL DISTRICT 14 AT 5735 MORSE  
13 AVENUE, 5807 MORSE AVENUE, AND 6750 SEABOARD  
14 AVENUE, BETWEEN SEABOARD AVENUE AND ALINE ROAD  
15 (R.E. NO(S). 098253-0000, 098253-0200, AND  
16 098255-0100), OWNED BY KELLY DAWN CHATHAM AND  
17 PAULA MOORE, AS MORE PARTICULARLY DESCRIBED  
18 HEREIN, PURSUANT TO APPLICATION NUMBER L-6068-  
19 25C; PROVIDING A DISCLAIMER THAT THE AMENDMENT  
20 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN  
21 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
22 PROVIDING AN EFFECTIVE DATE.  
23

24 **WHEREAS**, pursuant to the provisions of Section 650.402(b),  
25 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, Marshall  
26 H. Phillips, Esq., on behalf of the owners, Kelly Dawn Chatham and  
27 Paula Moore, filed an application for a proposed Small-Scale Amendment  
28 to the Future Land Use Map series (FLUMs) of the *2045 Comprehensive*  
29 *Plan* to change the future land use designation from Low Density  
30 Residential (LDR) to Medium Density Residential (MDR) on 9.70± acres  
31 of certain real property in Council District 14, as more particularly

1 described in Section 2; 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 proposed  
17 amendment, with public notice having been provided, pursuant to  
18 Section 163.3187, *Florida Statutes*, and Chapter 650, Part 4, *Ordinance*  
19 *Code*, and considered all oral and written comments received during  
20 public hearings, including the data and analysis portions of this  
21 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 has  
25 determined it necessary and desirable to adopt this proposed amendment  
26 to the *2045 Comprehensive Plan* to preserve and enhance present  
27 advantages, encourage the most appropriate use of land, water, and  
28 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 9.70± acres are located in Council District 14 at 5735  
9 Morse Avenue, 5807 Morse Avenue, and 6750 Seaboard Avenue, between  
10 Seaboard Avenue and Aline Road (R.E. No(s). 098253-0000, 098253-0200,  
11 AND 098255-0100), as more particularly described in **Exhibit 1**, dated  
12 August 15, 2025, and graphically depicted in **Exhibit 2**, both attached  
13 hereto and incorporated herein by this reference (the "Subject  
14 Property").

15        **Section 3.        Owner and Applicant Description.** The Subject  
16 Property is owned by Kelly Dawn Chatham and Paula Moore. The  
17 applicant is Marshall H. Phillips, Esq., 1301 Riverplace Boulevard,  
18 Suite 1500, Jacksonville, Florida, 32207; (904) 346-5535.

19        **Section 4.        Adoption of Small-Scale Land Use Amendment.** The  
20 City Council hereby adopts a proposed Small-Scale revision to the  
21 Future Land Use Map series of the *2045 Comprehensive Plan* by changing  
22 the Future Land Use Map designation of the Subject Property from Low  
23 Density Residential (LDR) to Medium Density Residential (MDR),  
24 pursuant to Small-Scale Application Number L-6068-25C.

25        **Section 5.        Site Specific Policy.** Future Land Use Element  
26 (FLUE) Site Specific Policy 4.4.46, dated April 21, 2026, attached  
27 hereto as **Exhibit 3**, is hereby adopted.

28        **Section 6.        Applicability, Effect and Legal Status.** The  
29 applicability and effect of the *2045 Comprehensive Plan*, as herein  
30 amended, shall be as provided in the Community Planning Act, Sections  
31 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All

1 development undertaken by, and all actions taken in regard to  
2 development orders by governmental agencies in regard to land which  
3 is subject to the *2045 Comprehensive Plan*, as herein amended, shall  
4 be consistent therewith as of the effective date of this amendment  
5 to the plan.

6 **Section 7. Effective Date of this Plan Amendment.**

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

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

16 **Section 8. Disclaimer.** The amendment granted herein shall  
17 **not** be construed as an exemption from any other applicable local,  
18 state, or federal laws, regulations, requirements, permits or  
19 approvals. All other applicable local, state or federal permits or  
20 approvals shall be obtained before commencement of the development  
21 or use, and issuance of this amendment is based upon acknowledgement,  
22 representation and confirmation made by the applicant(s), owner(s),  
23 developer(s) and/or any authorized agent(s) or designee(s) that the  
24 subject business, development and/or use will be operated in strict  
25 compliance with all laws. Issuance of this amendment does **not**  
26 approve, promote or condone any practice or act that is prohibited  
27 or restricted by any federal, state or local laws.

28 **Section 9. Effective Date.** This Ordinance shall become  
29 effective upon signature by the Mayor or upon becoming effective  
30 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: Susan Kelly

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