

1 Introduced by the Land Use and Zoning Committee:

2
3 **ORDINANCE 2022-76-E**

4 AN ORDINANCE ADOPTING A SMALL-SCALE AMENDMENT TO
5 THE FUTURE LAND USE MAP SERIES OF THE 2030
6 *COMPREHENSIVE PLAN* BY CHANGING THE FUTURE LAND
7 USE DESIGNATION FROM LIGHT INDUSTRIAL (LI) TO
8 RESIDENTIAL-PROFESSIONAL-INSTITUTIONAL (RPI) ON
9 APPROXIMATELY 11.04± ACRES LOCATED IN COUNCIL
10 DISTRICT 7 AT 0 HYATT LANE, 0 MAX LEGGETT PARKWAY,
11 0 DUVAL ROAD, 14011 HYATT ROAD, 14019 HYATT ROAD,
12 14023 HYATT ROAD AND 14044 NORTH MAIN STREET,
13 BETWEEN MAX LEGGETT PARKWAY AND HYATT LANE (R.E.
14 NOS. 106264-0000, 106265-0010, 106265-0030,
15 106266-0000, 106269-0010, 106270-0000 AND
16 106271-0000), OWNED BY HYATT SIGNATURE, LLC, ET
17 AL., AS MORE PARTICULARLY DESCRIBED HEREIN,
18 PURSUANT TO APPLICATION NUMBER L-5627-21C;
19 REVISION TO DEVELOPMENT AREAS MAP; PROVIDING A
20 DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN
21 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
22 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
23 DATE.

24
25 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
26 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an
27 application for a proposed Small-Scale Amendment to the Future Land
28 Use Map series (FLUMs) of the *2030 Comprehensive Plan* to change the
29 Future Land Use designation from Light Industrial (LI) to Residential-
30 Professional-Institutional (RPI) on approximately 11.04± acres of
31 certain real property in Council District 7 was filed by Emily Pierce,

1 Esq., on behalf of the owners, Hyatt Signature, LLC, Hammond E. Powell
2 and Jean M. Powell, Stephen M. Leggett and Elizabeth M. Leggett as
3 Co-Trustees of The Max Harold Leggett Family Trust (created in the
4 Last Will and Testament of Max Harold Leggett, dated January 4, 2006),
5 and Sherrie J. Bartley, Brenda Jean Matthews and Patricia Ann Canady;
6 and

7 **WHEREAS**, the Planning and Development Department reviewed the
8 proposed revision and application and has prepared a written report
9 and rendered an advisory recommendation to the City Council with
10 respect to the proposed amendment; and

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

16 **WHEREAS**, the Land Use and Zoning (LUZ) Committee of the City
17 Council held a public hearing on this proposed amendment to the *2030*
18 *Comprehensive Plan*, pursuant to Chapter 650, Part 4, *Ordinance Code*,
19 considered all written and oral comments received during the public
20 hearing, and has made its recommendation to the City Council; and

21 **WHEREAS**, the City Council held a public hearing on this proposed
22 amendment, with public notice having been provided, pursuant to
23 Section 163.3187, *Florida Statutes* and Chapter 650, Part 4, *Ordinance*
24 *Code*, and considered all oral and written comments received during
25 public hearings, including the data and analysis portions of this
26 proposed amendment to the *2030 Comprehensive Plan* and the
27 recommendations of the Planning and Development Department, the
28 Planning Commission and the LUZ Committee; and

29 **WHEREAS**, in the exercise of its authority, the City Council has
30 determined it necessary and desirable to adopt this proposed amendment
31 to the *2030 Comprehensive Plan* to preserve and enhance present

1 advantages, encourage the most appropriate use of land, water, and
2 resources consistent with the public interest, overcome present
3 deficiencies, and deal effectively with future problems which may
4 result from the use and development of land within the City of
5 Jacksonville; now, therefore

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

7 **Section 1. Purpose and Intent.** This Ordinance is adopted
8 to carry out the purpose and intent of, and exercise the authority
9 set out in, the Community Planning Act, Sections 163.3161 through
10 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
11 amended.

12 **Section 2. Subject Property Location and Description.** The
13 approximately 11.04± acres are located in Council District 7 at 0
14 Hyatt Lane, 0 Max Leggett Parkway, 0 Duval Road, 14011 Hyatt Road,
15 14019 Hyatt Road, 14023 Hyatt Road and 14044 North Main Street,
16 between Max Leggett Parkway and Hyatt Lane (R.E. Nos. 106264-0000,
17 106265-0010, 106265-0030, 106266-0000, 106269-0010, 106270-0000 and
18 106271-0000), as more particularly described in **Exhibit 1**, dated
19 October 25, 2021, and graphically depicted in **Exhibit 2**, both **attached**
20 **hereto** and incorporated herein by this reference (the "Subject
21 Property").

22 **Section 3. Owner and Applicant Description.** The Subject
23 Property is owned by Hyatt Signature, LLC, Hammond E. Powell and Jean
24 M. Powell, Stephen M. Leggett and Elizabeth M. Leggett as Co-Trustees
25 of The Max Harold Leggett Family Trust (created in the Last Will and
26 Testament of Max Harold Leggett, dated January 4, 2006), and Sherrie
27 J. Bartley, Brenda Jean Matthews and Patricia Ann Canady. The
28 applicant is Emily Pierce, Esq., 1301 Riverplace Boulevard, Suite
29 1500, Jacksonville, Florida 32207; (904)398-3911.

30 **Section 4. Adoption of Small-Scale Land Use Amendment.** The
31 City Council hereby adopts a proposed Small-Scale revision to the

1 Future Land Use Map series of the *2030 Comprehensive Plan* by changing
2 the Future Land Use Map designation from Light Industrial (LI) to
3 Residential-Professional-Institutional (RPI), pursuant to
4 Application Number L-5627-21C.

5 **Section 5. Revision to Development Areas Map.** Upon the
6 effective date of this plan amendment, the Development Areas Map
7 adopted as Future Land Use Element Map L-21, Transportation Element
8 Map T-4 and Capital Improvements Element Map C-1 of the *2030*
9 *Comprehensive Plan* shall be revised to incorporate the Subject
10 Property into the Urban Development Area boundaries as depicted in
11 **Exhibit 3, attached hereto.**

12 **Section 6. Applicability, Effect and Legal Status.** The
13 applicability and effect of the *2030 Comprehensive Plan*, as herein
14 amended, shall be as provided in the Community Planning Act, Sections
15 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All
16 development undertaken by, and all actions taken in regard to
17 development orders by governmental agencies in regard to land which
18 is subject to the *2030 Comprehensive Plan*, as herein amended, shall
19 be consistent therewith as of the effective date of this amendment
20 to the plan.

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

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

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

31 **Section 8. Disclaimer.** The amendment granted herein shall

1 **not** be construed as an exemption from any other applicable local,
2 state, or federal laws, regulations, requirements, permits or
3 approvals. All other applicable local, state or federal permits or
4 approvals shall be obtained before commencement of the development
5 or use, and issuance of this amendment is based upon acknowledgement,
6 representation and confirmation made by the applicant(s), owner(s),
7 developer(s) and/or any authorized agent(s) or designee(s) that the
8 subject business, development and/or use will be operated in strict
9 compliance with all laws. Issuance of this amendment does **not** approve,
10 promote or condone any practice or act that is prohibited or
11 restricted by any federal, state or local laws.

12 **Section 9. Effective Date.** This Ordinance shall become
13 effective upon signature by the Mayor or upon becoming effective
14 without the Mayor's signature.

15
16 Form Approved:

17
18 /s/ Mary E. Staffopoulos

19 Office of General Counsel

20 Legislation Prepared By: Abigail Trout

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