

Introduced by the Land Use and Zoning Committee:

ORDINANCE 2025-208-E

AN ORDINANCE ADOPTING A SMALL-SCALE AMENDMENT TO THE FUTURE LAND USE MAP SERIES OF THE 2045 COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE DESIGNATION FROM AGRICULTURE (AGR) TO LOW DENSITY RESIDENTIAL (LDR) ON APPROXIMATELY 16.13± ACRES LOCATED IN COUNCIL DISTRICT 12 AT 9239; 9321 & 9325 GARDEN STREET, BETWEEN JONES ROAD AND GOLDEN BAMBOO DRIVE (R.E. NO(S). 002870-0000 AND 002870-0010 AND A PORTION OF R.E. NO. 002870-0020), OWNED BY WILLIAM CECIL GLOVER, PEARL HELEN BOLES, JENNIE RUTH ATKINSON AND MARILYN CAROL ATKINSON, AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO APPLICATION NUMBER L-6020-25C; PROVIDING A DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to the provisions of Section 650.402(b), Ordinance Code, and Section 163.3187(1), Florida Statutes, an application for a proposed Small-Scale Amendment to the Future Land Use Map series (FLUMs) of the 2045 Comprehensive Plan to change the Future Land Use designation from Agriculture (AGR) to Low Density Residential (LDR) on 16.13± acres of certain real property in Council District 12 was filed by Hayden Phillips, Esq., on behalf of the owners, William Cecil Glover, Pearl Helen Boles, Jennie Ruth Atkinson and Marilyn Carol Atkinson; and

1 **WHEREAS,** the Planning and Development Department reviewed the
2 proposed revision and application and has prepared a written report
3 and rendered an advisory recommendation to the City Council with
4 respect to the proposed amendment; and

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

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

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

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

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

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

6 **Section 2. Subject Property Location and Description.** The
7 approximately 16.13± acres are located in Council District 12 at 9239;
8 9321 & 9325 Garden Street, between Jones Road and Golden Bamboo Drive
9 (R.E. No(s). 002870-0000 and 002870-0010 and a portion of R.E. No.
10 002870-0020), as more particularly described in **Exhibit 1**, dated
11 January 28, 2025, and graphically depicted in **Exhibit 2**, both attached
12 hereto and incorporated herein by this reference (the "Subject
13 Property").

14 **Section 3. Owner and Applicant Description.** The Subject
15 Property is owned by William Cecil Glover, Pearl Helen Boles, Jennie
16 Ruth Atkinson and Marilyn Carol Atkinson. The applicant is Hayden
17 Phillips, Esq., 1301 Riverplace Boulevard, Suite 1500, Jacksonville,
18 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
23 Agriculture (AGR) to Low Density Residential (LDR), pursuant to
24 Application Number L-6020-25C.

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, issue
11 a final order determining the adopted Small-Scale Amendment to be in
12 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: Sam Roberts

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