

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-746**

5 AN ORDINANCE ADOPTING A SMALL-SCALE AMENDMENT TO
6 THE FUTURE LAND USE MAP SERIES OF THE 2030
7 COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND
8 USE DESIGNATION FROM COMMUNITY/GENERAL
9 COMMERCIAL (CGC), PUBLIC BUILDINGS AND FACILITIES
10 (PBF) AND MEDIUM DENSITY RESIDENTIAL (MDR) TO
11 RESIDENTIAL-PROFESSIONAL-INSTITUTIONAL (RPI) ON
12 APPROXIMATELY 1.51± ACRES LOCATED IN COUNCIL
13 DISTRICT 7 AT 0 9TH STREET WEST, 330 9TH STREET
14 WEST AND 1824 PEARL STREET, BETWEEN 9TH STREET
15 WEST AND 8TH STREET WEST, OWNED BY THE BOYS' &
16 GIRLS' CLUBS OF NORTHEAST FLORIDA, INC., AS MORE
17 PARTICULARLY DESCRIBED HEREIN, PURSUANT TO
18 APPLICATION NUMBER L-5488-20C; PROVIDING A
19 DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN
20 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
21 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
22 DATE.
23

24 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
25 Ordinance Code, and Section 163.3187(1), Florida Statutes, an
26 application for a proposed Small-Scale Amendment to the Future Land
27 Use Map series (FLUMs) of the 2030 Comprehensive Plan to change the
28 Future Land Use designation from Community/General Commercial (CGC),
29 Public Buildings and Facilities (PBF) and Medium Density Residential
30 (MDR) to Residential-Professional-Institutional (RPI) on 1.51± acres
31 of certain real property in Council District 7, was filed by Frank

1 M. Ringhofer, on behalf of the owner, the Boys' & Girls' Clubs of
2 Northeast Florida, Inc.; and

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

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

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

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

25 **WHEREAS**, in the exercise of its authority, the City Council has
26 determined it necessary and desirable to adopt this proposed amendment
27 to the *2030 Comprehensive Plan* to preserve and enhance present
28 advantages, encourage the most appropriate use of land, water, and
29 resources consistent with the public interest, overcome present
30 deficiencies, and deal effectively with future problems which may
31 result from the use and development of land within the City of

1 Jacksonville; now, therefore

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

3 **Section 1. Purpose and Intent.** This Ordinance is adopted
4 to carry out the purpose and intent of, and exercise the authority
5 set out in, the Community Planning Act, Sections 163.3161 through
6 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
7 amended.

8 **Section 2. Subject Property Location and Description.** The
9 approximately 1.51± acres are located in Council District 7 at 0 9th
10 Street West, 330 9th Street West and 1824 Pearl Street, between 9th
11 Street West and 8th Street West, as more particularly described in
12 **Exhibit 1**, dated November 11, 2020, and graphically depicted in
13 **Exhibit 2**, both **attached hereto** and incorporated herein by this
14 reference (Subject Property).

15 **Section 3. Owner and Applicant Description.** The Subject
16 Property is owned by the Boys' & Girls' Clubs of Northeast Florida,
17 Inc. The applicant is Frank M. Ringhofer, 4141 Southpoint Drive
18 East, Suite 200, Jacksonville, Florida 32216; (904) 224-0001.

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 *2030 Comprehensive Plan* by changing
22 the Future Land Use Map designation from Community/General Commercial
23 (CGC), Public Buildings and Facilities (PBF) and Medium Density
24 Residential (MDR) to Residential-Professional-Institutional (RPI),
25 pursuant to Application Number L-5488-20C.

26 **Section 5. Applicability, Effect and Legal Status.** The
27 applicability and effect of the *2030 Comprehensive Plan*, as herein
28 amended, shall be as provided in the Community Planning Act, Sections
29 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All
30 development undertaken by, and all actions taken in regard to
31 development orders by governmental agencies in regard to land which

1 is subject to the *2030 Comprehensive Plan*, as herein amended, shall
2 be consistent therewith as of the effective date of this amendment
3 to the plan.

4 **Section 6. Effective date of this Plan Amendment.**

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

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

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

26 **Section 8. Effective Date.** This Ordinance shall become
27 effective upon signature by the Mayor or upon becoming effective
28 without the Mayor's signature.

1 Form Approved:

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3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared By: Krista Fogarty

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