

1 Introduced and substituted by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2022-240**

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 HEAVY INDUSTRIAL (HI) AND  
9 LIGHT INDUSTRIAL (LI) TO COMMUNITY/GENERAL  
10 COMMERCIAL (CGC) WITH FUTURE LAND USE ELEMENT  
11 (FLUE) SITE SPECIFIC POLICY 4.4.31 ON  
12 APPROXIMATELY 7.25± ACRES LOCATED IN COUNCIL  
13 DISTRICT 9 AT 1505 DENNIS STREET, 1720 DENNIS  
14 STREET AND 1802 DENNIS STREET, BETWEEN  
15 INTERSTATE-95 AND MARGARET STREET (R.E. NOS.  
16 075459-0000, 076737-0000 AND 077741-0100), OWNED  
17 BY 95 ARCH PARTNERS, LLC, AS MORE PARTICULARLY  
18 DESCRIBED HEREIN, PURSUANT TO APPLICATION NUMBER  
19 L-5647-21C; ADOPTING A NEW SITE SPECIFIC POLICY  
20 4.4.31 IN THE FUTURE LAND USE ELEMENT; PROVIDING  
21 A DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN  
22 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY  
23 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE  
24 DATE.  
25

26 **WHEREAS**, pursuant to the provisions of Section 650.402(b),  
27 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an  
28 application for a proposed Small-Scale Amendment to the Future Land  
29 Use Map series (FLUMs) of the *2030 Comprehensive Plan* to change the  
30 Future Land Use designation from Heavy Industrial (HI) and Light  
31 Industrial (LI) to Community/General Commercial (CGC) with FLUE Site

1 Specific Policy 4.4.31 on approximately 7.25± acres of certain real  
2 property in Council District 9 was filed by Cyndy Trimmer, Esq., on  
3 behalf of the owner, 95 Arch Partners, LLC; and

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

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

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

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

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

1 result from the use and development of land within the City of  
2 Jacksonville; now, therefore

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

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

9 **Section 2. Subject Property Location and Description.** The  
10 approximately 7.25± acres are located in Council District 9 at 1505  
11 Dennis Street, 1720 Dennis Street and 1802 Dennis Street, between  
12 Interstate-95 and Margaret Street (R.E. Nos. 075459-0000, 076737-0000  
13 and 077741-0100), as more particularly described in **Exhibit 1**, dated  
14 December 10, 2021, and graphically depicted in **Exhibit 2**, both  
15 **attached hereto** and incorporated herein by this reference (the  
16 "Subject Property").

17 **Section 3. Owner and Applicant Description.** The Subject  
18 Property is owned by 95 Arch Partners, LLC. The applicant is Cyndy  
19 Trimmer, Esq., 1 Independent Drive, Suite 1200, Jacksonville, Florida  
20 32202; (904) 807-0185.

21 **Section 4. Adoption of Small-Scale Land Use Amendment.** The  
22 City Council hereby adopts a proposed Small-Scale revision to the  
23 Future Land Use Map series of the *2030 Comprehensive Plan* by changing  
24 the Future Land Use Map designation from Heavy Industrial (HI) and  
25 Light Industrial (LI) to Community/General Commercial (CGC) with FLUE  
26 Site Specific Policy 4.4.31, pursuant to Application Number L-5647-  
27 21C.

28 **Section 5. Site Specific Policy.** Future Land Use Element  
29 (FLUE) Site Specific Policy 4.4.31 dated April 28, 2022, **attached**  
30 **hereto** as **Exhibit 3**, is hereby adopted.

31 **Section 6. Applicability, Effect and Legal Status.** The

1 applicability and effect of the *2030 Comprehensive Plan*, as herein  
2 amended, shall be as provided in the Community Planning Act, Sections  
3 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All  
4 development undertaken by, and all actions taken in regard to  
5 development orders by governmental agencies in regard to land which  
6 is subject to the *2030 Comprehensive Plan*, as herein amended, shall  
7 be consistent therewith as of the effective date of this amendment  
8 to the plan.

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

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

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

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

31           **Section 9.           Effective Date.** This Ordinance shall become

1 effective upon signature by the Mayor or upon becoming effective  
2 without the Mayor's signature.

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4 Form Approved:

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6           /s/  Mary E. Staffopoulos          

7 Office of General Counsel

8 Legislation Prepared By:  Krista Fogarty

9 GC-#1498141-v1-2022-240\_LUZ\_Sub\_&\_Rerefer\_(Enrolled)