

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2024-11-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 BUSINESS PARK (BP) AND  
9 RESIDENTIAL-PROFESSIONAL-INSTITUTIONAL (RPI) TO  
10 COMMUNITY/GENERAL COMMERCIAL (CGC) ON  
11 APPROXIMATELY 2.28± ACRES LOCATED IN COUNCIL  
12 DISTRICT 5 AT 0 HOOD ROAD, 9506 HOOD ROAD, 5024  
13 SUNBEAM ROAD AND 9513 NEAL DRIVE, BETWEEN HOOD  
14 ROAD AND NEAL DRIVE (R.E. NOS. 149103-0050,  
15 149105-0000, 149106-0000 AND 149106-0030), OWNED  
16 BY ADVANCED COMMERCIAL PROPERTIES, LLC, ADVANCED  
17 COMMERCIAL HOLDINGS, LLC AND 9506 HOOD RD  
18 PROPERTIES, LLC, AS MORE PARTICULARLY DESCRIBED  
19 HEREIN, PURSUANT TO APPLICATION NUMBER L-5889-  
20 23C; PROVIDING A DISCLAIMER THAT THE AMENDMENT  
21 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN  
22 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
23 PROVIDING AN EFFECTIVE 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 *2045 Comprehensive Plan* to change the  
29 Future Land Use designation from Business Park (BP) and Residential-  
30 Professional-Institutional (RPI) to Community/General Commercial  
31 (CGC) on 2.28± acres of certain real property in Council District 5

1 was filed by Curtis Hart on behalf of the owners, Advanced Commercial  
2 Properties, LLC, Advanced Commercial Holdings, LLC and 9506 Hood Rd  
3 Properties, 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 *2045*  
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  
19 proposed amendment, with public notice having been provided, pursuant  
20 to Section 163.3187, *Florida Statutes*, and Chapter 650, Part 4,  
21 *Ordinance Code*, and considered all oral and written comments received  
22 during public hearings, including the data and analysis portions of  
23 this proposed amendment to the *2045 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  
27 has determined it necessary and desirable to adopt this proposed  
28 amendment to the *2045 Comprehensive Plan* to preserve and enhance  
29 present advantages, encourage the most appropriate use of land, water,  
30 and 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 2.28± acres are located in Council District 5 at 0 Hood  
11 Road, 9506 Hood Road, 5024 Sunbeam Road and 9513 Neal Drive, between  
12 Hood Road and Neal Drive (R.E. Nos. 149103-0050, 149105-0000, 149106-  
13 0000 and 149106-0030), as more particularly described in **Exhibit 1**,  
14 dated November 21, 2023, 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 Advanced Commercial Properties, LLC, Advanced  
19 Commercial Holdings, LLC and 9506 Hood Rd Properties, LLC. The  
20 applicant is Curtis Hart, 8051 Tara Lane, Jacksonville, Florida 32216;  
21 (904) 993-5008.

22 **Section 4. Adoption of Small-Scale Land Use Amendment.** The  
23 City Council hereby adopts a proposed Small-Scale revision to the  
24 Future Land Use Map series of the *2045 Comprehensive Plan* by changing  
25 the Future Land Use Map designation of the Subject Property from  
26 Business Park (BP) and Residential-Professional-Institutional (RPI)  
27 to Community/General Commercial (CGC), pursuant to Application Number  
28 L-5889-23C.

29 **Section 5. Applicability, Effect and Legal Status.** The  
30 applicability and effect of the *2045 Comprehensive Plan*, as herein  
31 amended, shall be as provided in the Community Planning Act, Sections

1 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All  
2 development undertaken by, and all actions taken in regard to  
3 development orders by governmental agencies in regard to land which  
4 is subject to the *2045 Comprehensive Plan*, as herein amended, shall  
5 be consistent therewith as of the effective date of this amendment  
6 to the plan.

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

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

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

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

29 **Section 8. Effective Date.** This Ordinance shall become  
30 effective upon signature by the Mayor or upon becoming effective  
31 without the Mayor's signature.

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Form Approved:

          /s/ Jason Teal          

Office of General Counsel

Legislation Prepared By: Helena Parola

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