

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-347-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 COMMUNITY/GENERAL
9 COMMERCIAL (CGC) AND LIGHT INDUSTRIAL (LI) TO
10 REGIONAL COMMERCIAL (RC) WITH FUTURE LAND USE
11 ELEMENT (FLUE) SITE SPECIFIC POLICY 4.4.43 ON
12 APPROXIMATELY 8.3± ACRES LOCATED IN COUNCIL
13 DISTRICT 7 AT 2303 N. MARKET STREET, 2301 AND
14 2245 MAIN STREET, 2305 HUBBARD STREET, 2335
15 MARKET STREET, 0 AND 2401 HUBBARD STREET, 2402
16 MARKET STREET, 0 N. MARKET STREET, 2336 LIBERTY
17 STREET, 0 E. 14TH STREET, 0 E. 15TH STREET AND
18 2315 HUBBARD STREET (R.E. NOS. 044910-0000,
19 044911-0000, 044912-0000, 044914-0000, 044922-
20 0005, 044931-0000, 044932-0000, 044935-0000,
21 044936-0000, 044938-0005, 044941-0010, 044941-
22 0060, 044942-0000 AND 055295-0000), OWNED BY FOC
23 JP PROP 1A, LLC, FOC JP PROP 2, LLC, FOC JP PROP
24 3, LLC, FOC JP PROP 4, LLC, FOC JP PROP 5, LLC,
25 FOC JP PROP 6, LLC, FOC JP PROP 7, LLC AND FOC
26 JP PROP 8, LLC AS MORE PARTICULARLY DESCRIBED
27 HEREIN, PURSUANT TO APPLICATION NUMBER L-5906-
28 24C; ADOPTING A NEW SITE SPECIFIC POLICY 4.4.43
29 IN THE FUTURE LAND USE ELEMENT; PROVIDING A
30 DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN
31 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY

1 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
2 DATE.

3
4 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
5 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an
6 application for a proposed Small-Scale Amendment to the Future Land
7 Use Map series (FLUMs) of the *2045 Comprehensive Plan* to change the
8 future land use designation from Community/General Commercial (CGC)
9 and Light Industrial (LI) to Regional Commercial (RC) with Future
10 Land Use Element (FLUE) Site Specific Policy 4.4.43 on 8.3± acres of
11 certain real property in Council District 7 was filed by M. Hayden.
12 Phillips, Esq. on behalf of the owner, FOC JP PROP 1A, LLC, FOC JP
13 PROP 2, LLC, FOC JP PROP 3, LLC, FOC JP PROP 4, LLC, FOC JP PROP 5,
14 LLC, FOC JP PROP 6, LLC, FOC JP PROP 7, LLC and FOC JP PROP 8, LLC;
15 and

16 **WHEREAS**, the Planning and Development Department reviewed the
17 proposed revision and application and has prepared a written report
18 and rendered an advisory recommendation to the City Council with
19 respect to the proposed amendment; and

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

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

30 **WHEREAS**, the City Council held a public hearing on this
31 proposed amendment, with public notice having been provided, pursuant

1 to Section 163.3187, *Florida Statutes*, and Chapter 650, Part 4,
2 *Ordinance Code*, and considered all oral and written comments received
3 during public hearings, including the data and analysis portions of
4 this proposed amendment to the *2045 Comprehensive Plan* and the
5 recommendations of the Planning and Development Department, the
6 Planning Commission and the LUZ Committee; and

7 **WHEREAS**, in the exercise of its authority, the City Council
8 has determined it necessary and desirable to adopt this proposed
9 amendment to the *2045 Comprehensive Plan* to preserve and enhance
10 present advantages, encourage the most appropriate use of land, water,
11 and resources consistent with the public interest, overcome present
12 deficiencies, and deal effectively with future problems which may
13 result from the use and development of land within the City of
14 Jacksonville; now therefore

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

16 **Section 1. Purpose and Intent.** This Ordinance is adopted
17 to carry out the purpose and intent of, and exercise the authority
18 set out in, the Community Planning Act, Sections 163.3161 through
19 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
20 amended.

21 **Section 2. Subject Property Location and Description.** The
22 approximately 8.3± acres are located in Council District 7 at 2303
23 N. Market Street, 2301 and 2245 Main Street, 2305 Hubbard Street,
24 2335 Market Street, 0 and 2401 Hubbard Street, 2402 Market Street, 0
25 N. Market Street, 2336 Liberty Street, 0 E. 14TH Street, 0 E. 15TH
26 Street and 2315 Hubbard Street, between Main Street and Liberty Street
27 and south of E. 15TH Street (R.E. Nos. 044910-0000, 044911-0000,
28 044912-0000, 044914-0000, 044922-0005, 044931-0000, 044932-0000,
29 044935-0000, 044936-0000, 044938-0005, 044941-0010, 044941-0060,
30 044942-0000 and 055295-0000), as more particularly described in
31 **Exhibit 1**, dated January 1, 2024, and graphically depicted in **Exhibit**

1 2, both attached hereto and incorporated herein by this reference
2 (the "Subject Property").

3 **Section 3. Owner and Applicant Description.** The Subject
4 Property is owned by FOC JP PROP 1A, LLC, FOC JP PROP 2, LLC, FOC JP
5 PROP 3, LLC, FOC JP PROP 4, LLC, FOC JP PROP 5, LLC, FOC JP PROP 6,
6 LLC, FOC JP PROP 7, LLC and FOC JP PROP 8, LLC. The applicant is M.
7 Hayden Phillips, Esq., Rogers Towers, P.A., 1301 Riverplace Blvd.,
8 Suite 1500, Jacksonville, FL, 32207; (904) 346-5535.

9 **Section 4. Adoption of Small-Scale Land Use Amendment.** The
10 City Council hereby adopts a proposed Small-Scale revision to the
11 Future Land Use Map series of the *2045 Comprehensive Plan* by changing
12 the Future Land Use Map designation of the Subject Property from
13 Community/General Commercial (CGC) and Light Industrial (LI) to
14 Regional Commercial (RC) with Future Land Use Element (FLUE) Site
15 Specific Policy 4.4.43, pursuant to Small-Scale Application Number
16 L-5906-24C.

17 **Section 5. Site Specific Policy.** Future Land Use Element
18 (FLUE) Site Specific Policy 4.4.43 dated April 16, 2024, attached
19 hereto as **Exhibit 3**, is hereby adopted.

20 **Section 6. Applicability, Effect and Legal Status.** The
21 applicability and effect of the *2045 Comprehensive Plan*, as herein
22 amended, shall be as provided in the Community Planning Act, Sections
23 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All
24 development undertaken by, and all actions taken in regard to
25 development orders by governmental agencies in regard to land which
26 is subject to the *2045 Comprehensive Plan*, as herein amended, shall
27 be consistent therewith as of the effective date of this amendment
28 to the plan.

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

30 (a) If the amendment meets the criteria of Section 163.3187,
31 *Florida Statutes*, as amended, and is not challenged, the effective

1 date of this plan amendment shall be thirty-one (31) days after
2 adoption.

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

8 **Section 8. Disclaimer.** The amendment granted herein shall
9 **not** be construed as an exemption from any other applicable local,
10 state, or federal laws, regulations, requirements, permits or
11 approvals. All other applicable local, state or federal permits or
12 approvals shall be obtained before commencement of the development
13 or use, and issuance of this amendment is based upon acknowledgement,
14 representation and confirmation made by the applicant(s), owner(s),
15 developer(s) and/or any authorized agent(s) or designee(s) that the
16 subject business, development and/or use will be operated in strict
17 compliance with all laws. Issuance of this amendment does **not** approve,
18 promote or condone any practice or act that is prohibited or
19 restricted by any federal, state or local laws.

20 **Section 9. Effective Date.** This Ordinance shall become
21 effective upon signature by the Mayor or upon becoming effective
22 without the Mayor's signature.

23
24 Form Approved:

25
26 /s/ Dylan Reingold

27 Office of General Counsel

28 Legislation Prepared By: Helena Parola

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