

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2021-407-E**

5 AN ORDINANCE ADOPTING A LARGE-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 BUSINESS PARK (BP) AND LIGHT  
9 INDUSTRIAL (LI) TO MEDIUM DENSITY RESIDENTIAL  
10 (MDR) ON APPROXIMATELY 74.17± ACRES IN COUNCIL  
11 DISTRICT 5 AT 0 POWERS AVENUE, BETWEEN POWERS  
12 AVENUE AND PHILLIPS HIGHWAY, OWNED BY THE ARTHUR  
13 CHESTER SKINNER, JR. REVOCABLE LIVING TRUST DATED  
14 SEPTEMBER 10, 1981, AS MORE PARTICULARLY  
15 DESCRIBED HEREIN, PURSUANT TO APPLICATION NUMBER  
16 L-5502-20A; PROVIDING A DISCLAIMER THAT THE  
17 AMENDMENT GRANTED HEREIN SHALL NOT BE CONSTRUED  
18 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
19 PROVIDING AN EFFECTIVE DATE.  
20

21 **WHEREAS**, pursuant to the provisions of Section 650.402(b),  
22 *Ordinance Code*, an application for a proposed Large-Scale Amendment  
23 to the Future Land Use Map series (FLUMs) of the *2030 Comprehensive*  
24 *Plan* to change the Future Land Use designation from Business Park  
25 (BP) and Light Industrial (LI) to Medium Density Residential (MDR),  
26 has been filed by Wyman R. Duggan, Esq., on behalf of The Arthur  
27 Chester Skinner, Jr. Revocable Living Trust Dated September 10, 1981,  
28 the owner of certain real property located in Council District 5, as  
29 more particularly described in Section 2; and

30 **WHEREAS**, the City, by the adoption of Ordinance 2021-2-E,  
31 approved this Large-Scale Amendment to the *2030 Comprehensive Plan*

1 for transmittal to the Department of Economic Opportunity (DEO), as  
2 the State Land Planning Agency, and other required state agencies,  
3 for review and comment; and

4 **WHEREAS**, by various letters and e-mails, the DEO and other state  
5 reviewing agencies transmitted their comments, if any, regarding this  
6 proposed amendment; and

7 **WHEREAS**, the Planning and Development Department reviewed the  
8 proposed revision and application, considered all comments received,  
9 prepared a written report, and rendered an advisory recommendation  
10 to the Council with respect to this proposed amendment; and

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

16 **WHEREAS**, pursuant to Section 650.408, *Ordinance Code*, the Land  
17 Use and Zoning (LUZ) Committee held a public hearing on this proposed  
18 amendment, and made its recommendation to the City Council; and

19 **WHEREAS**, pursuant to Section 163.3184(3), *Florida Statutes*, and  
20 Chapter 650, Part 4, *Ordinance Code*, the City Council held a public  
21 hearing with public notice having been provided on this proposed  
22 amendment to the *2030 Comprehensive Plan*; and

23 **WHEREAS**, the City Council further considered all oral and  
24 written comments received during public hearings, including the data  
25 and analysis portions of this proposed amendment to the *2030*  
26 *Comprehensive Plan*, the recommendations of the Planning and  
27 Development Department, the LPA, the LUZ Committee and the comments,  
28 if any, of the DEO and the other state reviewing agencies; and

29 **WHEREAS**, in the exercise of its authority, the City Council has  
30 determined it necessary and desirable to adopt this proposed amendment  
31 to the *2030 Comprehensive Plan* to preserve and enhance present

1 advantages, encourage the most appropriate use of land, water, and  
2 resources consistent with the public interest, overcome present  
3 deficiencies, and deal effectively with future problems which may  
4 result from the use and development of land within the City of  
5 Jacksonville; now, therefore

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

7 **Section 1. Purpose and Intent.** This Ordinance is adopted  
8 to carry out the purpose and intent of, and exercise the authority  
9 set out in, the Community Planning Act, Sections 163.3161 through  
10 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as  
11 amended.

12 **Section 2. Subject Property Location and Description.** The  
13 approximately 74.17± acres are in Council District 5 at 0 Powers  
14 Avenue, between Powers Avenue and Phillips Highway, as more  
15 particularly described in **Exhibit 1**, dated December 1, 2020, and  
16 graphically depicted in **Exhibit 2**, both of which are **attached hereto**  
17 and incorporated herein by this reference (the "Subject Property").

18 **Section 3. Owner and Applicant Description.** The Subject  
19 Property is owned by The Arthur Chester Skinner, Jr. Revocable Living  
20 Trust Dated September 10, 1981. The applicant is Wyman R. Duggan,  
21 Esq., 1301 Riverplace Boulevard, Suite 1500, Jacksonville, Florida  
22 32207; (904) 398-3911.

23 **Section 4. Adoption of Large-Scale Land Use Amendment.** The  
24 City Council hereby adopts a proposed Large-Scale revision to the  
25 Future Land Use Map series of the *2030 Comprehensive Plan* by changing  
26 the Future Land Use Map designation from Business Park (BP) and Light  
27 Industrial (LI) to Medium Density Residential (MDR), pursuant to  
28 Application Number L-5502-20A.

29 **Section 5. Applicability, Effect and Legal Status.** The  
30 applicability and effect of the *2030 Comprehensive Plan*, as herein  
31 amended, shall be as provided in the Community Planning Act, Section

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 *2030 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.** Unless  
8 this plan amendment is timely challenged under the procedures set  
9 forth in Section 163.3184(3), *Florida Statutes*, this plan amendment  
10 shall be effective thirty-one days after DEO notifies the City of  
11 Jacksonville that the plan amendment or plan amendment package is  
12 complete. If this plan amendment is timely challenged under Section  
13 163.3184(3), *Florida Statutes*, this plan amendment shall become  
14 effective when the DEO or the Administration Commission enters a  
15 final order determining the adopted amendment to be in compliance.  
16 If this plan amendment is found not to be in compliance under the  
17 standards and procedures set forth in Chapter 163, Part II, *Florida*  
18 *Statutes*, then this plan amendment shall become effective only by  
19 further action by the City Council. No development orders,  
20 development permits, or land uses dependent on this amendment may be  
21 issued or commence before it has become effective.

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

1 promote or condone any practice or act that is prohibited or  
2 restricted by any federal, state or local laws.

3       **Section 8.       Effective Date.** This Ordinance shall become  
4 effective upon signature by the Mayor or upon becoming effective  
5 without the Mayor's signature.

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7 Form Approved:

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9             /s/ Mary Staffopoulos      

10 Office of General Counsel

11 Legislation Prepared By: Connor Corrigan

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