

Introduced by the Land Use and Zoning Committee:

ORDINANCE 2025-53-E

AN ORDINANCE ADOPTING A SMALL-SCALE AMENDMENT TO THE FUTURE LAND USE MAP SERIES OF THE 2045 COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE DESIGNATION FROM COMMUNITY/GENERAL COMMERCIAL (CGC) TO LIGHT INDUSTRIAL (LI) ON APPROXIMATELY 3.61± ACRES LOCATED IN COUNCIL DISTRICT 8 AT 11915 NEW KINGS ROAD, BETWEEN WOODLEY ROAD AND DUNN AVENUE (R.E. NO. 003820-0125), OWNED BY M. GAY CONSTRUCTORS, INC., AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO APPLICATION NUMBER L-6006-24C; PROVIDING A DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to the provisions of Section 650.402(b), Ordinance Code, and Section 163.3187(1), Florida Statutes, an application for a proposed Small-Scale Amendment to the Future Land Use Map series (FLUMs) of the 2045 Comprehensive Plan to change the Future Land Use designation from Community/General Commercial (CGC) to Light Industrial (LI) on 3.61± acres of certain real property in Council District 8 was filed by Steve Diebenow, Esq., on behalf of the owner, M. Gay Constructors, Inc.; and

WHEREAS, the Planning and Development Department reviewed the proposed revision and application and has prepared a written report and rendered an advisory recommendation to the City Council with

1 respect to the proposed amendment; and

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

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

12 **WHEREAS,** the City Council held a public hearing on this
13 proposed amendment, with public notice having been provided, pursuant
14 to Section 163.3187, *Florida Statutes*, and Chapter 650, Part 4,
15 *Ordinance Code*, and considered all oral and written comments received
16 during public hearings, including the data and analysis portions of
17 this proposed amendment to the *2045 Comprehensive Plan* and the
18 recommendations of the Planning and Development Department, the
19 Planning Commission and the LUZ Committee; and

20 **WHEREAS,** in the exercise of its authority, the City Council
21 has determined it necessary and desirable to adopt this proposed
22 amendment to the *2045 Comprehensive Plan* to preserve and enhance
23 present advantages, encourage the most appropriate use of land, water,
24 and resources consistent with the public interest, overcome present
25 deficiencies, and deal effectively with future problems which may
26 result from the use and development of land within the City of
27 Jacksonville; now therefore

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

29 **Section 1. Purpose and Intent.** This Ordinance is adopted
30 to carry out the purpose and intent of, and exercise the authority
31 set out in, the Community Planning Act, Sections 163.3161 through

1 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as
2 amended.

3 **Section 2. Subject Property Location and Description.** The
4 approximately 3.61± acres are located in Council District 8 at 11915
5 New Kings Road, between Woodley Road and Dunn Avenue (R.E. No. 003820-
6 0125), as more particularly described in **Exhibit 1**, dated December
7 10, 2024, and graphically depicted in **Exhibit 2**, both attached hereto
8 and incorporated herein by this reference (the "Subject Property").

9 **Section 3. Owner and Applicant Description.** The Subject
10 Property is owned by M. Gay Constructors, Inc. The applicant is Steve
11 Diebenow, Esq., 1 Independent Drive, Suite 1200, Jacksonville,
12 Florida 32202; (904) 301-1269.

13 **Section 4. Adoption of Small-Scale Land Use Amendment.** The
14 City Council hereby adopts a proposed Small-Scale revision to the
15 Future Land Use Map series of the *2045 Comprehensive Plan* by changing
16 the Future Land Use Map designation of the Subject Property from
17 Community/General Commercial (CGC) to Light Industrial (LI), pursuant
18 to Application Number L-6006-24C.

19 **Section 5. Applicability, Effect and Legal Status.** The
20 applicability and effect of the *2045 Comprehensive Plan*, as herein
21 amended, shall be as provided in the Community Planning Act, Sections
22 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All
23 development undertaken by, and all actions taken in regard to
24 development orders by governmental agencies in regard to land which
25 is subject to the *2045 Comprehensive Plan*, as herein amended, shall
26 be consistent therewith as of the effective date of this amendment
27 to the plan.

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

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

1 adoption.

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

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

19 **Section 8. Effective Date.** This Ordinance shall become
20 effective upon signature by the Mayor or upon becoming effective
21 without the Mayor's signature.

22
23 Form Approved:

24
25 /s/ Dylan Reingold

26 Office of General Counsel

27 Legislation Prepared By: Jermaine Anderson, Jr.

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