

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

5 AN ORDINANCE REZONING APPROXIMATELY 5.0± ACRES
6 LOCATED IN COUNCIL DISTRICT 7 AT 0 NEW KINGS
7 ROAD, BETWEEN DINSMORE TOWER ROAD AND WOODLEY
8 ROAD (R.E. NO. 002484-3100), OWNED BY DIEGO R.
9 BERMUDEZ, AS DESCRIBED HEREIN, FROM PLANNED UNIT
10 DEVELOPMENT (PUD) DISTRICT (2009-542-E) TO
11 INDUSTRIAL LIGHT (IL) DISTRICT, AS DEFINED AND
12 CLASSIFIED UNDER THE ZONING CODE, PURSUANT TO
13 FUTURE LAND USE MAP SERIES (FLUMS) LARGE-SCALE
14 AMENDMENT APPLICATION NUMBER L-5463-20A;
15 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
16 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
17 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
18 EFFECTIVE DATE.

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20 **WHEREAS**, the City of Jacksonville adopted a Large-Scale land use
21 amendment to the *2030 Comprehensive Plan* for the purpose of revising
22 portions of the Future Land Use Map series (FLUMS) in order to ensure
23 the accuracy and internal consistency of the plan, pursuant to
24 application L-5463-20A and companion land use Ordinance 2021-3; and

25 **WHEREAS**, in order to ensure consistency of zoning district with
26 the *2030 Comprehensive Plan* and the adopted companion Large-Scale
27 land use amendment L-5463-20A, an application to rezone and reclassify
28 from Planned Unit Development (PUD) District (2009-542-E) to
29 Industrial Light (IL) District was filed by Lara D. Hipps, on behalf
30 of Diego R. Bermudez, the owner of approximately 5.0± acres of certain
31 real property in Council District 7, as more particularly described

1 in Section 1; and

2 **WHEREAS**, the Planning and Development Department, in order to
3 ensure consistency of this zoning district with the *2030 Comprehensive*
4 *Plan*, has considered the rezoning and has rendered an advisory
5 opinion; and

6 **WHEREAS**, the Planning Commission has considered the application
7 and has rendered an advisory opinion; and

8 **WHEREAS**, the Land Use and Zoning (LUZ) Committee after due notice
9 held a public hearing and made its recommendation to the Council; and

10 **WHEREAS**, the City Council after due notice held a public hearing,
11 taking into consideration the above recommendations as well as all
12 oral and written comments received during the public hearings, the
13 Council finds that such rezoning is consistent with the *2030*
14 *Comprehensive Plan* adopted under the comprehensive planning ordinance
15 for future development of the City of Jacksonville; now, therefore

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

17 **Section 1. Subject Property Location and Description.** The
18 approximately 5.0± acres (R.E. No. 002484-3100) are located in Council
19 District 7 at 0 New Kings Road, between Dinsmore Tower Road and
20 Woodley Road, as more particularly described in **Exhibit 1**, dated
21 October 26, 2020, and graphically depicted in **Exhibit 2**, both of
22 which are **attached hereto** and incorporated herein by this reference
23 (Subject Property).

24 **Section 2. Owner and Applicant Description.** The Subject
25 Property is owned by Diego R. Bermudez. The applicant is Lara D.
26 Higgs, 1650 Margaret Street, #323, Jacksonville, Florida 32204; (904)
27 781-2654.

28 **Section 3. Property Rezoned.** The Subject Property,
29 pursuant to adopted companion Large-Scale land use amendment
30 application L-5463-20A, is hereby rezoned and reclassified from
31 Planned Unit Development (PUD) District (2009-542-E) to Industrial

1 Light (IL) District.

2 **Section 4. Disclaimer.** The rezoning granted herein shall
3 not be construed as an exemption from any other applicable local,
4 state, or federal laws, regulations, requirements, permits or
5 approvals. All other applicable local, state or federal permits or
6 approvals shall be obtained before commencement of the development
7 or use and issuance of this rezoning is based upon acknowledgement,
8 representation and confirmation made by the applicant(s), owner(s),
9 developer(s) and/or any authorized agent(s) or designee(s) that the
10 subject business, development and/or use will be operated in strict
11 compliance with all laws. Issuance of this rezoning does not approve,
12 promote or condone any practice or act that is prohibited or
13 restricted by any federal, state or local laws.

14 **Section 5. Contingency.** This rezoning shall not become
15 effective until 31 days after adoption of the companion Large-Scale
16 land use amendment unless challenged by the state land planning
17 agency; and further provided that if the companion Large-Scale land
18 use amendment is challenged by the state land planning agency, this
19 rezoning shall not become effective until the state land planning
20 agency or the Administration Commission issues a final order
21 determining the companion Large-Scale land use amendment is in
22 compliance with Chapter 163, *Florida Statutes*.

23 **Section 6. Effective Date.** The enactment of this Ordinance
24 shall be deemed to constitute a quasi-judicial action of the City
25 Council and shall become effective upon signature by the Council
26 President and the Council Secretary.

1 Form Approved:

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3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared By: Erin Abney

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