

1 Introduced by the Land Use and Zoning Committee:

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**ORDINANCE 2021-4-E**

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

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

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

1 of certain real property in Council District 7, as more  
2 particularly described in Section 1; and

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

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

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

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

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

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

27 **Section 2. Owner and Applicant Description.** The Subject  
28 Property is owned by Diego R. Bermudez. The applicant is Lara D.  
29 Hipps, 1650 Margaret Street, #323, Jacksonville, Florida 32204;  
30 (904) 781-2654.

31 **Section 3. Property Rezoned.** The Subject Property,

1 pursuant to adopted companion Large-Scale land use amendment  
2 application L-5463-20A, is hereby rezoned and reclassified from  
3 Planned Unit Development (PUD) District (2009-542-E) to Industrial  
4 Light (IL) District.

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

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

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

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Form Approved:

    /s/ Shannon K. Eller    

Office of General Counsel

Legislation Prepared By: Erin Abney

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