Introduced by the Land Use and Zoning Committee:

ORDINANCE 2024-970-E

AN ORDINANCE ADOPTING A LARGE-SCALE AMENDMENT TO THE FUTURE LAND USE MAP SERIES OF THE *2045 COMPREHENSIVE PLAN* BY CHANGING THE FUTURE LAND USE DESIGNATION FROM MULTI-USE (MU) SUBJECT TO FUTURE LAND USE ELEMENT (FLUE) SITE SPECIFIC POLICY 4.3.15 AND LIGHT INDUSTRIAL (LI) IN THE RURAL AND SUBURBAN DEVELOPMENT AREAS TO LIGHT INDUSTRIAL (LI), COMMUNITY/GENERAL COMMERCIAL (CGC), CONSERVATION (CSV), LOW DENSITY RESIDENTIAL (LDR) AND MEDIUM DENSITY RESIDENTIAL (MDR), WITH THAT PORTION OF THE PROPERTY LOCATED IN THE RURAL DEVELOPMENT AREA BEING ADDED TO THE SUBURBAN DEVELOPMENT AREA, ON APPROXIMATELY 1,003.91± ACRES LOCATED IN COUNCIL DISTRICT 8 AT 0 MAIN STREET NORTH AND 0 PECAN PARK ROAD, BETWEEN INTERSTATE 95 AND MAIN STREET AND NORTH OF PECAN PARK ROAD (R.E. NOS. 108113-0005, 108113-0300, 108117-0005 AND 108125-0000), OWNED BY RUM EAST, LLC, RUM EAST A, LLC, RUM EAST B, LLC, RUM EAST C, LLC, RUM EAST D, LLC, RUM EAST E, LLC, RUM EAST F, LLC, RUM EAST G, LLC, RUM EAST H, LLC, RUM EAST I, LLC, PECAN PARK RAIL, LLC, PECPAR, LLC, PECPAR-A, LLC, PECPAR-B, LLC, PECPAR-C, LLC, PECPAR-D, LLC AND PECPAR-E, LLC, AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO APPLICATION NUMBER L-5886-23A; REPEALING FLUE SITE SPECIFIC POLICY 4.3.15; INCLUDING A REVISION

TO THE DEVELOPMENT AREAS MAP; 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*, Application Number L-5886-23A, requesting a revision to the Future Land Use Map series of the *2045 Comprehensive Plan* to change the future land use designation from Multi-Use (MU) subject to FLUE Site Specific Policy 4.3.15 and Light Industrial (LI) in the Rural and Suburban Development Areas to Light Industrial (LI), Community/General Commercial (CGC), Conservation (CSV), Low Density Residential (LDR) and Medium Density Residential (MDR) with that portion of the property located in the rural development area being added to the suburban development area, has been filed by Blair Knighting, on behalf of the owners of certain real property located in Council District 8, as more particularly described in Section 2; and

WHEREAS, the City, by the adoption of Ordinance 2024-454-E, approved this Large-Scale Amendment to the *2045 Comprehensive Plan* for transmittal to the Florida Department of Commerce ("DOC") (formerly the Department of Economic Opportunity), as the State Land Planning Agency, and other required state agencies, for review and comment; and

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

WHEREAS, the Planning and Development Department reviewed the proposed revision and application, considered all comments received, prepared a written report, and rendered an advisory recommendation

to the Council with respect to this proposed amendment; and

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

WHEREAS, pursuant to Section 650.406, *Ordinance Code*, the Land Use and Zoning ("LUZ") Committee held a public hearing on this proposed amendment, and made its recommendation to the City Council; and

WHEREAS, pursuant to Section 163.3184(3), *Florida Statutes*, and Chapter 650, Part 4, *Ordinance Code*, the City Council held a public hearing, with public notice having been provided, on this proposed amendment to the *2045 Comprehensive Plan*; and

WHEREAS, the City Council further considered all oral and written comments received during public hearings, including the data and analysis portions of this proposed amendment to the *2045 Comprehensive Plan*, the recommendations of the Planning and Development Department, the LPA, the LUZ Committee, and the comments, if any, of the DOC and the other state reviewing agencies; and

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

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

Section 1. Purpose and Intent. This Ordinance is adopted to carry out the purpose and intent of, and exercise the authority

set out in, the Community Planning Act, Sections 163.3161 through 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as amended.

Section 2. Subject Property Location and Description. The approximately 1,003.91± acres are located in Council District 8 at 0 Main Street North and 0 Pecan Park Road, between Interstate 95 and Main Street and north of Pecan Park Road (R.E. Nos. 108113-0005, 108113-0300, 108117-0005 and 108125-0000), as more particularly described in **Exhibit 1**, dated October 16, 2023, and graphically depicted in **Exhibit 2**, both of which are attached hereto and incorporated herein by this reference (the "Subject Property").

Section 3. Owner and Applicant Description. The Subject Property is owned by Rum East, LLC, Rum East A, LLC, Rum East B, LLC, Rum East C, LLC, Rum East D, LLC, Rum East E, LLC, Rum East F, LLC, Rum East G, LLC, Rum East H, LLC, Rum East I, LLC, Pecan Park Rail, LLC, PecPar, LLC, PecPar-A, LLC, PecPar-B, LLC, PecPar-C, LLC, PecPar-D, LLC and PecPar-E, LLC. The applicant is Blair Knighting, 12740 Gran Bay Parkway West, Suite 2350, Jacksonville, Florida 32258; (904) 828-3917.

Section 4. Adoption of Large-Scale Land Use Amendment. The City Council hereby adopts a proposed Large-Scale revision to the Future Land Use Map series of the *2045 Comprehensive Plan* by changing the Future Land Use designation of the Subject Property from Multi-Use (MU) subject to FLUE Site Specific Policy 4.3.15 and Light Industrial (LI) in the Rural and Suburban Development Areas to Light Industrial (LI), Community/General Commercial (CGC), Conservation (CSV), Low Density Residential (LDR) and Medium Density Residential (MDR) with that portion of the property located in the rural development area being added to the suburban development area, pursuant to Application Number L-5886-23A.

Section 5. Site Specific Policies. Included in this

adoption is the repeal of Future Land Use Element (FLUE) Policy 4.3.15 as outlined in **Exhibit 3**, dated May 23, 2024, attached hereto.

Section 6. Development Areas Map. This adoption includes a revision to the Development Areas Map adopted as Map 6 of the Future Land Use Map Series of the *2045 Comprehensive Plan*, as depicted in **Exhibit 4**, attached hereto.

Section 7. Applicability, Effect and Legal Status. The applicability and effect of the *2045 Comprehensive Plan*, as herein amended, shall be as provided in the Community Planning Act, Sections 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All development undertaken by, and all actions taken in regard to, development orders by governmental agencies in regard to land which is subject to the *2045 Comprehensive Plan*, as herein amended, shall be consistent therewith as of the effective date of this amendment to the plan.

Section 8. Effective Date of this Plan Amendment. Unless this plan amendment is timely challenged under the procedures set forth in Section 163.3184(3), *Florida Statutes*, this plan amendment shall be effective thirty-one (31) days after DOC notifies the City that the plan amendment or plan amendment package is complete. If this plan amendment is timely challenged under Section 163.3184(3), *Florida Statutes*, this plan amendment shall become effective when the DOC or the Administration Commission enters a final order determining the adopted amendment to be in compliance. If this plan amendment is found not to be in compliance under the standards and procedures set forth in Chapter 163, Part II, *Florida Statutes*, then this plan amendment shall become effective only by further action by the City Council. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

Section 9. Disclaimer. The amendment granted herein shall

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

Section 10. Effective Date. This Ordinance shall become effective upon signature by the Mayor or upon becoming effective without the Mayor's signature.

Form Approved:

/s/ Dylan Reingold

Office of General Counsel

Legislation Prepared By: Helena Parola

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