

1 Introduced by the Land Use and Zoning Committee:  
2  
3

4 **ORDINANCE 2024-3-W**

5 AN ORDINANCE ADOPTING A SMALL-SCALE AMENDMENT TO  
6 THE FUTURE LAND USE MAP SERIES OF THE 2045  
7 *COMPREHENSIVE PLAN* BY CHANGING THE FUTURE LAND  
8 USE DESIGNATION FROM AGRICULTURE (AGR) TO LIGHT  
9 INDUSTRIAL (LI) ON APPROXIMATELY 4.04± ACRES  
10 LOCATED IN COUNCIL DISTRICT 8 AT 0 OLD KINGS ROAD,  
11 BETWEEN DINSMORE TOWER ROAD AND ACREE ROAD (R.E.  
12 NO. 002486-0120), OWNED BY RASIM JUSIC, AS MORE  
13 PARTICULARLY DESCRIBED HEREIN, PURSUANT TO  
14 APPLICATION NUMBER L-5877-23C; PROVIDING A  
15 DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN  
16 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY  
17 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE  
18 DATE.

19  
20 **WHEREAS**, pursuant to the provisions of Section 650.402(b),  
21 *Ordinance Code*, and Section 163.3187(1), *Florida Statutes*, an  
22 application for a proposed Small-Scale Amendment to the Future Land  
23 Use Map series (FLUMs) of the *2045 Comprehensive Plan* to change the  
24 Future Land Use designation from Agriculture (AGR) to Light Industrial  
25 (LI) on 4.04± acres of certain real property in Council District 8  
26 was filed by Brian Small on behalf of the owner, Rasim Jusic; and

27 **WHEREAS**, the Planning and Development Department reviewed the  
28 proposed revision and application and has prepared a written report  
29 and rendered an advisory recommendation to the City Council with  
30 respect to the proposed amendment; and

31 **WHEREAS**, the Planning Commission, acting as the Local Planning

1 Agency (LPA), held a public hearing on this proposed amendment, with  
2 due public notice having been provided, reviewed and considered  
3 comments received during the public hearing and made its  
4 recommendation to the City Council; and

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

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

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

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

27 **Section 1. Purpose and Intent.** This Ordinance is adopted  
28 to carry out the purpose and intent of, and exercise the authority  
29 set out in, the Community Planning Act, Sections 163.3161 through  
30 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as  
31 amended.

1           **Section 2.           Subject Property Location and Description.** The  
2 approximately 4.04± acres are located in Council District 8 at 0 Old  
3 Kings Road, between Dinsmore Tower Road and Acree Road (R.E. No.  
4 002486-0120), as more particularly described in **Exhibit 1**, dated  
5 September 18, 2023, and graphically depicted in **Exhibit 2**, both  
6 attached hereto and incorporated herein by this reference (the  
7 "Subject Property").

8           **Section 3.           Owner and Applicant Description.** The Subject  
9 Property is owned by Rasim Jusic. The applicant is Brian Small, 3948  
10 Third Street South, #116, Jacksonville, Florida 32250; (843)  
11 384-9333.

12           **Section 4.           Adoption of Small-Scale Land Use Amendment.** The  
13 City Council hereby adopts a proposed Small-Scale revision to the  
14 Future Land Use Map series of the *2045 Comprehensive Plan* by changing  
15 the Future Land Use Map designation of the Subject Property from  
16 Agriculture (AGR) to Light Industrial (LI), pursuant to Application  
17 Number L-5877-23C.

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

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

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

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

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

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

21  
22 Form Approved:

23  
24           /s/ Jason Teal          

25 Office of General Counsel

26 Legislation Prepared By: Eric Hinton

27 GC-#1603399-v1-2024-3\_(L-5877-23C).docx