

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-172-E**

5 AN ORDINANCE ADOPTING A SMALL-SCALE AMENDMENT
6 TO THE FUTURE LAND USE MAP SERIES OF THE 2030
7 *COMPREHENSIVE PLAN* BY CHANGING THE FUTURE LAND
8 USE DESIGNATION FROM AGRICULTURE-IV (AGR-IV) TO
9 LIGHT INDUSTRIAL (LI) ON APPROXIMATELY 6.30±
10 ACRES LOCATED IN COUNCIL DISTRICT 7 AT 0 ARNOLD
11 ROAD AND 2731 ARNOLD ROAD, BETWEEN PECAN PARK
12 ROAD AND VETERANS CEMETERY ROAD, OWNED BY KATHY
13 KITE, AS MORE PARTICULARLY DESCRIBED HEREIN,
14 PURSUANT TO APPLICATION NUMBER L-5431-20C;
15 PROVIDING A DISCLAIMER THAT THE AMENDMENT
16 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
17 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
18 PROVIDING AN EFFECTIVE 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 *2030 Comprehensive Plan* to change the
24 Future Land Use designation from Agriculture-IV (AGR-IV) to Light
25 Industrial (LI) on 6.30± acres of certain real property in Council
26 District 7, was filed by the owner, Kathy Kite; 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,
2 with due public notice having been provided, reviewed and
3 considered 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
7 *2030 Comprehensive Plan*, pursuant to Chapter 650, Part 4, *Ordinance*
8 *Code*, considered all written and oral comments received during the
9 public hearing, and has made its recommendation to the City
10 Council; and

11 **WHEREAS**, the City Council held a public hearing on this
12 proposed amendment, with public notice having been provided,
13 pursuant to Section 163.3187, *Florida Statutes* and Chapter 650,
14 Part 4, *Ordinance Code*, and considered all oral and written
15 comments received during public hearings, including the data and
16 analysis portions of this proposed amendment to the *2030*
17 *Comprehensive Plan* and the recommendations of the Planning and
18 Development Department, the Planning Commission and the LUZ
19 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 *2030 Comprehensive Plan* to preserve and enhance
23 present advantages, encourage the most appropriate use of land,
24 water, and resources consistent with the public interest, overcome
25 present deficiencies, and deal effectively with future problems
26 which may result from the use and development of land within the
27 City of 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.**

4 The approximately 6.30± acres (R.E. Nos. 019577-0000 and 019577-
5 0080) are located in Council District 7 at 0 Arnold Road and 2731
6 Arnold Road, between Pecan Park Road and Veterans Cemetery Road, as
7 more particularly described in **Exhibit 1**, dated February 5, 2020,
8 and graphically depicted in **Exhibit 2**, both **attached hereto** and
9 incorporated herein by this reference (Subject Property).

10 **Section 3. Owner and Applicant Description.** The Subject

11 Property is owned by Kathy Kite. The applicant is Kathy Kite, 2731
12 Arnold Road, Jacksonville, Florida 32218; (904) 226-2033.

13 **Section 4. Adoption of Small-Scale Land Use Amendment.**

14 The City Council hereby adopts a proposed Small-Scale revision to
15 the Future Land Use Map series of the *2030 Comprehensive Plan* by
16 changing the Future Land Use Map designation from Agriculture-IV
17 (AGR-IV) to Light Industrial (LI), pursuant to Application Number
18 L-5431-20C.

19 **Section 5. Applicability, Effect and Legal Status.** The

20 applicability and effect of the *2030 Comprehensive Plan*, as herein
21 amended, shall be as provided in the Community Planning Act,
22 Sections 163.3161 through 163.3248, *Florida Statutes*, and this
23 Ordinance. All development undertaken by, and all actions taken in
24 regard to development orders by governmental agencies in regard to
25 land which is subject to the *2030 Comprehensive Plan*, as herein
26 amended, shall be consistent therewith as of the effective date of
27 this amendment 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,
5 issues a final order determining the adopted Small-Scale Amendment
6 to be in 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
13 acknowledgement, representation and confirmation made by the
14 applicant(s), owner(s), developer(s) and/or any authorized agent(s)
15 or designee(s) that the subject business, development and/or use
16 will be operated in strict compliance with all laws. Issuance of
17 this amendment does **not** approve, promote or condone any practice or
18 act that is prohibited or restricted by any federal, state or local
19 laws.

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

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24 Form Approved:

25
26 /s/ Shannon K. Eller

27 Office of General Counsel

28 Legislation Prepared By: Krista Fogarty

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