

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2021-3-E**

5 AN ORDINANCE ADOPTING A LARGE-SCALE AMENDMENT TO  
6 THE FUTURE LAND USE MAP SERIES OF THE 2030  
7 *COMPREHENSIVE PLAN* BY CHANGING THE FUTURE LAND  
8 USE DESIGNATION FROM MULTI-USE (MU) TO LIGHT  
9 INDUSTRIAL (LI) ON APPROXIMATELY 5.0± ACRES IN  
10 COUNCIL DISTRICT 7 AT 0 NEW KINGS ROAD, BETWEEN  
11 DINSMORE TOWER ROAD AND WOODLEY ROAD, OWNED BY  
12 DIEGO R. BERMUDEZ, INCLUDING AN AMENDED SITE  
13 SPECIFIC POLICY 4.3.11 IN THE FUTURE LAND USE  
14 ELEMENT, AS MORE PARTICULARLY DESCRIBED HEREIN,  
15 PURSUANT TO APPLICATION NUMBER L-5463-20A;  
16 PROVIDING A DISCLAIMER THAT THE AMENDMENT GRANTED  
17 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION  
18 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN  
19 EFFECTIVE DATE.  
20

21 **WHEREAS**, pursuant to the provisions of Section 650.402(b),  
22 *Ordinance Code*, an application for a proposed Large-Scale Amendment  
23 to the Future Land Use Map series (FLUMs) of the *2030 Comprehensive*  
24 *Plan* to change the Future Land Use designation from Multi-Use (MU)  
25 to Light Industrial (LI), including an amended Site Specific Policy  
26 4.3.11 in the Future Land Use Element, has been filed by Lara D.  
27 Hipps, on behalf of Diego R. Bermudez, the owner of certain real  
28 property located in Council District 7, as more particularly  
29 described in Section 2; and

30 **WHEREAS**, the City, by the adoption of Ordinance 2020-512-E,  
31 approved this Large-Scale Amendment to the *2030 Comprehensive Plan*

1 for transmittal to the Department of Economic Opportunity ("DEO"),  
2 as the State Land Planning Agency, and other required state  
3 agencies, for review and comment; and

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

7 **WHEREAS**, the Planning and Development Department reviewed the  
8 proposed revision and application, considered all comments  
9 received, prepared a written report, and rendered an advisory  
10 recommendation to the Council with respect to this proposed  
11 amendment; and

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

17 **WHEREAS**, pursuant to Section 650.408, *Ordinance Code*, the Land  
18 Use and Zoning (LUZ) Committee held a public hearing on this  
19 proposed amendment, and made its recommendation to the City  
20 Council; and

21 **WHEREAS**, pursuant to Section 163.3184(3), *Florida Statutes*,  
22 and Chapter 650, Part 4, *Ordinance Code*, the City Council held a  
23 public hearing with public notice having been provided on this  
24 proposed amendment to the *2030 Comprehensive Plan*; and

25 **WHEREAS**, the City Council further considered all oral and  
26 written comments received during public hearings, including the  
27 data and analysis portions of this proposed amendment to the *2030*  
28 *Comprehensive Plan*, the recommendations of the Planning and  
29 Development Department, the LPA, the LUZ Committee and the  
30 comments, if any, of the DEO and the other state reviewing  
31 agencies; and

1           **WHEREAS**, in the exercise of its authority, the City Council  
2 has determined it necessary and desirable to adopt this proposed  
3 amendment to the *2030 Comprehensive Plan* to preserve and enhance  
4 present advantages, encourage the most appropriate use of land,  
5 water, and resources consistent with the public interest, overcome  
6 present deficiencies, and deal effectively with future problems  
7 which may result from the use and development of land within the  
8 City of Jacksonville; now, therefore

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

10           **Section 1. Purpose and Intent.** This Ordinance is adopted  
11 to carry out the purpose and intent of, and exercise the authority  
12 set out in, the Community Planning Act, Sections 163.3161 through  
13 163.3248, *Florida Statutes*, and Chapter 166, *Florida Statutes*, as  
14 amended.

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

22           **Section 3. Owner and Applicant Description.** The Subject  
23 Property is owned by Diego R. Bermudez. The applicant is Lara D.  
24 Hipps, 1650 Margaret Street, #323, Jacksonville, Florida 32204;  
25 (904) 781-2654.

26           **Section 4. Adoption of Large-Scale Land Use Amendment.**  
27 The City Council hereby adopts a proposed Large-Scale revision to  
28 the Future Land Use Map series of the *2030 Comprehensive Plan* by  
29 changing the Future Land Use Map designation from Multi-Use (MU) to  
30 Light Industrial (LI), pursuant to Application Number L-5463-20A.

31           **Section 5. Site Specific Policy.** The City Council hereby

1 adopts the amendment to Future Land Use Element (FLUE) Policy  
2 4.3.11, dated December 2, 2020, and **attached hereto** as **Exhibit 3**.

3       **Section 6.       Applicability, Effect and Legal Status.**    The  
4 applicability and effect of the *2030 Comprehensive Plan*, as herein  
5 amended, shall be as provided in the Community Planning Act,  
6 Section 163.3161 through 163.3248, *Florida Statutes*, and this  
7 Ordinance. All development undertaken by, and all actions taken in  
8 regard to development orders by governmental agencies in regard to  
9 land which is subject to the *2030 Comprehensive Plan*, as herein  
10 amended, shall be consistent therewith as of the effective date of  
11 this amendment to the plan.

12       **Section 7.       Effective Date of this Plan Amendment.**  Unless  
13 this plan amendment is timely challenged under the procedures set  
14 forth in Section 163.3184(3), *Florida Statutes*, this plan amendment  
15 shall be effective thirty-one days after DEO notifies the City of  
16 Jacksonville that the plan amendment or plan amendment package is  
17 complete. If this plan amendment is timely challenged under  
18 Section 163.3184(3), *Florida Statutes*, this plan amendment shall  
19 become effective when the DEO or the Administration Commission  
20 enters a final order determining the adopted amendment to be in  
21 compliance. If this plan amendment is found not to be in  
22 compliance under the standards and procedures set forth in Chapter  
23 163, Part II, *Florida Statutes*, then this plan amendment shall  
24 become effective only by further action by the City Council. No  
25 development orders, development permits, or land uses dependent on  
26 this amendment may be issued or commence before it has become  
27 effective.

28       **Section 8.       Disclaimer.** The amendment granted herein shall  
29 **not** be construed as an exemption from any other applicable local,  
30 state, or federal laws, regulations, requirements, permits or  
31 approvals. All other applicable local, state or federal permits or

1 approvals shall be obtained before commencement of the development  
2 or use and issuance of this amendment is based upon  
3 acknowledgement, representation and confirmation made by the  
4 applicant(s), owner(s), developer(s) and/or any authorized agent(s)  
5 or designee(s) that the subject business, development and/or use  
6 will be operated in strict compliance with all laws. Issuance of  
7 this amendment does not approve, promote or condone any practice or  
8 act that is prohibited or restricted by any federal, state or local  
9 laws.

10 **Section 9. Effective Date.** This Ordinance shall become  
11 effective upon signature by the Mayor or upon becoming effective  
12 without the Mayor's signature.

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14 Form Approved:

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16       /s/ Shannon K. Eller      

17 Office of General Counsel

18 Legislation Prepared By: Kristen Reed

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