

1 Introduced by the Council President pursuant to Chapter 380, *Ordinance*  
2 *Code*:

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4  
5 **ORDINANCE 2023-797-E**

6 AN ORDINANCE MAKING CERTAIN FINDINGS; APPROVING  
7 THE APPLICATION OF GASTON TREE DEBRIS RECYCLING,  
8 L.L.C. FOR RENEWAL OF ITS CERTIFICATE OF PUBLIC  
9 CONVENIENCE AND NECESSITY (CON) TO OPERATE A  
10 YARD TRASH RECYCLING FACILITY ("FACILITY") WITH  
11 A MODIFICATION TO ALLOW FOR THE EXPANSION OF THE  
12 FACILITY ONTO AN ADJACENT PARCEL; PROVIDING FOR  
13 CONDITIONS OF SAID RENEWAL; PROVIDING AN  
14 EFFECTIVE DATE.

15  
16 **WHEREAS**, pursuant to Chapter 380, *Ordinance Code*, Gaston Tree  
17 Debris Recycling, L.L.C. (the "Applicant") has applied for renewal  
18 of its Certificate of Public Convenience and Necessity (CON) for the  
19 continued operation of a yard trash recycling facility (the  
20 "Facility") located at 7405 Philips Highway, Jacksonville, Florida  
21 32256, R.E. Parcel No. 152581-0000 (the "Property") with a  
22 modification to allow for the expansion of the Facility onto a parcel  
23 adjacent to the Property and located at 0 Cypress Plaza Drive, R.E.  
24 Parcel No. 152578-1030; and

25 **WHEREAS**, the initial CON authorizing operation of a yard trash  
26 recycling facility at the Property was granted by Ordinance 2012-293-  
27 E; and

28 **WHEREAS**, based upon the determination of need for the Facility  
29 by the City Council, the Solid Waste Division of the Department of  
30 Public Works supports approval of the application for renewal and  
31 modification of the Certificate of Public Convenience and Necessity

1 for Gaston Tree Debris Recycling, L.L.C., provided the Applicant  
2 agrees to accept and comply with the Specific Operating Conditions  
3 contained in **Exhibit 1**, attached hereto and incorporated herein by  
4 this reference; and

5 **WHEREAS**, the City Council has caused a public hearing, properly  
6 noticed, to be held before the Council Committee to which matters  
7 regarding public utilities are referred, as required by Chapter 380,  
8 *Ordinance Code*, and has made certain findings with respect to said  
9 application; now therefore

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

11 **Section 1. Making Findings.** Based upon the criteria set  
12 forth in Section 380.105, *Ordinance Code*, and the comments and  
13 recommendations of the Director of the Planning and Development  
14 Department, the Chief of the Solid Waste Division, the Chief of the  
15 Environmental Quality Division, and the Florida Department of Health  
16 in Duval County, the Council finds that the Facility would serve the  
17 public convenience and provide a needed service to the citizens of  
18 Duval County.

19 **Section 2. Renewal and Modification of Certificate of**  
20 **Public Convenience and Necessity (CON) Granted.** In accordance  
21 with Chapter 380, *Ordinance Code*, the City of Jacksonville hereby  
22 grants renewal and modification of the Certificate of Public  
23 Convenience and Necessity (CON) to Gaston Tree Debris Recycling,  
24 L.L.C. for the continued operation of a yard trash recycling facility  
25 and the expansion of such facility onto the adjacent parcel located  
26 at 0 Cypress Plaza Drive, R.E. Parcel No. 152578-1030.

27 **Section 3. Conditions.** The Certificate of Public  
28 Convenience and Necessity shall be subject to the conditions set  
29 forth in the "Gaston Tree Debris Recycling, LLC Yard Trash Recycling  
30 Facility Certificate of Public Convenience and Necessity Specific  
31 Operating Conditions" attached hereto as **Exhibit 1**. The comments and

1 recommendations of the appropriate representatives from the Public  
2 Works Department, the Planning and Development Department, the  
3 Neighborhoods Department Environmental Quality Division, and the  
4 Florida Department of Health are attached hereto as **Exhibit 2** and  
5 incorporated herein by this reference. A copy of the CON Monthly  
6 Waste Analysis Report form is attached hereto as **Exhibit 3**.

7 **Section 4. Effective Date.** This Ordinance shall  
8 become effective upon signature by the Mayor or upon becoming  
9 effective without the Mayor's signature.

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11 Form Approved:

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13 /s/ Joelle J. Dillard

14 Office of General Counsel

15 Legislation prepared by: Joelle J. Dillard

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