

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-599-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 BUSINESS PARK (BP) TO
9 COMMUNITY/GENERAL COMMERCIAL (CGC) ON
10 APPROXIMATELY 2.53± ACRES LOCATED IN COUNCIL
11 DISTRICT 7 AT 14670 DUVAL ROAD, BETWEEN DUVAL
12 ROAD AND RANCH ROAD, OWNED BY BLUE SKY JAXAP,
13 LLC, AS MORE PARTICULARLY DESCRIBED HEREIN,
14 PURSUANT TO APPLICATION NUMBER L-5474-20C;
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 Business Park (BP) to
25 Community/General Commercial (CGC) on 2.53± acres of certain real
26 property in Council District 7, was filed by Blair Knighting, on
27 behalf of the owner, Blue Sky JAXAP, LLC; and

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

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

6 **WHEREAS**, the Land Use and Zoning (LUZ) Committee of the City
7 Council held a public hearing on this proposed amendment to the
8 *2030 Comprehensive Plan*, pursuant to Chapter 650, Part 4, *Ordinance*
9 *Code*, considered all written and oral comments received during the
10 public hearing, and has made its recommendation to the City
11 Council; and

12 **WHEREAS**, the City Council held a public hearing on this
13 proposed amendment, with public notice having been provided,
14 pursuant to Section 163.3187, *Florida Statutes* and Chapter 650,
15 Part 4, *Ordinance Code*, and considered all oral and written
16 comments received during public hearings, including the data and
17 analysis portions of this proposed amendment to the *2030*
18 *Comprehensive Plan* and the recommendations of the Planning and
19 Development Department, the Planning Commission and the LUZ
20 Committee; and

21 **WHEREAS**, in the exercise of its authority, the City Council
22 has determined it necessary and desirable to adopt this proposed
23 amendment to the *2030 Comprehensive Plan* to preserve and enhance
24 present advantages, encourage the most appropriate use of land,
25 water, and resources consistent with the public interest, overcome
26 present deficiencies, and deal effectively with future problems
27 which may result from the use and development of land within the
28 City of Jacksonville; now, therefore

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

30 **Section 1. Purpose and Intent.** This Ordinance is adopted
31 to carry out the purpose and intent of, and exercise the authority
32 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 2.53± acres (R.E. No. 106478-0120 (portion)) are
5 located in Council District 7 at 14670 Duval Road, between Duval
6 Road and Ranch Road, as more particularly described in **Exhibit 1**,
7 dated September 14, 2020, and graphically depicted in **Exhibit 2**,
8 both **attached hereto** and incorporated herein by this reference
9 (Subject Property).

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

11 Property is owned by Blue Sky JAXAP, LLC. The applicant is Blair
12 Knighting, 12740 Gran Bay Parkway West, Suite 2350, Jacksonville,
13 Florida 32258; (904) 828-3917.

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

15 The City Council hereby adopts a proposed Small-Scale revision to
16 the Future Land Use Map series of the *2030 Comprehensive Plan* by
17 changing the Future Land Use Map designation from Business Park
18 (BP) to Community/General Commercial (CGC), pursuant to Application
19 Number L-5474-20C.

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

21 applicability and effect of the *2030 Comprehensive Plan*, as herein
22 amended, shall be as provided in the Community Planning Act,
23 Sections 163.3161 through 163.3248, *Florida Statutes*, and this
24 Ordinance. All development undertaken by, and all actions taken in
25 regard to development orders by governmental agencies in regard to
26 land which is subject to the *2030 Comprehensive Plan*, as herein
27 amended, shall be consistent therewith as of the effective date of
28 this amendment to the plan.

29 **Section 6. Effective date of this Plan Amendment.**

30 (a) If the amendment meets the criteria of Section 163.3187,
31 *Florida Statutes*, as amended, and is not challenged, the effective
32 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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