

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2020-684**

5 AN ORDINANCE REZONING APPROXIMATELY 1.61± ACRES  
6 LOCATED IN COUNCIL DISTRICT 12 AT 8565 MALLORY  
7 ROAD, BETWEEN BEAVER STREET AND INTERSTATE 10  
8 (R.E. NO. 006962-0010), OWNED BY 8565 MALLORY  
9 ROAD, LLC, AS DESCRIBED HEREIN, FROM INDUSTRIAL  
10 LIGHT (IL) DISTRICT TO INDUSTRIAL HEAVY (IH)  
11 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE  
12 ZONING CODE, PURSUANT TO FUTURE LAND USE MAP  
13 SERIES (FLUMS) SMALL-SCALE AMENDMENT APPLICATION  
14 NUMBER L-5487-20C; PROVIDING A DISCLAIMER THAT  
15 THE REZONING GRANTED HEREIN SHALL NOT BE  
16 CONSTRUED AS AN EXEMPTION FROM ANY OTHER  
17 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.  
18

19 **WHEREAS,** the City of Jacksonville adopted a Small-Scale  
20 Amendment to the *2030 Comprehensive Plan* for the purpose of revising  
21 portions of the Future Land Use Map series (FLUMs) in order to ensure  
22 the accuracy and internal consistency of the plan, pursuant to  
23 application L-5487-20C and companion land use Ordinance 2020-683; and

24 **WHEREAS,** in order to ensure consistency of zoning district with  
25 the *2030 Comprehensive Plan* and the adopted companion Small-Scale  
26 Amendment L-5487-20C, an application to rezone and reclassify from  
27 Industrial Light (IL) District to Industrial Heavy (IH) District was  
28 filed by Paul M. Harden, Esq., on behalf of 8565 Mallory Road, LLC,  
29 the owner of approximately 1.61± acres of certain real property in  
30 Council District 12, as more particularly described in Section 1; and

31 **WHEREAS,** the Planning and Development Department, in order to

1 ensure consistency of this zoning district with the *2030 Comprehensive*  
2 *Plan*, has considered the rezoning and has rendered an advisory  
3 opinion; and

4 **WHEREAS**, the Planning Commission has considered the application  
5 and has rendered an advisory opinion; and

6 **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due  
7 notice, held a public hearing and made its recommendation to the  
8 Council; and

9 **WHEREAS**, the City Council, after due notice, held a public  
10 hearing, and taking into consideration the above recommendations as  
11 well as all oral and written comments received during the public  
12 hearings, the Council finds that such rezoning is consistent with the  
13 *2030 Comprehensive Plan* adopted under the comprehensive planning  
14 ordinance for future development of the City of Jacksonville; now,  
15 therefore

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

17 **Section 1. Subject Property Location and Description.** The  
18 approximately 1.61± acres (R.E. No. 006962-0010) are located in  
19 Council District 12 at 8565 Mallory Road, between Beaver Street and  
20 Interstate 10, as more particularly described in **Exhibit 1**, dated  
21 October 14, 2020, and graphically depicted in **Exhibit 2**, both of  
22 which are **attached hereto** and incorporated herein by this reference  
23 (Subject Property).

24 **Section 2. Owner and Applicant Description.** The Subject  
25 Property is owned by 8565 Mallory Road, LLC. The applicant is Paul  
26 M. Harden, Esq., 501 Riverside Avenue, Suite 901, Jacksonville,  
27 Florida 32202; (904) 396-5731.

28 **Section 3. Property Rezoned.** The Subject Property,  
29 pursuant to adopted companion Small-Scale Amendment Application L-  
30 5487-20C, is hereby rezoned and reclassified from Industrial Light  
31 (IL) District to Industrial Heavy (IH) District.

1           **Section 4.           Contingency.**   This rezoning shall not become  
2 effective until 31 days after adoption of the companion Small-Scale  
3 Amendment; and further provided that if the companion Small-Scale  
4 Amendment is challenged by the state land planning agency, this  
5 rezoning shall not become effective until the state land planning  
6 agency or the Administration Commission issues a final order  
7 determining the companion Small-Scale Amendment is in compliance with  
8 Chapter 163, *Florida Statutes*.

9           **Section 5.           Disclaimer.**   The rezoning granted herein  
10 shall **not** be construed as an exemption from any other applicable  
11 local, state, or federal laws, regulations, requirements, permits or  
12 approvals. All other applicable local, state or federal permits or  
13 approvals shall be obtained before commencement of the development  
14 or use and issuance of this rezoning is based upon acknowledgement,  
15 representation and confirmation made by the applicant(s), owner(s),  
16 developer(s) and/or any authorized agent(s) or designee(s) that the  
17 subject business, development and/or use will be operated in strict  
18 compliance with all laws. Issuance of this rezoning does **not** approve,  
19 promote or condone any practice or act that is prohibited or  
20 restricted by any federal, state or local laws.

21           **Section 6.           Effective Date.** The enactment of this Ordinance  
22 shall be deemed to constitute a quasi-judicial action of the City  
23 Council and shall become effective upon signature by the Council  
24 President and the Council Secretary.

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26 Form Approved:

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   /s/ Shannon K. Eller

29 Office of General Counsel

30 Legislation Prepared By: Erin Abney

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