

1 Introduced by the Land Use and Zoning Committee:

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4 **ORDINANCE 2023-257**

5 AN ORDINANCE TRANSMITTING TO THE STATE OF
6 FLORIDA'S VARIOUS AGENCIES FOR REVIEW, A
7 PROPOSED LARGE SCALE REVISION TO THE FUTURE LAND
8 USE MAP SERIES OF THE *2045 COMPREHENSIVE PLAN* TO
9 CHANGE THE FUTURE LAND USE DESIGNATION FROM
10 AGRICULTURE-III (AGR-III) TO LIGHT INDUSTRIAL
11 (LI) ON APPROXIMATELY 101.87± ACRES LOCATED IN
12 COUNCIL DISTRICT 8 AT 0 GARDEN STREET, BETWEEN
13 PAXTON ROAD AND IMESON ROAD (R.E. NO. 003999-
14 0800), OWNED BY EDWARD ELIAS AND RIMA ELIAS, AS
15 MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO
16 APPLICATION NUMBER L-5803-23A; PROVIDING A
17 DISCLAIMER THAT THE TRANSMITTAL GRANTED HEREIN
18 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
19 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
20 DATE.

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22 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
23 *Ordinance Code*, Application Number L-5803-23A, requesting a revision
24 to the Future Land Use Map series of the *2045 Comprehensive Plan* to
25 change the future land use designation from Agriculture-III (AGR-III)
26 to Light Industrial (LI), has been filed by Jason Gabriel, Esq., on
27 behalf of the owners of certain real property located in Council
28 District 8, as more particularly described in Section 2; and

29 **WHEREAS**, the Planning and Development Department reviewed the
30 proposed revision and application, held a public information workshop
31 on this proposed amendment to the *2045 Comprehensive Plan*, with due

1 public notice having been provided, and having reviewed and considered
2 all comments received during the public workshop, has prepared a
3 written report and rendered an advisory recommendation to the Council
4 with respect to this proposed amendment; and

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

10 **WHEREAS**, the Land Use and Zoning (LUZ) Committee held a public
11 hearing on this proposed amendment pursuant to Chapter 650, Part 4,
12 *Ordinance Code*, and having considered all written and oral comments
13 received during the public hearing, has made its recommendation to
14 the Council; and

15 **WHEREAS**, the City Council held a public hearing on this proposed
16 amendment with public notice having been provided, pursuant to Section
17 163.3184(3), *Florida Statutes*, and Chapter 650, Part 4, *Ordinance*
18 *Code*, and having considered all written and oral comments received
19 during the public hearing, the recommendations of the Planning and
20 Development Department, the LPA, and the LUZ Committee, desires to
21 transmit this proposed amendment through the State's Expedited State
22 Review Process for amendment review to the Florida Department of
23 Economic Opportunity, as the State Land Planning Agency, the Northeast
24 Florida Regional Council, the Florida Department of Transportation,
25 the St. Johns River Water Management District, the Florida Department
26 of Environmental Protection, the Florida Fish and Wildlife
27 Conservation Commission, the Department of State's Bureau of Historic
28 Preservation, the Florida Department of Education, and the Department
29 of Agriculture and Consumer Services; now, therefore

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

31 **Section 1. Purpose and Intent.** The Council hereby approves

1 for transmittal to the various State agencies for review a proposed
2 large-scale revision to the Future Land Use Map series of the 2045
3 *Comprehensive Plan* by changing the future land use designation of
4 certain real property from Agriculture-III (AGR-III) to Light
5 Industrial (LI), pursuant to Application Number L-5803-23A.

6 **Section 2. Subject Property Location and Description.** The
7 approximately 101.87± acres are located in Council District 8 at 0
8 Garden Street, between Paxton Road and Imeson Road (R.E. No. 003999-
9 0800), as more particularly described in **Exhibit 1**, dated February
10 17, 2023, and graphically depicted in **Exhibit 2**, both of which are
11 attached hereto and incorporated herein by this reference (the
12 "Subject Property").

13 **Section 3. Owner and Applicant Description.** The Subject
14 Property is owned by Edward Elias and Rima Elias. The applicant is
15 Jason Gabriel, Esq., 50 North Laura Street, Suite 3000, Jacksonville,
16 Florida 32202; (904) 232-7211.

17 **Section 4. Disclaimer.** The transmittal granted herein
18 shall not be construed as an exemption from any other applicable
19 local, state, or federal laws, regulations, requirements, permits or
20 approvals. All other applicable local, state or federal permits or
21 approvals shall be obtained before commencement of the development
22 or use and issuance of this transmittal is based upon acknowledgement,
23 representation and confirmation made by the applicant(s), owner(s),
24 developer(s) and/or any authorized agent(s) or designee(s) that the
25 subject business, development and/or use will be operated in strict
26 compliance with all laws. Issuance of this transmittal does not
27 approve, promote or condone any practice or act that is prohibited
28 or restricted by any federal, state or local laws.

29 **Section 5. Effective Date.** This Ordinance shall become
30 effective upon signature by the Mayor or upon becoming effective
31 without the Mayor's signature.

1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared by: Eric Hinton

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