

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-848**

5 AN ORDINANCE ADOPTING A LARGE-SCALE AMENDMENT TO
6 THE FUTURE LAND USE MAP SERIES OF THE 2045
7 *COMPREHENSIVE PLAN* BY CHANGING THE FUTURE LAND
8 USE DESIGNATION FROM AGRICULTURE (AGR) IN THE
9 RURAL DEVELOPMENT AREA TO LIGHT INDUSTRIAL (LI)
10 AND CONSERVATION (CSV) IN THE SUBURBAN
11 DEVELOPMENT AREA ON APPROXIMATELY 200.00± ACRES
12 LOCATED IN COUNCIL DISTRICT 8 AT 0 ARNOLD ROAD,
13 BETWEEN ARNOLD ROAD AND LANNIE ROAD (R.E. NO.
14 019608-0050), OWNED BY KATHY L. KITE,
15 INDIVIDUALLY AND AS TRUSTEE OF THE MARILYN DONL
16 KITE REVOCABLE TRUST DATED JANUARY 27, 1997, AS
17 MORE PARTICULARLY DESCRIBED HEREIN, INCLUDING A
18 REVISION TO THE DEVELOPMENT AREAS MAP, PURSUANT
19 TO APPLICATION NUMBER L-5825-23A; PROVIDING A
20 DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN
21 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
22 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
23 DATE.
24

25 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
26 *Ordinance Code*, Application Number L-5825-23A, requesting a revision
27 to the Future Land Use Map series of the *2045 Comprehensive Plan* to
28 change the future land use designation from Agriculture (AGR) in the
29 Rural Development Area to Light Industrial (LI) and Conservation
30 (CSV) in the Suburban Development Area has been filed by Paul Harden,
31 Esq. on behalf of the owner of certain real property located in

1 Council District 8, as more particularly described in Section 2; and

2 **WHEREAS,** the City, by the adoption of Ordinance 2023-479-E,
3 approved this Large-Scale Amendment to the *2045 Comprehensive Plan*
4 for transmittal to the Department of Commerce (DOC), formerly the
5 Department of Economic Opportunity (DEO), as the State Land Planning
6 Agency, and other required state agencies, for review and comment;
7 and

8 **WHEREAS,** by various letters and e-mails, the DOC and other
9 state reviewing agencies transmitted their comments, if any,
10 regarding this proposed amendment; and

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

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

20 **WHEREAS,** pursuant to Section 650.406, *Ordinance Code*, the Land
21 Use and Zoning (LUZ) Committee held a public hearing on this proposed
22 amendment, and made its recommendation to the City Council; and

23 **WHEREAS,** pursuant to Section 163.3184(3), *Florida Statutes*,
24 and Chapter 650, Part 4, *Ordinance Code*, the City Council held a
25 public hearing with public notice having been provided on this
26 proposed amendment to the *2045 Comprehensive Plan*; and

27 **WHEREAS,** the City Council further considered all oral and
28 written comments received during public hearings, including the data
29 and analysis portions of this proposed amendment to the *2045*
30 *Comprehensive Plan*, the recommendations of the Planning and
31 Development Department, the LPA, the LUZ Committee and the comments,

1 if any, of the DOC and the other state reviewing agencies; and

2 **WHEREAS**, in the exercise of its authority, the City Council
3 has determined it necessary and desirable to adopt this proposed
4 amendment to the *2045 Comprehensive Plan* to preserve and enhance
5 present advantages, encourage the most appropriate use of land, water,
6 and resources consistent with the public interest, overcome present
7 deficiencies, and deal effectively with future problems which may
8 result from the use and development of land within the City of
9 Jacksonville;; now therefore

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

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

16 **Section 2. Subject Property Location and Description.** The
17 approximately 200.00± acres are located in Council District 8 at 0
18 Arnold Road, between Arnold Road and Lannie Road (R.E. No.
19 019608-0050), as more particularly described in **Exhibit 1**, dated June
20 9, 2023, and graphically depicted in **Exhibit 2**, both attached hereto
21 and incorporated herein by this reference (the "Subject Property").

22 **Section 3. Owner and Applicant Description.** The Subject
23 Property is owned by Kathy L. Kite, individually and as Trustee of
24 the Marilyn Donl Kite Revocable Trust dated January 27, 1997. The
25 applicant is Paul Harden, Esq., 1431 Riverplace Boulevard, Suite 901,
26 Jacksonville, Florida 32207; (904) 396-5731.

27 **Section 4. Adoption of Large-Scale Land Use Amendment.** The
28 City Council hereby adopts a proposed Large-Scale revision to the
29 Future Land Use Map series of the *2045 Comprehensive Plan* by changing
30 the Future Land Use Map designation of the Subject Property from
31 Agriculture (AGR) in the Rural Development Area to Light Industrial

1 (LI) and Conservation (CSV) in the Suburban Development Area, pursuant
2 to Application Number L-5825-23A.

3 **Section 5. Development Areas Map.** The approval herein
4 includes a proposed revision to the Development Areas Map adopted as
5 Map 6 of the Future Land Use Map Series of the *2045 Comprehensive*
6 *Plan* as depicted in **Exhibit 3**, attached hereto and incorporated herein
7 by this reference.

8 **Section 6. Applicability, Effect and Legal Status.** The
9 applicability and effect of the *2045 Comprehensive Plan*, as herein
10 amended, shall be as provided in the Community Planning Act, Sections
11 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All
12 development undertaken by, and all actions taken in regard to
13 development orders by governmental agencies in regard to land which
14 is subject to the *2045 Comprehensive Plan*, as herein amended, shall
15 be consistent therewith as of the effective date of this amendment
16 to the plan.

17 **Section 7. Effective Date of this Plan Amendment.** Unless
18 this plan amendment is timely challenged under the procedures set
19 forth in Section 163.3184(3), *Florida Statutes*, this plan amendment
20 shall be effective thirty-one (31) days after DOC notifies the City
21 that the plan amendment or plan amendment package is complete. If
22 this plan amendment is timely challenged under Section 163.3184(3),
23 *Florida Statutes*, this plan amendment shall become effective when the
24 DOC or the Administration Commission enters a final order determining
25 the adopted amendment to be in compliance. If this plan amendment is
26 found not to be in compliance under the standards and procedures set
27 forth in Chapter 163, Part II, *Florida Statutes*, then this plan
28 amendment shall become effective only by further action by the City
29 Council. No development orders, development permits, or land uses
30 dependent on this amendment may be issued or commence before it has
31 become effective.

1 **Section 8. Disclaimer.** The amendment granted herein shall
2 **not** be construed as an exemption from any other applicable local,
3 state, or federal laws, regulations, requirements, permits or
4 approvals. All other applicable local, state or federal permits or
5 approvals shall be obtained before commencement of the development
6 or use, and issuance of this amendment is based upon acknowledgement,
7 representation and confirmation made by the applicant(s), owner(s),
8 developer(s) and/or any authorized agent(s) or designee(s) that the
9 subject business, development and/or use will be operated in strict
10 compliance with all laws. Issuance of this amendment does **not** approve,
11 promote or condone any practice or act that is prohibited or
12 restricted by any federal, state or local laws.

13 **Section 9. Effective Date.** This Ordinance shall become
14 effective upon signature by the Mayor or upon becoming effective
15 without the Mayor's signature.
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17 Form Approved:

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19 _____ /s/ Mary E. Staffopoulos

20 Office of General Counsel

21 Legislation Prepared By: Marcus Salley

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