

Introduced by the Land Use and Zoning Committee:

ORDINANCE 2024-192

AN ORDINANCE ADOPTING A SMALL-SCALE AMENDMENT TO THE FUTURE LAND USE MAP SERIES OF THE 2045 COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE DESIGNATION FROM HEAVY INDUSTRIAL (HI) AND LOW DENSITY RESIDENTIAL (LDR) TO COMMUNITY/GENERAL COMMERCIAL (CGC), LIGHT INDUSTRIAL (LI) AND BUSINESS PARK (BP) ON APPROXIMATELY 4.31± ACRES LOCATED IN COUNCIL DISTRICT 8 AT 0 NEW KINGS ROAD AND 10042 NEW KINGS ROAD, BETWEEN TROUT RIVER BOULEVARD AND BARTH ROAD (R.E. NOS. 002697-0000, 002705-0010, 003947-0020 (PORTION) AND 003947-0040 (PORTION)), OWNED BY NEW KINGS TRUCK YARD, LLC, AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO APPLICATION NUMBER L-5892-23C; PROVIDING A DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to the provisions of Section 650.402(b), Ordinance Code, and Section 163.3187(1), Florida Statutes, an application for a proposed Small-Scale Amendment to the Future Land Use Map series (FLUMs) of the 2045 Comprehensive Plan to change the Future Land Use designation from Heavy Industrial (HI) and Low Density Residential (LDR) to Community/General Commercial (CGC), Light Industrial (LI) and Business Park (BP) on 4.31± acres of certain real

1 property in Council District 8 was filed by Chris Hagan on behalf of
2 the owner, New Kings Truck Yard, LLC; and

3 **WHEREAS,** the Planning and Development Department reviewed the
4 proposed revision and application and has prepared a written report
5 and rendered an advisory recommendation to the City Council with
6 respect to the proposed amendment; and

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

12 **WHEREAS,** the Land Use and Zoning (LUZ) Committee of the City
13 Council held a public hearing on this proposed amendment to the *2045*
14 *Comprehensive Plan*, pursuant to Chapter 650, Part 4, *Ordinance Code*,
15 considered all written and oral comments received during the public
16 hearing, and has made its recommendation to the City Council; and

17 **WHEREAS,** the City Council held a public hearing on this
18 proposed amendment, with public notice having been provided, pursuant
19 to Section 163.3187, *Florida Statutes*, and Chapter 650, Part 4,
20 *Ordinance Code*, and considered all oral and written comments received
21 during public hearings, including the data and analysis portions of
22 this proposed amendment to the *2045 Comprehensive Plan* and the
23 recommendations of the Planning and Development Department, the
24 Planning Commission and the LUZ Committee; and

25 **WHEREAS,** in the exercise of its authority, the City Council
26 has determined it necessary and desirable to adopt this proposed
27 amendment to the *2045 Comprehensive Plan* to preserve and enhance
28 present advantages, encourage the most appropriate use of land, water,
29 and resources consistent with the public interest, overcome present
30 deficiencies, and deal effectively with future problems which may
31 result from the use and development of land within the City of

Jacksonville; now therefore

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

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

Section 2. Subject Property Location and Description. The approximately 4.31± acres are located in Council District 8 at 0 New Kings Road and 10042 New Kings Road, between Trout River Boulevard and Barth Road (R.E. Nos. 002697-0000, 002705-0010, 003947-0020 (portion) and 003947-0040 (portion)), as more particularly described in **Exhibit 1**, dated November 30, 2023, and graphically depicted in **Exhibit 2**, both attached hereto and incorporated herein by this reference (the "Subject Property").

Section 3. Owner and Applicant Description. The Subject Property is owned by New Kings Truck Yard, LLC. The applicant is Chris Hagan, 208 North Laura Street, Suite 710, Jacksonville, Florida 32202; (904) 425-8765.

Section 4. Adoption of Small-Scale Land Use Amendment. The City Council hereby adopts a proposed Small-Scale revision to the Future Land Use Map series of the *2045 Comprehensive Plan* by changing the Future Land Use Map designation of the Subject Property from Heavy Industrial (HI) and Low Density Residential (LDR) to Community/General Commercial (CGC), Light Industrial (LI) and Business Park (BP), pursuant to Application Number L-5892-23C.

Section 5. Applicability, Effect and Legal Status. The applicability and effect of the *2045 Comprehensive Plan*, as herein amended, shall be as provided in the Community Planning Act, Sections 163.3161 through 163.3248, *Florida Statutes*, and this Ordinance. All development undertaken by, and all actions taken in regard to

1 development orders by governmental agencies in regard to land which
2 is subject to the *2045 Comprehensive Plan*, as herein amended, shall
3 be consistent therewith as of the effective date of this amendment
4 to the plan.

5 **Section 6. Effective Date of this Plan Amendment.**

6 (a) If the amendment meets the criteria of Section 163.3187,
7 *Florida Statutes*, as amended, and is not challenged, the effective
8 date of this plan amendment shall be thirty-one (31) days after
9 adoption.

10 (b) If challenged within thirty (30) days after adoption, the
11 plan amendment shall not become effective until the state land
12 planning agency or the Administration Commission, respectively, issue
13 a final order determining the adopted Small-Scale Amendment to be in
14 compliance.

15 **Section 7. Disclaimer.** The amendment granted herein shall
16 not be construed as an exemption from any other applicable local,
17 state, or federal laws, regulations, requirements, permits or
18 approvals. All other applicable local, state or federal permits or
19 approvals shall be obtained before commencement of the development
20 or use, and issuance of this amendment is based upon acknowledgement,
21 representation and confirmation made by the applicant(s), owner(s),
22 developer(s) and/or any authorized agent(s) or designee(s) that the
23 subject business, development and/or use will be operated in strict
24 compliance with all laws. Issuance of this amendment does not approve,
25 promote or condone any practice or act that is prohibited or
26 restricted by any federal, state or local laws.

27 **Section 8. Effective Date.** This Ordinance shall become
28 effective upon signature by the Mayor or upon becoming effective
29 without the Mayor's signature.
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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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