

1 Introduced by the Land Use and Zoning Committee and amended on the
2 Floor of Council:

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5 **ORDINANCE 2024-193-E**

6 AN ORDINANCE REZONING APPROXIMATELY 11.17±
7 ACRES, LOCATED IN COUNCIL DISTRICT 8 AT 0 NEW
8 KINGS ROAD AND 10042 NEW KINGS ROAD, BETWEEN
9 TROUT RIVER BOULEVARD AND BARTH ROAD (R.E. NOS.
10 002697-0000, 002705-0010, 003947-0005,
11 003947-0020, 003947-0030, AND 003947-0040), AS
12 DESCRIBED HEREIN, OWNED BY NEW KINGS TRUCK YARD,
13 LLC, FROM PLANNED UNIT DEVELOPMENT (PUD)
14 DISTRICT (2021-136-E) AND RESIDENTIAL
15 RURAL-ACRE (RR-ACRE) DISTRICT TO PLANNED UNIT
16 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
17 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
18 LIGHT INDUSTRIAL AND COMMERCIAL USES, AS
19 DESCRIBED IN THE NEW KINGS ROAD PUD, PURSUANT TO
20 FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE
21 AMENDMENT APPLICATION NUMBER L-5892-23C; PUD
22 SUBJECT TO CONDITIONS; PROVIDING A DISCLAIMER
23 THAT THE REZONING GRANTED HEREIN SHALL NOT BE
24 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
25 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

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27 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
28 Amendment to the 2045 *Comprehensive Plan* for the purpose of revising
29 portions of the Future Land Use Map series (FLUMs) in order to ensure
30 the accuracy and internal consistency of the plan, pursuant to
31 companion application L-5892-23C; and

1 **WHEREAS,** in order to ensure consistency of zoning district
2 with the *2045 Comprehensive Plan* and the adopted companion Small-Scale
3 Amendment L-5892-23C, an application to rezone and reclassify from
4 Planned Unit Development (PUD) District (2021-136-E) and
5 Residential-Rural Acre (RR-Acre) District to Planned Unit Development
6 (PUD) District was filed by Chris Hagan on behalf of the owner of
7 approximately 11.17± acres of certain real property in Council
8 District 8, as more particularly described in Section 1; and

9 **WHEREAS,** the Planning and Development Department, in order to
10 ensure consistency of this zoning district with the *2045 Comprehensive*
11 *Plan*, has considered the rezoning and has rendered an advisory
12 opinion; and

13 **WHEREAS,** the Planning Commission has considered the
14 application and has rendered an advisory opinion; and

15 **WHEREAS,** the Land Use and Zoning Committee, after due notice
16 and public hearing, has made its recommendation to the Council; and

17 **WHEREAS,** the City Council, after due notice, held a public
18 hearing, and taking into consideration the above recommendations as
19 well as all oral and written comments received during the public
20 hearings, the Council finds that such rezoning is consistent with the
21 *2045 Comprehensive Plan* adopted under the comprehensive planning
22 ordinance for future development of the City of Jacksonville; and

23 **WHEREAS,** the Council finds that the proposed PUD does not
24 affect adversely the orderly development of the City as embodied in
25 the *Zoning Code*; will not affect adversely the health and safety of
26 residents in the area; will not be detrimental to the natural
27 environment or to the use or development of the adjacent properties
28 in the general neighborhood; and the proposed PUD will accomplish the
29 objectives and meet the standards of Section 656.340 (Planned Unit
30 Development) of the *Zoning Code* of the City of Jacksonville; now
31 therefore

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

Section 1. Subject Property Location and Description. The approximately 11.17± 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, 003947-0005, 003947-0020, 003947-0030 and 003947-0040), as more particularly described in **Exhibit 1**, dated November 20, 2023, and graphically depicted in **Exhibit 2**, both of which are attached hereto and incorporated herein by this reference (the "Subject Property").

Section 2. 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 3. Property Rezoned. The Subject Property, pursuant to adopted companion Small-Scale Amendment Application L-5892-23C, is hereby rezoned and reclassified from Planned Unit Development (PUD) District (2021-136-E) and Residential-Rural Acre (RR-Acre) District to Planned Unit Development (PUD) District. This new PUD district shall generally permit light industrial and commercial uses, and is described, shown and subject to the following documents, attached hereto:

Exhibit 1 - Legal Description dated November 20, 2023.

Exhibit 2 - Subject Property per P&DD.

Exhibit 3 - Written Description dated November 21, 2023.

Revised Exhibit 4 - Revised Site Plan dated April 23, 2024.

Section 4. Rezoning Approved Subject to Conditions. This rezoning is approved subject to the following conditions. Such conditions control over the Written Description and the Site Plan and may only be amended through a rezoning:

(1) Access to Trout River Boulevard shall be right-in and left-out only to keep traffic generated by the site east of the

entrance. Manual on Uniform Traffic Control Devices (MUTCD) R4-21 signage shall direct exiting vehicles to "Left Turn Only."

(2) All of the permitted and permissible uses by exception listed in the Light Industrial (LI) portion of Section IV. of the Written Description, other than outside storage, shall be conducted within an enclosed building.

(3) Storage of flammable liquids and/or acids shall not be permitted.

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

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

Section 7. Effective Date. The enactment of this Ordinance shall be deemed to constitute a quasi-judicial action of the City Council and shall become effective upon signature by the Council

1 President and the Council Secretary.

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3 Form Approved:

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5 /s/ Mary E. Staffopoulos

6 Office of General Counsel

7 Legislation Prepared By: Connor Corrigan

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