

1 Introduced and amended by the Land Use and Zoning Committee:
2
3

4 **ORDINANCE 2024-823-E**

5 AN ORDINANCE REZONING APPROXIMATELY 4.62± ACRES
6 LOCATED IN COUNCIL DISTRICT 8 AT 0 OWENS ROAD,
7 BETWEEN FAIR PINE LANE AND RANCH ROAD (R.E.
8 NO(S). 019336-0100), AS DESCRIBED HEREIN, OWNED
9 BY USA EXPRESS, INC., FROM INDUSTRIAL LIGHT (IL)
10 DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
11 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
12 ZONING CODE, TO PERMIT RESIDENTIAL USES, AS
13 DESCRIBED IN THE OWENS POINT PUD, PURSUANT TO
14 FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE
15 AMENDMENT APPLICATION NUMBER L-5975-24C; PUD
16 SUBJECT TO CONDITION; PROVIDING A DISCLAIMER THAT
17 THE REZONING GRANTED HEREIN SHALL NOT BE
18 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
19 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
20

21 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
22 Amendment to the *2045 Comprehensive Plan* for the purpose of revising
23 portions of the Future Land Use Map series (FLUMs) in order to ensure
24 the accuracy and internal consistency of the plan, pursuant to the
25 companion land use application L-5975-24C; and

26 **WHEREAS**, in order to ensure consistency of zoning district
27 with the *2045 Comprehensive Plan* and the adopted companion Small-Scale
28 Amendment L-5975-24C, an application to rezone and reclassify from
29 Industrial Light (IL) to Planned Unit Development (PUD) District was
30 filed by Josh Cockrell, on behalf of the owner, USA Express, Inc.,
31 owner of approximately 4.62± acres of certain real property in Council

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

2 **WHEREAS,** the Planning and Development Department, in order to
3 ensure consistency of this zoning district with the *2045 Comprehensive*
4 *Plan*, has considered the rezoning and has rendered an advisory
5 opinion; and

6 **WHEREAS,** the Planning Commission has considered the
7 application and has rendered an advisory opinion; and

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

11 **WHEREAS,** the City Council, after due notice, held a public
12 hearing, and taking into consideration the above recommendations as
13 well as all oral and written comments received during the public
14 hearings, the Council finds that such rezoning is consistent with the
15 *2045 Comprehensive Plan* adopted under the comprehensive planning
16 ordinance for future development of the City of Jacksonville; and

17 **WHEREAS,** based on the staff report of the Planning and
18 Development Department and other competent and substantial evidence
19 received at the public hearings, the Council finds that the proposed
20 PUD does not affect adversely the orderly development of the City as
21 embodied in the *Zoning Code*; will not affect adversely the health and
22 safety of residents in the area; will not be detrimental to the
23 natural environment or to the use or development of the adjacent
24 properties in the general neighborhood; and the proposed PUD will
25 accomplish the objectives and meet the standards of Section 656.340
26 (Planned Unit Development) of the *Zoning Code* of the City of
27 Jacksonville; now therefore

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

29 **Section 1. Subject Property Location and Description.** The
30 approximately 4.62± acres are located in Council District 8 at 0 Owens
31 Road, between Fair Pine Lane and Ranch Road (R.E. No(s). 019336-

1 0100), as more particularly described in **Exhibit 1**, dated August 12,
2 2024, and graphically depicted in **Exhibit 2**, both of which are
3 attached hereto and incorporated herein by this reference (the
4 "Subject Property").

5 **Section 2. Owner and Applicant Description.** The Subject
6 Property is owned by USA Express, Inc. The applicant is Josh Cockrell,
7 PO Box 28327, Jacksonville, Florida, 32226; (803) 917-2420.

8 **Section 3. Property Rezoned.** The Subject Property,
9 pursuant to adopted companion Small-Scale Amendment L-5975-24C, is
10 hereby rezoned and reclassified from Industrial Light (IL) District
11 to Planned Unit Development (PUD) District. This new PUD district
12 shall generally permit residential uses, and is described, shown and
13 subject to the following documents, attached hereto:

14 **Exhibit 1** - Legal Description dated August 12, 2024.

15 **Exhibit 2** - Subject Property Map (prepared by P&DD).

16 **Exhibit 3** - Written Description dated September 30, 2024.

17 **Exhibit 4** - Site Plan dated October 1, 2024.

18 **Section 4. Rezoning Approved Subject to Condition.** This
19 rezoning is approved subject to the following condition. Such
20 condition controls over the Written Description and the Site Plan and
21 may only be amended through a rezoning:

22 (1) A traffic study shall be provided at Civil Site Plan
23 Review. The traffic study shall meet the requirements of the Land
24 Development Procedures Manual Section 1.1.11 (January 2024).

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

1 Chapter 163, *Florida Statutes*.

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

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

18
19 Form Approved:

20
21 /s/ Dylan Reingold

22 Office of General Counsel

23 Legislation Prepared By: Kaysie Cox

24 GC-#1662107-v1-2024-823-E.docx