

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-484-E**

5 AN ORDINANCE ADOPTING A LARGE-SCALE AMENDMENT TO
6 THE FUTURE LAND USE MAP SERIES OF THE 2030
7 *COMPREHENSIVE PLAN* BY CHANGING THE FUTURE LAND USE
8 DESIGNATION FROM LOW DENSITY RESIDENTIAL (LDR) TO
9 LIGHT INDUSTRIAL (LI) ON APPROXIMATELY 14.29±
10 ACRES LOCATED IN COUNCIL DISTRICT 10 AT 6549
11 ROBINSON ROAD, BETWEEN ROBINSON ROAD AND PRITCHARD
12 ROAD, OWNED BY MCKENZIE PROPERTY MANAGEMENT, INC.,
13 AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO
14 APPLICATION NUMBER L-5343-18A; PROVIDING A
15 DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN SHALL
16 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
17 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
18

19 **WHEREAS**, pursuant to the provisions of Section 650.402(b),
20 *Ordinance Code*, an application for a proposed Large-Scale Amendment to
21 the Future Land Use Map series (FLUMs) of the *2030 Comprehensive Plan*
22 to change the Future Land Use designation from Low Density Residential
23 (LDR) to Light Industrial (LI), has been filed by Paul M. Harden, Esq.,
24 on behalf of McKenzie Property Management, Inc., the owner of certain
25 real property located in Council District 10, as more particularly
26 described in Section 2; and

27 **WHEREAS**, the City, by the adoption of Ordinance 2019-112-E,
28 approved this Large-Scale Amendment to the *2030 Comprehensive Plan* for
29 transmittal to the Department of Economic Opportunity ("DEO"), as the
30 State Land Planning Agency, and other required state agencies, for
31 review and comment; and

1 **WHEREAS**, by various letters and e-mails, the DEO and other state
2 reviewing agencies transmitted their comments, if any, regarding this
3 proposed amendment; and

4 **WHEREAS**, the Planning and Development Department reviewed the
5 proposed revision and application, considered all comments received,
6 prepared a written report, and rendered an advisory recommendation to
7 the Council with respect to this proposed amendment; and

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

13 **WHEREAS**, pursuant to Section 650.408, *Ordinance Code*, the Land
14 Use and Zoning (LUZ) Committee held a public hearing on this proposed
15 amendment, and made its recommendation to the City Council; and

16 **WHEREAS**, pursuant to Section 163.3184(3), *Florida Statutes*, and
17 Chapter 650, Part 4, *Ordinance Code*, the City Council held a public
18 hearing with public notice having been provided on this proposed
19 amendment to the *2030 Comprehensive Plan*; and

20 **WHEREAS**, the City Council further considered all oral and written
21 comments received during public hearings, including the data and
22 analysis portions of this proposed amendment to the *2030 Comprehensive*
23 *Plan*, the recommendations of the Planning and Development Department,
24 the LPA, the LUZ Committee and the comments, if any, of the DEO and the
25 other state reviewing agencies; and

26 **WHEREAS**, in the exercise of its authority, the City Council has
27 determined it necessary and desirable to adopt this proposed amendment
28 to the *2030 Comprehensive Plan* to preserve and enhance present
29 advantages, encourage the most appropriate use of land, water, and
30 resources consistent with the public interest, overcome present
31 deficiencies, and deal effectively with future problems which may

1 result from the use and development of land within the City of
2 Jacksonville; now, therefore

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

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

8 **Section 2. Subject Property Location and Description.** The
9 approximately 14.29± acres is located in Council District 10 at 6549
10 Robinson Road, between Robinson Road and Pritchard Road (R.E. No.
11 004462-0000), as more particularly described in **Exhibit 1**, dated
12 December 3, 2018, and graphically depicted in **Exhibit 2**, both of which
13 are **attached hereto** and incorporated herein by this reference (Subject
14 Property).

15 **Section 3. Owner and Applicant Description.** The Subject
16 Property is owned by McKenzie Property Management, Inc. The applicant
17 is Paul M. Harden, Esq., 501 Riverside Avenue, Suite 901, Jacksonville,
18 Florida 32202; (904) 396-5731.

19 **Section 4. Adoption of Large-Scale Land Use Amendment.** The
20 City Council hereby adopts a proposed Large-Scale revision to the
21 Future Land Use Map series of the *2030 Comprehensive Plan* by changing
22 the Future Land Use Map designation from Low Density Residential (LDR)
23 to Light Industrial (LI), pursuant to Application Number L-5343-18A.

24 **Section 5. Applicability, Effect and Legal Status.** The
25 applicability and effect of the *2030 Comprehensive Plan*, as herein
26 amended, shall be as provided in the Community Planning Act, Section
27 163.3161 through 163.3248, *Florida Statutes*, and this ordinance. All
28 development undertaken by, and all actions taken in regard to
29 development orders by governmental agencies in regard to land which is
30 subject to the *2030 Comprehensive Plan*, as herein amended, shall be
31 consistent therewith as of the effective date of this amendment to the

1 plan.

2 **Section 6. Effective Date of this Plan Amendment.** Unless
3 this plan amendment is timely challenged under the procedures set forth
4 in Section 163.3184(3), *Florida Statutes*, this plan amendment shall be
5 effective thirty-one days after DEO notifies the City of Jacksonville
6 that the plan amendment or plan amendment package is complete. If this
7 plan amendment is timely challenged under Section 163.3184(3), *Florida*
8 *Statutes*, this plan amendment shall become effective when the DEO or
9 the Administration Commission enters a final order determining the
10 adopted amendment to be in compliance. If this plan amendment is found
11 not to be in compliance under the standards and procedures set forth in
12 Chapter 163, Part II, *Florida Statutes*, then this plan amendment shall
13 become effective only by further action by the City Council. No
14 development orders, development permits, or land uses dependent on this
15 amendment may be issued or commence before it has become effective.

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

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

1 Form Approved:

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3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared By: Edward Lukacovic

6 GC-#1291186-v1-L-5343_LS_ADP