Introduced by the Land Use and Zoning Committee:

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

ORDINANCE 2020-744

AN ORDINANCE ADOPTING A SMALL-SCALE AMENDMENT TO THE FUTURE LAND USE MAP SERIES OF THE 2030 COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE DESIGNATION FROM LIGHT INDUSTRIAL (LI) ΤO HEAVY INDUSTRIAL (HI) ON APPROXIMATELY 7.97± ACRES LOCATED IN COUNCIL DISTRICT 7 AT 0 BUFFALO AVENUE, BETWEEN 55TH STREET EAST AND 50TH STREET EAST, OWNED BY BUFFALO LAND & TIMBER, LLC, AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO NUMBER L-5495-20C; PROVIDING APPLICATION Α DISCLAIMER THAT THE AMENDMENT GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

20 WHEREAS, pursuant to the provisions of Section 650.402(b), 21 Ordinance Code, and Section 163.3187(1), Florida Statutes, an application for a proposed Small-Scale Amendment to the Future Land 22 23 Use Map series (FLUMs) of the 2030 Comprehensive Plan to change the 24 Future Land Use designation from Light Industrial (LI) to Heavy 25 Industrial (HI) on 7.97± acres of certain real property in Council 26 District 7, was filed by Patrick W. Krechowski, Esq., on behalf of the owner, Buffalo Land & Timber, LLC; and 27

28 WHEREAS, the Planning and Development Department reviewed the 29 proposed revision and application and has prepared a written report 30 and rendered an advisory recommendation to the City Council with 31 respect to the proposed amendment; and WHEREAS, the Planning Commission, acting as the Local Planning Agency (LPA), held a public hearing on this proposed amendment, with due public notice having been provided, reviewed and considered comments received during the public hearing and made its recommendation to the City Council; and

6 WHEREAS, the Land Use and Zoning (LUZ) Committee of the City 7 Council held a public hearing on this proposed amendment to the 2030 8 Comprehensive Plan, pursuant to Chapter 650, Part 4, Ordinance Code, 9 considered all written and oral comments received during the public 10 hearing, and has made its recommendation to the City Council; and

11 WHEREAS, the City Council held a public hearing on this proposed 12 amendment, with public notice having been provided, pursuant to Section 163.3187, Florida Statutes and Chapter 650, Part 4, Ordinance 13 Code, and considered all oral and written comments received during 14 15 public hearings, including the data and analysis portions of this 16 to the 2030 Comprehensive Plan and proposed amendment the recommendations of the Planning and Development Department, 17 the Planning Commission and the LUZ Committee; and 18

19 WHEREAS, in the exercise of its authority, the City Council has 20 determined it necessary and desirable to adopt this proposed amendment 21 to the 2030 Comprehensive Plan to preserve and enhance present 22 advantages, encourage the most appropriate use of land, water, and 23 resources consistent with the public interest, overcome present 24 deficiencies, and deal effectively with future problems which may result from the use and development of land within the City of 25 26 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

- 2 -

1 amended.

2 Section 2. Subject Property Location and Description. The approximately 7.97± acres (R.E. No. 111121-0000 (portion)) are 3 located in Council District 7 at 0 Buffalo Avenue, between 55th Street 4 East and 50th Street East, as more particularly described in **Exhibit** 5 6 1, dated November 23, 2020, and graphically depicted in Exhibit 2, 7 both **attached hereto** and incorporated herein by this reference 8 (Subject Property).

9 Section 3. Owner and Applicant Description. The Subject Property is owned by Buffalo Land & Timber, LLC. The applicant is 10 Patrick W. Krechowski, Esq., One Independent Drive, Suite 1800, 11 12 Jacksonville, Florida 32202; (904) 348-6877.

13 Section 4. Adoption of Small-Scale Land Use Amendment. The City Council hereby adopts a proposed Small-Scale revision to the 14 15 Future Land Use Map series of the 2030 Comprehensive Plan by changing 16 the Future Land Use Map designation from Light Industrial (LI) to 17 Heavy Industrial (HI), pursuant to Application Number L-5495-20C.

18 Section 5. Applicability, Effect and Legal Status. The 19 applicability and effect of the 2030 Comprehensive Plan, as herein amended, shall be as provided in the Community Planning Act, Sections 20 21 163.3161 through 163.3248, Florida Statutes, and this Ordinance. All 22 development undertaken by, and all actions taken in regard to 23 development orders by governmental agencies in regard to land which 24 is subject to the 2030 Comprehensive Plan, as herein amended, shall 25 be consistent therewith as of the effective date of this amendment 26 to the plan.

27

Effective date of this Plan Amendment. Section 6.

If the amendment meets the criteria of Section 163.3187, 28 (a) Florida Statutes, as amended, and is not challenged, the effective 29 30 date of this plan amendment shall be thirty-one (31) days after 31 adoption.

- 3 -

1 (b) If challenged within thirty (30) days after adoption, the 2 plan amendment shall not become effective until the state land 3 planning agency or the Administration Commission, respectively, 4 issues a final order determining the adopted Small-Scale Amendment 5 to be in compliance.

Disclaimer. The amendment granted herein shall 6 Section 7. 7 **not** be construed as an exemption from any other applicable local, state, or federal laws, regulations, requirements, permits or 8 approvals. All other applicable local, state or federal permits or 9 approvals shall be obtained before commencement of the development 10 11 or use and issuance of this amendment is based upon acknowledgement, 12 representation and confirmation made by the applicant(s), owner(s), developer(s) and/or any authorized agent(s) or designee(s) that the 13 14 subject business, development and/or use will be operated in strict 15 compliance with all laws. Issuance of this amendment does **not** approve, 16 promote or condone any practice or act that is prohibited or 17 restricted by any federal, state or local laws.

18 Section 8. Effective Date. This Ordinance shall become 19 effective upon signature by the Mayor or upon becoming effective 20 without the Mayor's signature.

21

22 Form Approved:

23

24 /s/ Shannon K. Eller

25 Office of General Counsel

26 Legislation Prepared By: Jody McDaniel

27 GC-#1403396-v1-L-5495_SS_LU.docx