

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-684-E**

5 AN ORDINANCE REZONING APPROXIMATELY 1.61± ACRES
6 LOCATED IN COUNCIL DISTRICT 12 AT 8565 MALLORY
7 ROAD, BETWEEN BEAVER STREET AND INTERSTATE 10
8 (R.E. NO. 006962-0010), OWNED BY 8565 MALLORY
9 ROAD, LLC, AS DESCRIBED HEREIN, FROM INDUSTRIAL
10 LIGHT (IL) DISTRICT TO INDUSTRIAL HEAVY (IH)
11 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
12 ZONING CODE, PURSUANT TO FUTURE LAND USE MAP
13 SERIES (FLUMS) SMALL-SCALE AMENDMENT
14 APPLICATION NUMBER L-5487-20C; PROVIDING A
15 DISCLAIMER THAT THE REZONING GRANTED HEREIN
16 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
17 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
18 DATE.
19

20 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
21 Amendment to the *2030 Comprehensive Plan* for the purpose of
22 revising portions of the Future Land Use Map series (FLUMs) in
23 order to ensure the accuracy and internal consistency of the plan,
24 pursuant to application L-5487-20C and companion land use Ordinance
25 2020-683; and

26 **WHEREAS**, in order to ensure consistency of zoning district
27 with the *2030 Comprehensive Plan* and the adopted companion Small-
28 Scale Amendment L-5487-20C, an application to rezone and reclassify
29 from Industrial Light (IL) District to Industrial Heavy (IH)
30 District was filed by Paul M. Harden, Esq., on behalf of 8565
31 Mallory Road, LLC, the owner of approximately 1.61± acres of

1 certain real property in Council District 12, as more particularly
2 described in Section 1; and

3 **WHEREAS**, the Planning and Development Department, in order to
4 ensure consistency of this zoning district with the 2030
5 *Comprehensive Plan*, has considered the rezoning and has rendered an
6 advisory opinion; and

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

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

12 **WHEREAS**, the City Council, after due notice, held a public
13 hearing, and taking into consideration the above recommendations as
14 well as all oral and written comments received during the public
15 hearings, the Council finds that such rezoning is consistent with
16 the 2030 *Comprehensive Plan* adopted under the comprehensive
17 planning ordinance for future development of the City of
18 Jacksonville; now, therefore

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

20 **Section 1. Subject Property Location and Description.** The
21 approximately 1.61± acres (R.E. No. 006962-0010) are located in
22 Council District 12 at 8565 Mallory Road, between Beaver Street and
23 Interstate 10, as more particularly described in **Exhibit 1**, dated
24 October 14, 2020, and graphically depicted in **Exhibit 2**, both of
25 which are **attached hereto** and incorporated herein by this reference
26 (Subject Property).

27 **Section 2. Owner and Applicant Description.** The Subject
28 Property is owned by 8565 Mallory Road, LLC. The applicant is Paul
29 M. Harden, Esq., 501 Riverside Avenue, Suite 901, Jacksonville,
30 Florida 32202; (904) 396-5731.

31 **Section 3. Property Rezoned.** The Subject Property,

1 pursuant to adopted companion Small-Scale Amendment Application L-
2 5487-20C, is hereby rezoned and reclassified from Industrial Light
3 (IL) District to Industrial Heavy (IH) District.

4 **Section 4. Contingency.** This rezoning shall not become
5 effective until 31 days after adoption of the companion Small-Scale
6 Amendment; and further provided that if the companion Small-Scale
7 Amendment is challenged by the state land planning agency, this
8 rezoning shall not become effective until the state land planning
9 agency or the Administration Commission issues a final order
10 determining the companion Small-Scale Amendment is in compliance
11 with Chapter 163, *Florida Statutes*.

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

25 **Section 6. Effective Date.** The enactment of this
26 Ordinance shall be deemed to constitute a quasi-judicial action of
27 the City Council and shall become effective upon signature by the
28 Council President and the Council Secretary.

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30 Form Approved:
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1 /s/ Shannon K. Eller

2 Office of General Counsel

3 Legislation Prepared By: Erin Abney

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