

1 Introduced by the Land Use and Zoning Committee:

2  
3 **ORDINANCE 2024-760**

4 AN ORDINANCE REZONING APPROXIMATELY 5.24± ACRES  
5 LOCATED IN COUNCIL DISTRICT 8 AT 3707 NEWCOMB  
6 ROAD, WEST OF LEM TURNER ROAD (R.E. NO(S).  
7 019488-0000), OWNED BY WILLIAM LESLIE HOWELL AND  
8 MINNIE LOU HOWELL (LIFE ESTATE), AS DESCRIBED  
9 HEREIN, FROM RESIDENTIAL RURAL-ACRE (RR-ACRE)  
10 DISTRICT TO RESIDENTIAL MEDIUM DENSITY-A (RMD-A)  
11 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE  
12 ZONING CODE, PURSUANT TO FUTURE LAND USE MAP  
13 SERIES SMALL-SCALE AMENDMENT APPLICATION NUMBER  
14 L-5978-24C; PROVIDING A DISCLAIMER THAT THE  
15 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED  
16 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
17 PROVIDING AN EFFECTIVE DATE.

18  
19 **WHEREAS,** the City of Jacksonville adopted a Small-Scale  
20 Amendment to the *2045 Comprehensive Plan* for the purpose of revising  
21 portions of the Future Land Use Map series (FLUMs) in order to ensure  
22 the accuracy and internal consistency of the plan, pursuant to  
23 companion application L-5978-24C; and

24 **WHEREAS,** in order to ensure consistency of zoning district  
25 with the *2045 Comprehensive Plan* and the adopted companion Small-Scale  
26 Amendment L-5978-24C, an application to rezone and reclassify from  
27 Residential Rural-Acre (RR-Acre) District to Residential Medium  
28 Density-A (RMD-A) District was filed by Brian Small, on behalf of the  
29 owner of approximately 5.24± acres of certain real property in Council  
30 District 8, as more particularly described in Section 1; and

31 **WHEREAS,** the Planning and Development Department, in order to

1 ensure consistency of this zoning district with the *2045 Comprehensive*  
2 *Plan*, has considered the rezoning and has rendered an advisory  
3 opinion; and

4 **WHEREAS**, the Planning Commission has considered the  
5 application and has rendered an advisory opinion; and

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

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

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

17 **Section 1. Subject Property Location and Description.** The  
18 approximately 5.24± acres are located in Council District 8 at 3707  
19 Newcomb Road, west of Lem Turner Road (R.E. No(s). 019488-0000), as  
20 more particularly described in **Exhibit 1**, dated August 26, 2024, and  
21 graphically depicted in **Exhibit 2**, both of which are attached hereto  
22 and incorporated herein by this reference (the "Subject Property").

23 **Section 2. Owner and Applicant Description.** The Subject  
24 Property is owned by William Leslie Howell and Minnie Lou Howell  
25 (Life Estate). The applicant is Brian Small, 3948 3rd Street South,  
26 116, Jacksonville, Florida, 32250; (843) 384-9333.

27 **Section 3. Property Rezoned.** The Subject Property,  
28 pursuant to adopted companion Small-Scale Amendment Application  
29 L-5978-24C, is hereby rezoned and reclassified from Residential  
30 Rural-Acre (RR-Acre) District to Residential Medium Density-A (RMD-  
31 A) District.

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

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

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

25 Form Approved:

26           /s/ Dylan Reingold          

27 Office of General Counsel

28 Legislation Prepared By: Madeline Read

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