

1 The Land Use and Zoning Committee offers the following substitute to
2 File No. 2021-418:

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4 Introduced by the Land Use and Zoning Committee:

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7 **ORDINANCE 2021-418**

8 AN ORDINANCE REZONING APPROXIMATELY 0.59± ACRES
9 LOCATED IN COUNCIL DISTRICT 7 AT 1239 EAST 32ND
10 STREET AND 1240 EAST 32ND STREET, BETWEEN
11 FRANKLIN STREET AND POPLAR STREET (R.E. NOS.
12 132367-0000 AND 132377-0000), OWNED BY INGRINE
13 LATONIA LYLE, ALSO KNOWN AS INGRINE L. LYLE, AS
14 DESCRIBED HEREIN, FROM RESIDENTIAL LOW DENSITY-
15 60 (RLD-60) DISTRICT TO INDUSTRIAL LIGHT (IL)
16 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
17 ZONING CODE, PURSUANT TO FUTURE LAND USE MAP
18 SERIES (FLUMS) SMALL-SCALE AMENDMENT APPLICATION
19 NUMBER L-5561-21C; PROVIDING A DISCLAIMER THAT
20 THE REZONING GRANTED HEREIN SHALL NOT BE
21 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
22 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

23
24 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
25 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
26 portions of the Future Land Use Map series (FLUMs) in order to ensure
27 the accuracy and internal consistency of the plan, pursuant to
28 companion application L-5561-21C; and

29 **WHEREAS,** in order to ensure consistency of zoning district with
30 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
31 Amendment L-5561-21C, an application to rezone and reclassify from

1 Residential Low Density-60 (RLD-60) District to Industrial Light (IL)
2 District was filed by Ethelbert E. Worrell, on behalf of the owner
3 of approximately 0.59± acres of certain real property in Council
4 District 7, as more particularly described in Section 1; and

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

9 **WHEREAS**, the Planning Commission has considered the application
10 and has rendered an advisory opinion; and

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

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

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

22 **Section 1. Subject Property Location and Description.** The
23 approximately 0.59± acres (R.E. Nos. 132367-0000 and 132377-0000) is
24 located in Council District 7 at 1239 East 32nd Street and 1240 East
25 32nd Street, between Franklin Street and Poplar Street, as more
26 particularly described in **Exhibit 1**, dated September 16, 2021, and
27 graphically depicted in **Exhibit 2**, both of which are **attached hereto**
28 and incorporated herein by this reference (the "Subject Property").

29 **Section 2. Owner and Applicant Description.** The Subject
30 Property is owned by Ingrine Latonia Lyle, a/k/a Ingrine L. Lyle.
31 The applicant is Ethelbert E. Worrell, 1239 East 32nd Street,

1 Jacksonville, Florida 32206; (904) 232-8177.

2 **Section 3. Property Rezoned.** The Subject Property,
3 pursuant to adopted companion Small-Scale Amendment Application L-
4 5561-21C, is hereby rezoned and reclassified from Residential Low
5 Density-60 (RLD-60) District to Industrial Light (IL) District.

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

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

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

1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Bruce Lewis

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