

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-309**

5 AN ORDINANCE REZONING APPROXIMATELY 2.68± ACRES
6 LOCATED IN COUNCIL DISTRICT 8 AT 0 COMMONWEALTH
7 AVENUE, 9120 COMMONWEALTH AVENUE, AND 0 JONES
8 ROAD, BETWEEN COMMONWEALTH AVENUE AND JONES ROAD
9 (R.E. NOS. 004700-0000, 004692-0000, 004692-0050
10 AND 004692-0150), OWNED BY MICHAEL LLOYD, ET AL.,
11 AS DESCRIBED HEREIN, FROM COMMERCIAL
12 NEIGHBORHOOD (CN) DISTRICT AND RESIDENTIAL
13 RURAL-ACRE (RR-ACRE) DISTRICT TO COMMERCIAL
14 COMMUNITY/GENERAL-1 (CCG-1) DISTRICT, AS DEFINED
15 AND CLASSIFIED UNDER THE ZONING CODE, PURSUANT
16 TO FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE
17 AMENDMENT APPLICATION NUMBER L-5545-21C;
18 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
19 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
20 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
21 EFFECTIVE DATE.

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23 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
24 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
25 portions of the Future Land Use Map series (FLUMs) in order to ensure
26 the accuracy and internal consistency of the plan, pursuant to
27 application L-5545-21C and companion land use Ordinance 2021-308; and

28 **WHEREAS,** in order to ensure consistency of zoning district with
29 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
30 Amendment L-5545-21C, an application to rezone and reclassify from
31 Commercial Neighborhood (CN) District and Residential Rural-Acre (RR-

1 Acre) District to Commercial Community/General-1 (CCG-1) District was
2 filed by Lara Hipps, on behalf of the owner of approximately 2.68±
3 acres of certain real property in Council District 8, as more
4 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 2.68± acres (R.E. Nos. 004700-0000, 004692-0000,
24 004692-0050 and 004692-0150) are located in Council District 8 at 0
25 Commonwealth Avenue, 9120 Commonwealth Avenue, and 0 Jones Road,
26 between Commonwealth Avenue and Jones Road, as more particularly
27 described in **Exhibit 1**, dated April 9, 2021, and graphically depicted
28 in **Exhibit 2**, both of which are **attached hereto** and incorporated
29 herein by this reference (Subject Property).

30 **Section 2. Owner and Applicant Description.** The Subject
31 Property is owned by Michael Lloyd, et al. The applicant is Lara

1 Hippy, 1650 Margaret Street #323, Jacksonville, Florida 32204; (904)
2 781-2654.

3 **Section 3. Property Rezoned.** The Subject Property,
4 pursuant to adopted companion Small-Scale Amendment Application L-
5 5545-21C, is hereby rezoned and reclassified from Commercial
6 Neighborhood (CN) and Residential Rural-Acre (RR-Acre) District to
7 Commercial Community/General-1 (CCG-1) District.

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

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

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

1 Form Approved:

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3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared By: Connie Quinto

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