

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2026-169**

5 AN ORDINANCE REZONING APPROXIMATELY 0.27± TOTAL
6 ACRES LOCATED IN COUNCIL DISTRICT 9 AT 1005
7 MCDUFF AVENUE AND 0 COMMONWEALTH AVENUE, AT THE
8 NORTHEAST CORNER OF THE INTERSECTION OF MCDUFF
9 AVENUE AND COMMONWEALTH AVENUE (R.E. NO(S).
10 050332-0000 AND 050326-0000), OWNED BY
11 NZABARINDA ESTATE INVEST, LLC, AS DESCRIBED
12 HEREIN, FROM COMMERCIAL COMMUNITY/GENERAL-2
13 (CCG-2) DISTRICT (0.17± OF AN ACRE) AND
14 RESIDENTIAL LOW DENSITY-60 (RLD-60) DISTRICT
15 (0.10± OF AN ACRE) TO COMMERCIAL, RESIDENTIAL AND
16 OFFICE (CRO) DISTRICT, AS DEFINED AND CLASSIFIED
17 UNDER THE ZONING CODE, PURSUANT TO FUTURE LAND
18 USE MAP SERIES SMALL-SCALE AMENDMENT APPLICATION
19 NUMBER L-6095-26C; 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.
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24 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
25 Amendment to the *2045 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-6095-26C; and

29 **WHEREAS**, in order to ensure consistency of zoning district with
30 the *2045 Comprehensive Plan* and the adopted companion Small-Scale
31 Amendment L-6095-26C, an application to rezone and reclassify from

1 Commercial Community/General-2 (CCG-2) District (0.17± of an acre)
2 and Residential Low Density-60 (RLD-60) District (0.10± of an acre)
3 to Commercial, Residential and Office (CRO) District was filed by the
4 owner of approximately 0.27± of an acre of certain real property in
5 Council District 9, as more particularly described in Section 1; and

6 **WHEREAS**, the Planning and Development Department, in order to
7 ensure consistency of this zoning district with the *2045 Comprehensive*
8 *Plan*, has considered the rezoning and has rendered an advisory
9 opinion; and

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

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

15 **WHEREAS**, the City Council, after due notice, held a public
16 hearing, and taking into consideration the above recommendations as
17 well as all oral and written comments received during the public
18 hearings, the Council finds that such rezoning is consistent with the
19 *2045 Comprehensive Plan* adopted under the comprehensive planning
20 ordinance for future development of the City of Jacksonville; now,
21 therefore

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

23 **Section 1. Subject Property Location and Description.** The
24 approximately 0.07± of an acre is located in Council District 9 at
25 the northeast corner of the intersection of McDuff Avenue and
26 Commonwealth Avenue (R.E. No(s). 050332-0000 and 050326-0000), as
27 more particularly described in **Exhibit 1**, dated February 23, 2026,
28 and graphically depicted in **Exhibit 2**, both of which are attached
29 hereto and incorporated herein by this reference (the "Subject
30 Property").

31 **Section 2. Owner and Applicant Description.** The Subject

1 Property is owned by Nzabarinda Estate Invest, LLC. The applicant
2 is Benjamin Nzabarinda, 12173 Jade Point Court, Jacksonville,
3 Florida, 32218; (904) 428-3825.

4 **Section 3. Property Rezoned.** The Subject Property,
5 pursuant to adopted companion Small-Scale Amendment Application L-
6 6095-26C, is hereby rezoned and reclassified from Commercial
7 Community/General-2 (CCG-2) District (0.17± of an acre) and
8 Residential Low Density-60 (RLD-60) District (0.10± of an acre) to
9 Commercial, Residential and Office (CRO) District.

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

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

30 **Section 6. Effective Date.** The enactment of this Ordinance
31 shall be deemed to constitute a quasi-judicial action of the City

1 Council and shall become effective upon signature by the Council
2 President and the Council Secretary.

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4 Form Approved:

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6 /s/ Dylan Reingold

7 Office of General Counsel

8 Legislation Prepared By: Connor Corrigan

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