

1 Introduced, substituted and amended by the Land Use and Zoning
2 Committee:

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4
5 **ORDINANCE 2023-165-E**

6 AN ORDINANCE REZONING APPROXIMATELY 2.16± ACRES
7 LOCATED IN COUNCIL DISTRICT 12 AT 8385 RAMONA
8 BOULEVARD, BETWEEN HAMMOND BOULEVARD AND ESTATES
9 COVE ROAD (R.E. NO. 007142-0000), AS DESCRIBED
10 HEREIN, OWNED BY RANDALL W. KERR, AS DESCRIBED
11 HEREIN, FROM COMMERCIAL NEIGHBORHOOD (CN)
12 DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
13 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
14 ZONING CODE, TO PERMIT INDUSTRIAL WAREHOUSING
15 USES, AS DESCRIBED IN THE RAMONA KERR PUD,
16 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
17 SMALL-SCALE AMENDMENT APPLICATION NUMBER L-5776-
18 22C; PUD SUBJECT TO CONDITION; PROVIDING A
19 DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL
20 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
21 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

22
23 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
24 Amendment to the *2045 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 companion application L-5776-22C; and

28 **WHEREAS,** in order to ensure consistency of zoning district with
29 the *2045 Comprehensive Plan* and the adopted companion Small-Scale
30 Amendment L-5776-22C, an application to rezone and reclassify from
31 Commercial Neighborhood (CN) District to Planned Unit Development

1 (PUD) District was filed by Chris Hagan on behalf of the owner of
2 approximately 2.16± acres of certain real property in Council District
3 12, as more particularly described in Section 1; and

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

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

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

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

19 **WHEREAS**, the Council finds that the proposed PUD does not
20 adversely affect the orderly development of the City as embodied in
21 the *Zoning Code*; will not adversely affect the health and safety of
22 residents in the area; will not be detrimental to the natural
23 environment or to the use or development of the adjacent properties
24 in the general neighborhood; and will accomplish the objectives and
25 meet the standards of Section 656.340 (Planned Unit Development) of
26 the *Zoning Code*; now, therefore

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

28 **Section 1. Subject Property Location and Description.** The
29 approximately 2.16± acres are located in Council District 12 at 8385
30 Ramona Boulevard, between Hammond Boulevard and Estates Cove Road
31 (R.E. No. 007142-0000), as more particularly described in **Exhibit 1**,

1 dated October 27, 2022, and graphically depicted in **Exhibit 2**, both
2 of which are attached hereto and incorporated herein by this reference
3 (the "Subject Property").

4 **Section 2. Owner and Applicant Description.** The Subject
5 Property is owned by Randall W. Kerr. The applicant is Chris Hagan,
6 208 North Laura Street, Suite 710, Jacksonville, Florida 32202; (904)
7 349-5954.

8 **Section 3. Property Rezoned.** The Subject Property,
9 pursuant to adopted companion Small-Scale Amendment Application L-
10 5776-22C, is hereby rezoned and reclassified from Commercial
11 Neighborhood (CN) District to Planned Unit Development (PUD)
12 District. This new PUD district shall generally permit industrial
13 warehousing uses, and is described, shown and subject to the following
14 documents, attached hereto:

15 **Exhibit 1** - Legal Description dated October 27, 2022.

16 **Exhibit 2** - Subject Property per P&DD.

17 **Exhibit 3** - Written Description dated August 4, 2023.

18 **Exhibit 4** - Site Plan dated August 4, 2023.

19 **Section 4. Rezoning Approved Subject to Condition.** This
20 rezoning is approved subject to the following condition. Such
21 condition controls over the Written Description and the Site Plan and
22 may only be amended through a rezoning:

23 (1) The Development shall comply with Section
24 656.1005.2.(d)(6) of the *Zoning Code*. Within the Lighting Regulation
25 Zone at Outlying Field Whitehouse, all artificial lighting
26 equipment, including but not limited to flood lights and
27 searchlights, whether temporary or permanent installations, shall
28 have positive optical control so that no light is emitted above the
29 horizontal plane. No building permit shall be granted in this zone
30 unless this requirement is met. Development within the Lighting
31 Regulation Zone at Outlying Field Whitehouse is subject to Airport

1 Notice Zone Acknowledgements as required in Section 656.1010,
2 *Ordinance Code.*

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

11 **Section 6. Disclaimer.** The rezoning granted herein
12 shall **not** be construed as an exemption from any other applicable
13 local, state, or federal laws, regulations, requirements, permits or
14 approvals. All other applicable local, state or federal permits or
15 approvals shall be obtained before commencement of the development
16 or use and issuance of this rezoning is based upon acknowledgement,
17 representation and confirmation made by the applicant(s), owner(s),
18 developer(s) and/or any authorized agent(s) or designee(s) that the
19 subject business, development and/or use will be operated in strict
20 compliance with all laws. Issuance of this rezoning does **not** approve,
21 promote or condone any practice or act that is prohibited or
22 restricted by any federal, state or local laws.

23 **Section 7. Effective Date.** The enactment of this Ordinance
24 shall be deemed to constitute a quasi-judicial action of the City
25 Council and shall become effective upon signature by the Council
26 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: Kaysie Cox

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