

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-541**

5 AN ORDINANCE REZONING APPROXIMATELY 3.13± ACRES
6 LOCATED IN COUNCIL DISTRICT 2 AT 0 TIERRA CHASE
7 WAY, 12441 TIERRA CHASE WAY, 12447 TIERRA CHASE
8 WAY, 12453 TIERRA CHASE WAY, 12459 TIERRA CHASE
9 WAY, 12465 TIERRA CHASE WAY AND 12471 TIERRA
10 CHASE WAY, BETWEEN MT. PLEASANT ROAD AND MT.
11 PLEASANT WOODS DRIVE (R.E. NOS. 160903-0150
12 (PORTION), 160903-0215 (PORTION), 160903-0220
13 (PORTION), 160903-0225 (PORTION), 160903-0230
14 (PORTION), 160903-0235 (PORTION) AND 160903-0240
15 (PORTION)), AS DESCRIBED HEREIN, OWNED BY CENTURY
16 COMMUNITIES OF FLORIDA, LLC, FROM RESIDENTIAL
17 RURAL-ACRE (RR-ACRE) DISTRICT TO PLANNED UNIT
18 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
19 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
20 SINGLE FAMILY RESIDENTIAL USES, AS DESCRIBED IN
21 THE TIERRA CHASE PUD; PROVIDING A DISCLAIMER THAT
22 THE REZONING GRANTED HEREIN SHALL NOT BE
23 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
24 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
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26 **WHEREAS**, Century Communities of Florida, LLC, the owner of
27 approximately 3.13± acres located in Council District 2 at 0 Tierra
28 Chase Way, 12441 Tierra Chase Way, 12447 Tierra Chase Way, 12453
29 Tierra Chase Way, 12459 Tierra Chase Way, 12465 Tierra Chase Way and
30 12471 Tierra Chase Way, between Mt. Pleasant Road and Mt. Pleasant
31 Woods Drive (R.E. Nos. 160903-0150 (portion), 160903-0215 (portion),

1 160903-0220 (portion), 160903-0225 (portion), 160903-0230 (portion),
2 160903-0235 (portion) and 160903-0240 (portion)), as more
3 particularly described in **Exhibit 1**, dated July 6, 2023, and
4 graphically depicted in **Exhibit 2**, both of which are attached hereto
5 (the "Subject Property"), has applied for a rezoning and
6 reclassification of the Subject Property from Residential Rural-Acre
7 (RR-Acre) District to Planned Unit Development (PUD) District, as
8 described in Section 1 below; and

9 **WHEREAS**, the Planning Commission, acting as the local planning
10 agency, has reviewed the application and made an advisory
11 recommendation to the Council; and

12 **WHEREAS**, the Land Use and Zoning Committee, after due notice and
13 public hearing, has made its recommendation to the Council; and

14 **WHEREAS**, the Council finds that such rezoning is: (1) consistent
15 with the *2045 Comprehensive Plan*; (2) furthers the goals, objectives
16 and policies of the *2045 Comprehensive Plan*; and (3) is not in
17 conflict with any portion of the City's land use regulations; and

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

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

27 **Section 1. Property Rezoned.** The Subject Property is
28 hereby rezoned and reclassified from Residential Rural-Acre (RR-Acre)
29 District to Planned Unit Development (PUD) District. This new PUD
30 district shall generally permit single family residential uses, and
31 is described, shown and subject to the following documents, attached

1 hereto:

2 **Exhibit 1** - Legal Description dated July 6, 2023.

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

4 **Exhibit 3** - Written Description dated June 26, 2023.

5 **Exhibit 4** - Site Plan dated February 10, 2021.

6 **Section 2. Owner and Description.** The Subject Property is
7 owned by Century Communities of Florida, LLC and is legally described
8 in **Exhibit 1**, attached hereto. The applicant is Brian Small, Bird
9 Dog, LLC, 3948 3rd Street South, Suite 116, Jacksonville Beach, Florida
10 32250; (843) 384-9333.

11 **Section 3. Disclaimer.** The rezoning granted herein shall
12 **not** be construed as an exemption from any other applicable local,
13 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), owners(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 4. 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 Council Secretary.

1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Stephen Nutt

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