

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2026-429**

5 AN ORDINANCE REZONING APPROXIMATELY 6.42± ACRES
6 LOCATED IN COUNCIL DISTRICT 9 AT 426, 436 MCDUFF
7 AVENUE SOUTH, 0, 3026, 3032, 3040, 3057 HUNT
8 STREET, 3055, 3061 CECELIA STREET, AND 0, 3044,
9 3050 NOLAN STREET, NORTH OF INTERSTATE-10,
10 BETWEEN DAY AVENUE AND MCDUFF ROAD SOUTH (R.E.
11 NO(S). 057294-0000, 057295-0000, 057304-0000,
12 057305-0000, 056946-0000, 056954-0000, 056958-
13 0000, 056959-0000, 056960-0000, 056960-0010,
14 057253-0000 AND 057260-0000), AS DESCRIBED
15 HEREIN, OWNED BY THE CITY RESCUE MISSION, INC.,
16 FROM RESIDENTIAL LOW DENSITY-60 (RLD-60)
17 DISTRICT, COMMERCIAL, RESIDENTIAL AND OFFICE
18 (CRO) DISTRICT, COMMERCIAL OFFICE (CO) DISTRICT,
19 AND COMMERCIAL COMMUNITY/GENERAL-2 (CCG-2)
20 DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
21 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
22 ZONING CODE, TO PERMIT DORMITORY/DINNING HALL AND
23 TRANSITIONAL HOUSING, AS DESCRIBED IN THE MISSION
24 AT MCDUFF PUD, PURSUANT TO FUTURE LAND USE MAP
25 SERIES (FLUMS) SMALL-SCALE AMENDMENT APPLICATION
26 NUMBER L-6111-26C; PROVIDING A DISCLAIMER THAT
27 THE REZONING GRANTED HEREIN SHALL NOT BE
28 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
29 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

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31 **WHEREAS,** the City of Jacksonville adopted a Small-Scale

1 Amendment to the *2045 Comprehensive Plan* for the purpose of revising
2 portions of the Future Land Use Map series (FLUMs) in order to ensure
3 the accuracy and internal consistency of the plan, pursuant to the
4 companion land use application L-6111-26C; and

5 **WHEREAS**, in order to ensure consistency of zoning district
6 with the *2045 Comprehensive Plan* and the adopted companion Small-Scale
7 Amendment L-6111-26C, an application to rezone and reclassify from
8 Residential Low Density-60 (RLD-60) District, Commercial, Residential
9 and Office (CRO) District, Commercial Office (CO) District, and
10 Commercial Community/General-2 (CCG-2) District to Planned Unit
11 Development (PUD) District was filed by Steve Diebenow, on behalf of
12 The City Rescue Mission, Inc., owner of approximately 6.42± acres of
13 certain real property in Council District 9, as more particularly
14 described in Section 1 below; and

15 **WHEREAS**, the Planning and Development Department, in order to
16 ensure consistency of this zoning district with the *2045 Comprehensive*
17 *Plan*, has considered the rezoning and has rendered an advisory
18 opinion; and

19 **WHEREAS**, the Planning Commission has considered the
20 application and has rendered an advisory opinion; and

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

24 **WHEREAS**, the City Council, after due notice, held a public
25 hearing, and taking into consideration the above recommendations as
26 well as all oral and written comments received during the public
27 hearings, the Council finds that such rezoning is consistent with the
28 *2045 Comprehensive Plan* adopted under the comprehensive planning
29 ordinance for future development of the City of Jacksonville; and

30 **WHEREAS**, based on the staff report of the Planning and
31 Development Department and other competent and substantial evidence

1 received at the public hearings, the Council finds that the proposed
2 PUD does not affect adversely the orderly development of the City as
3 embodied in the *Zoning Code*; will not affect adversely the health and
4 safety of residents in the area; will not be detrimental to the
5 natural environment or to the use or development of the adjacent
6 properties in the general neighborhood; and the proposed PUD will
7 accomplish the objectives and meet the standards of Section 656.340
8 (Planned Unit Development) of the *Zoning Code* of the City of
9 Jacksonville; now therefore

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

11 **Section 1. Subject Property Location and Description.** The
12 approximately 6.42± acres are located in Council District 9 at 426,
13 436 McDuff Avenue South, 0, 3026, 3032, 3040, 3057 Hunt Street, 3055,
14 3061 Cecelia Street and 0, 3044, 3050 Nolan Street, north Of
15 Interstate-10, between Day Avenue and McDuff Road South (R.E. No(s).
16 057294-0000, 057295-0000, 057304-0000, 057305-0000, 056946-0000,
17 056954-0000, 056958-0000, 056959-0000, 056960-0000, 056960-0010,
18 057253-0000 and 057260-0000), as more particularly described in
19 **Exhibit 1**, dated March 17, 2026, and graphically depicted in **Exhibit**
20 **2**, both of which are **attached hereto** and incorporated herein by this
21 reference (the "Subject Property").

22 **Section 2. Owner and Applicant Description.** The Subject
23 Property is owned by The City Rescue Mission, Inc. The applicant is
24 Steve Diebenow, Esq., One Independent Drive, Suite 1200,
25 Jacksonville, Florida 32202; (904) 301-1269;
26 sdiebenow@drivermcafee.com.

27 **Section 3. Property Rezoned.** The Subject Property,
28 pursuant to adopted companion Small-Scale Amendment L-6111-26C, is
29 hereby rezoned and reclassified from Residential Low Density-60 (RLD-
30 60) District, Commercial, Residential and Office (CRO) District,
31 Commercial Office (CO) District, and Commercial Community/General-2

1 (CCG-2) District to Planned Unit Development (PUD) District. This
2 new PUD district shall generally permit a dormitory/dining hall and
3 transitional housing for the City Rescue Mission, and is described,
4 shown and subject to the following documents, attached hereto:

5 **Exhibit 1** - Legal Description dated March 17, 2026.

6 **Exhibit 2** - Subject Property Map (prepared by P&DD).

7 **Exhibit 3** - Written Description dated April 28, 2026.

8 **Exhibit 4** - Site Plan dated April 29, 2026.

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

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

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

1 President and the Council Secretary.

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3 Form Approved:

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5 /s/ Terrence Harvey

6 Office of General Counsel

7 Legislation Prepared By: Erin Abney

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