

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-596-E**

5 AN ORDINANCE REZONING APPROXIMATELY 32.32±
6 ACRES, LOCATED IN COUNCIL DISTRICT 12 AT 6410
7 JONES ROAD, BETWEEN CISCO DRIVE AND BEE BALM
8 BOULEVARD (R.E. NO. 002896-0220 (PORTION)), AS
9 DESCRIBED HEREIN, OWNED BY RALPH WAYNE DAVIS AND
10 EMILY GAIL DAVIS, FROM AGRICULTURE (AGR)
11 DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
12 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
13 ZONING CODE, TO PERMIT SINGLE-FAMILY RESIDENTIAL
14 AND TOWNHOME USES, AS DESCRIBED IN THE JONES
15 ROAD PHASE 2 PUD, PURSUANT TO FUTURE LAND USE
16 MAP SERIES (FLUMS) SMALL-SCALE AMENDMENT
17 APPLICATION NUMBER L-5857-23C; PUD SUBJECT TO
18 CONDITION; PROVIDING A DISCLAIMER THAT THE
19 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
20 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
21 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-5857-23C; 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-5857-23C, an application to rezone and reclassify from
31 Agriculture (AGR) District to Planned Unit Development (PUD) District

1 was filed by M. Hayden Phillips, Esq. on behalf of the owners of
2 approximately 32.32± acres of certain real property in Council
3 District 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 Committee, after due notice and
11 public hearing, has made its recommendation to the Council; and

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

18 **WHEREAS**, the Council finds that the proposed PUD does not affect
19 adversely the orderly development of the City as embodied in the
20 *Zoning Code*; will not affect adversely 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 the proposed PUD will accomplish the
24 objectives and meet the standards of Section 656.340 (Planned Unit
25 Development) of the *Zoning Code* of the City of Jacksonville; now,
26 therefore

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

28 **Section 1. Subject Property Location and Description.** The
29 approximately 32.32± acres are located in Council District 12 at 6410
30 Jones Road, between Cisco Drive and Bee Balm Boulevard (R.E. No.
31 002896-0220 (portion)), as more particularly described in **Exhibit 1**,

1 dated July 18, 2023, and graphically depicted in **Exhibit 2**, both of
2 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 Ralph Wayne Davis and Emily Gail Davis. The
6 applicant is M. Hayden Phillips, Esq., 1301 Riverplace Boulevard,
7 Suite 1500, Jacksonville, Florida 32207; (904) 346-5535.

8 **Section 3. Property Rezoned.** The Subject Property,
9 pursuant to adopted companion Small-Scale Amendment Application L-
10 5857-23C, is hereby rezoned and reclassified from Agriculture (AGR)
11 District to Planned Unit Development (PUD) District. This new PUD
12 district shall generally permit single-family residential and
13 townhome uses, and is described, shown and subject to the following
14 documents, attached hereto:

15 **Exhibit 1** - Legal Description dated July 18, 2023.

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

17 **Revised Exhibit 3** - Revised Written Description dated October 5,
18 2023.

19 **Revised Exhibit 4** - Revised Site Plan dated October 4, 2023.

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

24 (1) A traffic study shall be provided at Civil Site Plan
25 review. Prior to commencement of the traffic study, the traffic
26 professional shall conduct a methodology meeting to determine the
27 limits of the study. The methodology meeting shall include the Chief
28 of the Traffic Engineering Division, the Chief of the Transportation
29 Division, and the traffic reviewer from Development Services.

30 **Section 5. Contingency.** This rezoning shall not become
31 effective until thirty-one (31) days after adoption of the companion

1 Small-Scale Amendment; and further provided that if the companion
2 Small-Scale Amendment is challenged by the state land planning agency,
3 this rezoning shall not become effective until the state land planning
4 agency or the Administration Commission issues a final order
5 determining the companion Small-Scale Amendment is in compliance with
6 Chapter 163, *Florida Statutes*.

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

19 **Section 7. Effective Date.** The enactment of this Ordinance
20 shall be deemed to constitute a quasi-judicial action of the City
21 Council and shall become effective upon signature by the Council
22 President and the Council Secretary.

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24 Form Approved:

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26 /s/ Mary E. Staffopoulos

27 Office of General Counsel

28 Legislation Prepared By: Stephen Nutt

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