

LAND USE AND ZONING COMMITTEE AMENDMENT

The Land Use and Zoning Committee offers the following amendment to File No. 2025-515:

- (1) On **page 1, line 5**, after "ORDINANCE" insert "DENYING A REQUEST FOR";
- (2) On **page 1, lines 13-15**, strike "PROVIDING A DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;";
- (3) On **page 2, line 4**, strike "and" and insert "now therefore";
- (4) On **page 2, lines 5-11**, strike all lines in their entirety;
- (5) On **page 2, lines 13-16**, strike "Property Rezoned. The Subject Property is hereby rezoned and reclassified from Residential Rural-Acre (RR-Acre) District to Residential Low Density-60 (RLD-60) Commercial Office District, as defined and classified under the Zoning Code, City of Jacksonville, Florida." and insert "**Property Rezoning Denied.** The City Council denies the rezoning of the Subject Property from Residential Rural-Acre (RR-Acre) District to Residential Low Density-60 (RLD-60). Pursuant to section 656.125(c), *Ordinance Code*, uses permitted under a proposed rezoning must be consistent or compatible with the existing and proposed land uses and zoning of adjacent and nearby properties or the general area or will

not deviate from an established or developing logical and orderly development pattern. Additionally, per section 656.125(c), *Ordinance Code*, it constitutes a legitimate public purpose to deny a rezoning if the "proposed rezoning will constitute 'spot zoning,' that is an isolated zoning district unrelated to adjacent and nearby districts." The Planning Department report explains that the requested rezoning will allow for 6,000 square foot residential lots with a minimum of 60 feet of width per dwelling unit lot on the Subject Property. The Planning Department staff report acknowledges that the only access to the Subject Property is through the neighborhood located north of the Subject Property. The Planning Department staff report notes that there is no access to the Subject Property from Wesconnett Boulevard. "In order to maximize the development potential of the property, an approved public or private right of way would need to be constructed, extending Pernecia Street" to the Subject Property. Although the requested rezoning of RLD-60 appears to be consistent with the neighborhood to the north, that neighborhood, as shown in the map and aerial views contained in the Planning Department staff report, consists of residences lying on much larger lots. The facts in the Planning Department staff report are bolstered by the testimony and fact-based evidence provided by the residents during the public hearing process. One resident testified to the stable multi-

generational neighborhood, which has been maintained since the 1950's. The testimony presented and evidence submitted demonstrates that the community had initially been developed in the late 1950's with 90 foot wide lots. Currently, 79 of the 93 RLD-60 lots are 90 feet wide, with an average lot width of 102 feet. None of the lots are 60 foot wide. The smallest is 65 feet wide and the newest residential lot is 76 feet wide. And the average lot size is 14,500 square feet, much larger than the requested rezoning size on the Subject Property of 6,000 square feet. The evidence in the record demonstrates that the rezoning the Subject Property is not consistent or compatible with the existing larger residential land uses of adjacent and nearby properties or the general area and deviates from the established or developing logical and orderly development pattern. Additionally, the RLD-60 rezoning request would be an isolated zoning district of smaller residential lots unrelated to the adjacent and nearby larger residential lot subdivision.";

- (6) On **page 2, lines 21-31, and page 3, line 1, strike** all lines in their entirety;
- (7) Renumber the remaining section accordingly;
- (8) On **page 1, line 1,** amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

 /s/ Dylan Reingold

Office of General Counsel

Legislation Prepared By: Dylan Reingold

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