

1 Introduced and amended by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2020-601-E**

5 AN ORDINANCE REZONING APPROXIMATELY 10.79± ACRES  
6 LOCATED IN COUNCIL DISTRICT 2 AT 0 MAIN STREET  
7 NORTH AND 16105 MAIN STREET NORTH, BETWEEN YELLOW  
8 BLUFF ROAD AND PECAN PARK ROAD (R.E. NOS. 108107-  
9 0010 AND 108147-0000), OWNED BY MATTHEW M.  
10 MCAULIFFE, PERSONAL REPRESENTATIVE OF THE ESTATE  
11 OF DIXIE MCAULIFFE, AS DESCRIBED HEREIN, FROM  
12 RESIDENTIAL RURAL-ACRE (RR-ACRE) AND COMMERCIAL  
13 COMMUNITY/GENERAL-2 (CCG-2) DISTRICTS TO PLANNED  
14 UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND  
15 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT  
16 SINGLE FAMILY RESIDENTIAL USES, AS DESCRIBED IN  
17 THE 16105 MAIN STREET PUD, PURSUANT TO FUTURE  
18 LAND USE MAP SERIES (FLUMS) SMALL-SCALE AMENDMENT  
19 APPLICATION NUMBER L-5471-20C; PROVIDING A  
20 DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL  
21 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER  
22 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.  
23

24 **WHEREAS**, the City of Jacksonville adopted a Small-Scale  
25 Amendment to the *2030 Comprehensive Plan* for the purpose of revising  
26 portions of the Future Land Use Map series (FLUMs) in order to ensure  
27 the accuracy and internal consistency of the plan, pursuant to  
28 application L-5471-20C and companion land use Ordinance 2020-600; and

29 **WHEREAS**, in order to ensure consistency of zoning district with  
30 the *2030 Comprehensive Plan* and the adopted companion Small-Scale  
31 Amendment L-5471-20C, an application to rezone and reclassify from

1 Residential Rural-Acre (RR-Acre) and Commercial Community/General-2  
2 (CCG-2) Districts to Planned Unit Development (PUD) District was  
3 filed by Paul M. Harden, Esq., on behalf of the owner of approximately  
4 10.79± acres of certain real property in Council District 2, as more  
5 particularly described in Section 1; and

6 **WHEREAS**, the Planning and Development Department, in order to  
7 ensure consistency of this zoning district with the *2030 Comprehensive*  
8 *Plan*, has considered the rezoning and has rendered an advisory  
9 opinion; and

10 **WHEREAS**, the Planning Commission has considered the application  
11 and has rendered an advisory opinion; and

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

15 **WHEREAS**, the City Council, after due notice, held a public  
16 hearing, and taking into consideration the above recommendations as  
17 well as all oral and written comments received during the public  
18 hearings, the Council finds that such rezoning is consistent with the  
19 *2030 Comprehensive Plan* adopted under the comprehensive planning  
20 ordinance for future development of the City of Jacksonville; and

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

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

31 **Section 1. Subject Property Location and Description.** The

1 approximately 10.79± acres (R.E. Nos. 108107-0010 and 108147-0000)  
2 are located in Council District 2, at 0 Main Street North and 16105  
3 Main Street North, between Yellow Bluff Road and Pecan Park Road, as  
4 more particularly described in **Exhibit 1**, dated August 20, 2020, and  
5 graphically depicted in **Exhibit 2**, both of which are **attached hereto**  
6 and incorporated herein by this reference (Subject Property).

7 **Section 2. Owner and Applicant Description.** The Subject  
8 Property is owned by Matthew M. McAuliffe, Personal Representative  
9 of the Estate of Dixie McAuliffe. The applicant is Paul M. Harden,  
10 Esq., 501 Riverside Avenue, Suite 901, Jacksonville, Florida 32202;  
11 (904) 396-5731.

12 **Section 3. Property Rezoned.** The Subject Property,  
13 pursuant to adopted companion Small-Scale Amendment L-5471-20C, is  
14 hereby rezoned and reclassified from Residential Rural-Acre (RR-Acre)  
15 and Commercial Community/General-2 (CCG-2) Districts to Planned Unit  
16 Development (PUD) District. This new PUD district shall generally  
17 permit single family residential uses, and is described, shown and  
18 subject to the following documents, **attached hereto**:

19 **Exhibit 1** - Legal Description dated August 20, 2020.

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

21 **Revised Exhibit 3** - Revised Written Description dated December 1,  
22 2020.

23 **Exhibit 4** - Site Plan dated September 14, 2020.

24 **Section 4. Contingency.** This rezoning shall not become  
25 effective until 31 days after adoption of the companion Small-Scale  
26 Amendment unless challenged by the state land planning agency; and  
27 further provided that if the companion Small-Scale Amendment is  
28 challenged by the state land planning agency, this rezoning shall not  
29 become effective until the state land planning agency or the  
30 Administration Commission issues a final order determining the  
31 companion Small-Scale Amendment is in compliance with Chapter 163,

