

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-529-E**

5 AN ORDINANCE REZONING APPROXIMATELY 16.45± ACRES
6 LOCATED IN COUNCIL DISTRICT 10 AT 5715 OLD KINGS
7 ROAD, BETWEEN PICKETTVILLE ROAD AND EDGEWOOD
8 AVENUE NORTH (R.E. NO. 083552-0030), OWNED BY
9 HOWOJO, LLC, AS DESCRIBED HEREIN, FROM INDUSTRIAL
10 LIGHT (IL) DISTRICT TO RESIDENTIAL LOW DENSITY-
11 40 (RLD-40) DISTRICT, AS DEFINED AND CLASSIFIED
12 UNDER THE ZONING CODE, PURSUANT TO FUTURE LAND
13 USE MAP SERIES (FLUMS) SMALL-SCALE AMENDMENT
14 APPLICATION NUMBER L-5538-21C; PROVIDING A
15 DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL
16 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
17 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
18

19 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
20 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
21 portions of the Future Land Use Map series (FLUMs) in order to ensure
22 the accuracy and internal consistency of the plan, pursuant to
23 application L-5538-21C and companion land use Ordinance 2021-528; and

24 **WHEREAS**, in order to ensure consistency of zoning district with
25 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
26 Amendment L-5538-21C, an application to rezone and reclassify from
27 Industrial Light (IL) District to Residential Low Density-40 (RLD-
28 40) District was filed by Paul Harden, Esq., on behalf of the owner
29 of approximately 16.45± acres of certain real property in Council
30 District 10, as more particularly described in Section 1; and

31 **WHEREAS**, the Planning and Development Department, in order to

1 ensure consistency of this zoning district with the *2030 Comprehensive*
2 *Plan*, has considered the rezoning and has rendered an advisory
3 opinion; and

4 **WHEREAS**, the Planning Commission has considered the application
5 and has rendered an advisory opinion; and

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

9 **WHEREAS**, the City Council, after due notice, held a public
10 hearing, and taking into consideration the above recommendations as
11 well as all oral and written comments received during the public
12 hearings, the Council finds that such rezoning is consistent with the
13 *2030 Comprehensive Plan* adopted under the comprehensive planning
14 ordinance for future development of the City of Jacksonville; now,
15 therefore

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

17 **Section 1. Subject Property Location and Description.** The
18 approximately 16.45± acres (R.E. No. 083552-0030) is located in
19 Council District 10 at 5715 Old Kings Road, between Pickettville Road
20 and Edgewood Avenue North, as more particularly described in **Exhibit**
21 **1**, dated March 17, 2021, and graphically depicted in **Exhibit 2**, both
22 of which are **attached hereto** and incorporated herein by this reference
23 (the "Subject Property").

24 **Section 2. Owner and Applicant Description.** The Subject
25 Property is owned by HOWOJO, LLC. The applicant is Paul Harden,
26 Esq., 1431 Riverplace Boulevard, Suite 901, Jacksonville, Florida
27 32207; (904) 396-5731.

28 **Section 3. Property Rezoned.** The Subject Property,
29 pursuant to adopted companion Small-Scale Amendment Application L-
30 5538-21C, is hereby rezoned and reclassified from Industrial Light
31 (IL) District to Residential Low Density-40 (RLD-40) District.

1 **Section 4. Contingency.** This rezoning shall not become
2 effective until 31 days after adoption of the companion Small-Scale
3 Amendment; and further provided that if the companion Small-Scale
4 Amendment is challenged by the state land planning agency, this
5 rezoning shall not become effective until the state land planning
6 agency or the Administration Commission issues a final order
7 determining the companion Small-Scale Amendment is in compliance with
8 Chapter 163, *Florida Statutes*.

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

21 **Section 6. Effective Date.** The enactment of this Ordinance
22 shall be deemed to constitute a quasi-judicial action of the City
23 Council and shall become effective upon signature by the Council
24 President and the Council Secretary.

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26 Form Approved:

27
28 /s/ Mary E. Staffopoulos

29 Office of General Counsel

30 Legislation Prepared By: Erin Abney

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