

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-198-E**

5 AN ORDINANCE REZONING APPROXIMATELY 30.11± ACRES
6 LOCATED IN COUNCIL DISTRICT 2 AT 0 NORTH MAIN
7 STREET, BETWEEN YELLOW BLUFF ROAD AND SATSUMA
8 STREET (R.E. NOS. 108096-0000, 108195-0000, AND
9 108415-0200), OWNED BY SARAH MCNAIR, JOSEPH G
10 LLC, AND ELIZABETH C. SESSIONS, AS TRUSTEE OF
11 THE ELIZABETH C. SESSIONS REVOCABLE LIVING
12 TRUST, UNDER AGREEMENT DATED FEBRUARY 18, 1993,
13 AS DESCRIBED HEREIN, FROM RESIDENTIAL RURAL-ACRE
14 (RR-ACRE) DISTRICT TO PLANNED UNIT DEVELOPMENT
15 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER
16 THE ZONING CODE, TO PERMIT SINGLE-FAMILY
17 RESIDENTIAL USES, AS DESCRIBED IN THE NORTH MAIN
18 STREET PUD, PURSUANT TO FUTURE LAND USE MAP
19 SERIES (FLUMS) SMALL-SCALE AMENDMENT
20 APPLICATION NUMBER L-5656-22C; PUD SUBJECT TO
21 CONDITION; PROVIDING A DISCLAIMER THAT THE
22 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
23 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
24 PROVIDING AN EFFECTIVE DATE.
25

26 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
27 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
28 portions of the Future Land Use Map series (FLUMs) in order to ensure
29 the accuracy and internal consistency of the plan, pursuant to the
30 companion land use application L-5656-22C; and

31 **WHEREAS**, in order to ensure consistency of zoning district with

1 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
2 Amendment L-5656-22C, an application to rezone and reclassify from
3 Residential Rural-Acre (RR-Acre) District to Planned Unit Development
4 (PUD) District was filed by Paul Harden, Esq., on behalf of the owners
5 of approximately 30.11± acres of certain real property in Council
6 District 2, as more particularly described in Section 1; and

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

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

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

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

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

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

1 **Section 1. Subject Property Location and Description.** The
2 approximately 30.11± acres are located in Council District 2 at 0
3 North Main Street, between Yellow Bluff Road and Satsuma Street, as
4 more particularly described in **Exhibit 1**, dated January 4, 2022, and
5 graphically depicted in **Exhibit 2**, both of which are **attached hereto**
6 and incorporated herein by this reference (the "Subject Property").

7 **Section 2. Owner and Applicant Description.** The Subject
8 Property is owned by Sarah McNair, Joseph G LLC, and Elizabeth C.
9 Sessions, as Trustee of the Elizabeth C. Sessions Revocable Living
10 Trust, under agreement dated February 18, 1993. The applicant is
11 Paul Harden, Esq., 1431 Riverplace Boulevard, Suite 901,
12 Jacksonville, Florida 32207; (904) 396-5731.

13 **Section 3. Property Rezoned.** The Subject Property,
14 pursuant to adopted companion Small-Scale Amendment L-5656-22C, is
15 hereby rezoned and reclassified from Residential Rural-Acre (RR-Acre)
16 District to Planned Unit Development (PUD) District. This new PUD
17 district shall generally permit single-family residential uses, and
18 is described, shown and subject to the following documents, **attached**
19 **hereto:**

20 **Exhibit 1** - Legal Description dated January 4, 2022.

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

22 **Revised Exhibit 3** - Revised Written Description dated April 14, 2022.

23 **Revised Exhibit 4** - Revised Site Plan dated February 14, 2022.

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

28 (1) The minimum centerline radius for curves in the subdivision
29 shall be 80 feet.

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

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

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

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25 Form Approved:

26
27 /s/ Mary E. Staffopoulos

28 Office of General Counsel

29 Legislation Prepared By: Bruce Lewis

30 GC-#1498208-v1-2022-198-E