

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-603-E**

5 AN ORDINANCE REZONING APPROXIMATELY 2.70± ACRES
6 LOCATED IN COUNCIL DISTRICT 2 AT 0 CLAPBOARD
7 CREEK DRIVE, BETWEEN BONEY ROAD AND ROOSTER
8 SPUR CIRCLE (R.E. NO. 159865-0035 (PORTION)),
9 OWNED BY CHRISTINE J. SPENCER AND THOMAS M.
10 SPENCER, AS DESCRIBED HEREIN, FROM RESIDENTIAL
11 RURAL-ACRE (RR-ACRE) DISTRICT TO AGRICULTURE
12 (AGR) DISTRICT, AS DEFINED AND CLASSIFIED UNDER
13 THE ZONING CODE, PURSUANT TO FUTURE LAND USE
14 MAP SERIES (FLUMS) SMALL-SCALE AMENDMENT
15 APPLICATION NUMBER L-5464-20C; PROVIDING A
16 DISCLAIMER THAT THE REZONING GRANTED HEREIN
17 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
18 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
19 DATE.
20

21 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
22 Amendment to the *2030 Comprehensive Plan* for the purpose of
23 revising portions of the Future Land Use Map series (FLUMs) in
24 order to ensure the accuracy and internal consistency of the plan,
25 pursuant to application L-5464-20C and companion land use Ordinance
26 2020-602; and

27 **WHEREAS**, in order to ensure consistency of zoning district
28 with the *2030 Comprehensive Plan* and the adopted companion Small-
29 Scale Amendment L-5464-20C, an application to rezone and reclassify
30 from Residential Rural-Acre (RR-Acre) District to Agriculture (AGR)
31 District was filed by Christine J. Spencer and Thomas M. Spencer,

1 the owners of approximately 2.70± acres of certain real property in
2 Council District 2, as more particularly described in Section 1;
3 and

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

8 **WHEREAS**, the Planning Commission has considered the
9 application and has rendered an advisory opinion; and

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

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

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

21 **Section 1. Subject Property Location and Description.** The
22 approximately 2.70± acres (R.E. No. 159865-0035 (portion)) are
23 located in Council District 2 at 0 Clapboard Creek Drive, between
24 Boney Road and Rooster Spur Circle, as more particularly described
25 in **Exhibit 1**, dated July 11, 2019, and graphically depicted in
26 **Exhibit 2**, both of which are **attached hereto** and incorporated
27 herein by this reference (Subject Property).

28 **Section 2. Owner and Applicant Description.** The Subject
29 Property is owned by Christine J. Spencer and Thomas M. Spencer.
30 The applicant is Christine J. Spencer, 105 Windsorville Court,
31 Jacksonville, Florida 32225; (904) 304-7573.

1 **Section 3. Property Rezoned.** The Subject Property,
2 pursuant to adopted companion Small-Scale Amendment Application L-
3 5464-20C, is hereby rezoned and reclassified from Residential
4 Rural-Acre (RR-Acre) District to Agriculture (AGR) District.

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

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

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

30
31 Form Approved:

1 /s/ Shannon K. Eller
2 Office of General Counsel
3 Legislation Prepared By: Arimus Wells
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