

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-149-E**

5 AN ORDINANCE REZONING APPROXIMATELY 21.14± ACRES
6 LOCATED IN COUNCIL DISTRICT 3 AT 0 J. TURNER
7 BUTLER BOULEVARD AND 3702 SANS PAREIL STREET,
8 BETWEEN SAN PABLO ROAD SOUTH AND KERNAN BOULEVARD
9 SOUTH (R.E. NOS. 167771-0000 (PORTION) AND
10 167771-4000 (PORTION)), OWNED BY KERNAN R. HODGES
11 REVOCABLE TRUST DATED JANUARY 23, 1981 (C/O JOHN
12 R. CATHEY, TRUSTEE), AS DESCRIBED HEREIN, FROM
13 AGRICULTURE (AGR) DISTRICT TO RESIDENTIAL LOW
14 DENSITY-60 (RLD-60) DISTRICT, AS DEFINED AND
15 CLASSIFIED UNDER THE ZONING CODE, PURSUANT TO
16 FUTURE LAND USE MAP SERIES SMALL-SCALE AMENDMENT
17 APPLICATION NUMBER L-5900-23C; PROVIDING A
18 DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL
19 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
20 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
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22 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
23 Amendment to the *2045 Comprehensive Plan* for the purpose of revising
24 portions of the Future Land Use Map series (FLUMs) in order to ensure
25 the accuracy and internal consistency of the plan, pursuant to
26 companion application L-5900-23C; and

27 **WHEREAS**, in order to ensure consistency of zoning district
28 with the *2045 Comprehensive Plan* and the adopted companion Small-Scale
29 Amendment L-5900-23C, an application to rezone and reclassify from
30 Agriculture (AGR) District to Residential Low Density-60 (RLD-60)
31 District was filed by Paul Harden, Esq. on behalf of the owner of

1 approximately 21.14± acres of certain real property in Council
2 District 3, as more particularly described in Section 1; and

3 **WHEREAS,** the Planning and Development Department, in order to
4 ensure consistency of this zoning district with the *2045 Comprehensive*
5 *Plan*, has considered the rezoning and has rendered an advisory
6 opinion; and

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

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

12 **WHEREAS,** the City Council, after due notice, held a public
13 hearing, and taking into consideration the above recommendations as
14 well as all oral and written comments received during the public
15 hearings, the Council finds that such rezoning is consistent with the
16 *2045 Comprehensive Plan* adopted under the comprehensive planning
17 ordinance for future development of the City of Jacksonville; now
18 therefore

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

20 **Section 1. Subject Property Location and Description.** The
21 approximately 21.14± acres are located in Council District 3 at 0 J.
22 Turner Butler Boulevard and 3702 Sans Pareil Street, between San
23 Pable Road South and Kernan Boulevard South (R.E. Nos. 167771-0000
24 (portion) and 167771-4000 (portion)), as more particularly described
25 in **Exhibit 1**, dated December 5, 2023, and graphically depicted in
26 **Exhibit 2**, both of which are attached hereto and incorporated herein
27 by this reference (the "Subject Property").

28 **Section 2. Owner and Applicant Description.** The Subject
29 Property is owned by Kernan R. Hodges Revocable Trust dated January
30 23, 1981 (c/o John R. Cathey, Trustee). The applicant is Paul Harden,
31 Esq., 1431 Riverplace Boulevard, Suite 901, Jacksonville, Florida

1 32207; (904) 396-5731.

2 **Section 3. Property Rezoned.** The Subject Property,
3 pursuant to adopted companion Small-Scale Amendment Application
4 L-5900-23C, is hereby rezoned and reclassified from Agriculture (AGR)
5 District to Residential Low Density-60 (RLD-60) District.

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

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

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

1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Connor Corrigan

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