

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-108-E**

5 AN ORDINANCE REZONING APPROXIMATELY 7.03± ACRES
6 LOCATED IN COUNCIL DISTRICT 12 AT 0 US HIGHWAY
7 301 SOUTH, BETWEEN THE CLAY COUNTY LINE AND
8 WELLHAUSEN ROAD (R.E. NO. 001203-0050), OWNED
9 BY KEVIN L. KEELING AND DEANNE KEELING, AS
10 DESCRIBED HEREIN, FROM AGRICULTURE (AGR)
11 DISTRICT TO COMMERCIAL COMMUNITY/GENERAL-2 (CCG-
12 2) DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
13 ZONING CODE, PURSUANT TO FUTURE LAND USE MAP
14 SERIES (FLUMS) SMALL-SCALE AMENDMENT APPLICATION
15 NUMBER L-5650-21C; PROVIDING A DISCLAIMER THAT
16 THE REZONING GRANTED HEREIN SHALL NOT BE
17 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
18 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
19

20 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
21 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
22 portions of the Future Land Use Map series (FLUMS) in order to ensure
23 the accuracy and internal consistency of the plan, pursuant to
24 companion application L-5650-21C; and

25 **WHEREAS**, in order to ensure consistency of zoning district with
26 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
27 Amendment L-5650-21C, an application to rezone and reclassify from
28 Agriculture (AGR) District to Commercial Community/General-2 (CCG-2)
29 District was filed by Wyman Duggan, Esq., on behalf of the owners of
30 approximately 7.03± acres of certain real property in Council District

1 12, as more particularly described in Section 1; and

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

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

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

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

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

19 **Section 1. Subject Property Location and Description.** The
20 approximately 7.03± acres are located in Council District 12 at 0 US
21 Highway 301 South, between the Clay County Line and Wellhausen Road
22 (R.E. No. 001203-0050), as more particularly described in **Exhibit**
23 **1**, dated December 19, 2021, and graphically depicted in **Exhibit 2**,
24 both of which are **attached hereto** and incorporated herein by this
25 reference (the "Subject Property").

26 **Section 2. Owner and Applicant Description.** The Subject
27 Property is owned by Kevin L. Keeling and Deanne Keeling. The
28 applicant is Wyman Duggan, Esq., 1301 Riverplace Boulevard, Suite
29 1500, Jacksonville, Florida 32207; (904) 398-3911.

30 **Section 3. Property Rezoned.** The Subject Property,
31 pursuant to adopted companion Small-Scale Amendment Application L-

1 5650-21C, is hereby rezoned and reclassified from Agriculture (AGR)
2 District to Commercial Community/General-2 (CCG-2) District.

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

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

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

27 Form Approved:

28
29 /s/ Mary E. Staffopoulos

30 Office of General Counsel

31 Legislation Prepared By: Connor Corrigan

