

1 Introduced by the Land Use and Zoning Committee:
2
3

4 **ORDINANCE 2023-202**

5 AN ORDINANCE REZONING APPROXIMATELY 12.21± ACRES
6 LOCATED IN COUNCIL DISTRICT 8 AT 0 BROWARD ROAD
7 AND 0 CLARK ROAD, BETWEEN BELLESHORE CIRCLE AND
8 INTERSTATE CENTER DRIVE (R.E. NOS. 020691-0020,
9 020696-0010, AND 022163-0000), OWNED BY KELLY E.
10 LAWHON AND EGRET CREEK DEVELOPMENT, LLC, AS
11 DESCRIBED HEREIN, FROM RESIDENTIAL LOW DENSITY-
12 60 (RLD-60) DISTRICT AND COMMERCIAL
13 COMMUNITY/GENERAL 1 (CCG-1) DISTRICT TO
14 RESIDENTIAL MEDIUM DENSITY-D (RMD-D) DISTRICT
15 AND CONSERVATION (CSV) DISTRICT, AS DEFINED AND
16 CLASSIFIED UNDER THE ZONING CODE, PURSUANT TO
17 FUTURE LAND USE MAP SERIES SMALL-SCALE AMENDMENT
18 APPLICATION NUMBER L-5783-22C; PROVIDING A
19 DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL
20 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
21 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

22
23 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
24 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
25 portions of the Future Land Use Map series (FLUMs) in order to ensure
26 the accuracy and internal consistency of the plan, pursuant to
27 companion application L-5783-22C; and

28 **WHEREAS**, in order to ensure consistency of zoning district with
29 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
30 Amendment L-5783-22C, an application to rezone and reclassify from
31 Residential Low Density-60 (RLD-60) District and Commercial

1 Community/General 1 (CCG-1) District to Residential Medium Density-D
2 (RMD-D) District and Conservation (CSV) District was filed by Curtis
3 Hart on behalf of the owners of approximately 12.21± acres of certain
4 real property in Council District 8, as more particularly described
5 in Section 1; and

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

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

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

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

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

23 **Section 1. Subject Property Location and Description.** The
24 approximately 12.21± acres are located in Council District 8 at 0
25 Broward Road and 0 Clark Road, between Belleshore Circle and
26 Interstate Center Drive (R.E. Nos. 020691-0020, 020696-0010, and
27 022163-0000), as more particularly described in **Exhibit 1**, dated
28 November 14, 2022, and graphically depicted in **Exhibit 2**, both of
29 which are attached hereto and incorporated herein by this reference
30 (the "Subject Property").

31 **Section 2. Owner and Applicant Description.** The Subject

1 Property is owned by Kelly E. Lawhon and Egret Creek Development,
2 LLC. The applicant is Curtis Hart, 8051 Tara Lane, Jacksonville,
3 Florida 32216; (904) 993-5008.

4 **Section 3. Property Rezoned.** The Subject Property,
5 pursuant to adopted companion Small-Scale Amendment Application L-
6 5783-22C, is hereby rezoned and reclassified from Residential Low
7 Density-60 (RLD-60) District and Commercial Community/General 1 (CCG-
8 1) District to Residential Medium Density-D (RMD-D) District and
9 Conservation (CSV) District.

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

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

30 **Section 6. Effective Date.** The enactment of this Ordinance
31 shall be deemed to constitute a quasi-judicial action of the City

1 Council and shall become effective upon signature by the Council
2 President and the Council Secretary.

3

4 Form Approved:

5

6 /s/ Mary E. Staffopoulos

7 Office of General Counsel

8 Legislation Prepared By: Kaysie Cox

9 GC-#1554644-v2-2023-202_(Z-4646) .docx