

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

4 **ORDINANCE 2023-163-E**

5 AN ORDINANCE REZONING APPROXIMATELY 10.96± ACRES
6 LOCATED IN COUNCIL DISTRICT 12 AT 0 NORMANDY
7 BOULEVARD AND 12223 NORMANDY BOULEVARD, BETWEEN
8 NORMANDY BOULEVARD AND CECIL COMMERCE CENTER
9 PARKWAY (R.E. NOS. 002168-0000, 002172-0000 AND
10 002173-0000), OWNED BY CARLYBIRD PROPERTIES,
11 LLC, AS DESCRIBED HEREIN, FROM COMMERCIAL
12 COMMUNITY/GENERAL-2 (CCG-2) DISTRICT AND
13 COMMERCIAL OFFICE (CO) DISTRICT TO INDUSTRIAL
14 LIGHT (IL) DISTRICT, AS DEFINED AND CLASSIFIED
15 UNDER THE ZONING CODE, PURSUANT TO FUTURE LAND
16 USE MAP SERIES SMALL-SCALE AMENDMENT APPLICATION
17 NUMBER L-5767-22C; PROVIDING A DISCLAIMER THAT
18 THE REZONING GRANTED HEREIN SHALL NOT BE
19 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
20 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
21

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-5767-22C; and

27 **WHEREAS,** in order to ensure consistency of zoning district with
28 the *2045 Comprehensive Plan* and the adopted companion Small-Scale
29 Amendment L-5767-22C, an application to rezone and reclassify from
30 Commercial Community/General-2 (CCG-2) District and Commercial Office
31 (CO) District to Industrial Light (IL) District was filed by Steve

1 Diebenow, Esq., on behalf of the owner of approximately 10.96± acres
2 of certain real property in Council District 12, as more particularly
3 described in Section 1; and

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

8 **WHEREAS**, the Planning Commission has considered the application
9 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 the
17 *2045 Comprehensive Plan* adopted under the comprehensive planning
18 ordinance for future development of the City of Jacksonville; now,
19 therefore

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

21 **Section 1. Subject Property Location and Description.** The
22 approximately 10.96± acres are located in Council District 12 at 0
23 Normandy Boulevard and 12223 Normandy Boulevard, between Normandy
24 Boulevard and Cecil Commerce Center Parkway (R.E. Nos. 002168-0000,
25 002172-0000 and 002173-0000), as more particularly described in
26 **Exhibit 1**, dated October 5, 2022, and graphically depicted in **Exhibit**
27 **2**, both of which are attached hereto and incorporated herein by this
28 reference (the "Subject Property").

29 **Section 2. Owner and Applicant Description.** The Subject
30 Property is owned by Carlybird Properties, LLC. The applicant is
31 Steve Diebenow, Esq., One Independent Drive, Suite 1200,

1 Jacksonville, Florida 32202; (904) 301-1269.

2 **Section 3. Property Rezoned.** The Subject Property,
3 pursuant to adopted companion Small-Scale Amendment Application L-
4 5767-22C, is hereby rezoned and reclassified from Commercial
5 Community/General-2 (CCG-2) District and Commercial Office (CO)
6 District to Industrial Light (IL) District.

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

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

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

31

1 Form Approved:

2

3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Caroline Fulton

6 GC-#1561779-v1-2023-163-E.docx