

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-703**

5 AN ORDINANCE REZONING APPROXIMATELY 2.56± ACRES,
6 LOCATED IN COUNCIL DISTRICT 8 AT 14255 DUVAL
7 ROAD, BETWEEN HIGATE ROAD AND DUVAL PLACE WEST
8 (R.E. NO. 019365-0000), AS DESCRIBED HEREIN,
9 OWNED BY MDH JAX, INC., FROM RESIDENTIAL-RURAL
10 ACRE (RR-ACRE) DISTRICT TO PLANNED UNIT
11 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
12 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
13 INDUSTRIAL USES, AS DESCRIBED IN THE 14255 DUVAL
14 ROAD OFFICE WAREHOUSE PUD, PURSUANT TO FUTURE
15 LAND USE MAP SERIES (FLUMS) SMALL-SCALE
16 AMENDMENT APPLICATION NUMBER L-5855-23C;
17 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
18 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
19 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
20 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-5855-23C; 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-5855-23C, an application to rezone and reclassify from
30 Residential-Rural Acre (RR-Acre) District to Planned Unit Development
31 (PUD) District was filed by Fred Atwill on behalf of the owner of

1 approximately 2.56± acres of certain real property in Council District
2 8, 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 application
8 and has rendered an advisory opinion; and

9 **WHEREAS**, the Land Use and Zoning Committee, after due notice and
10 public hearing, has made its recommendation to the 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 *2045 Comprehensive Plan* adopted under the comprehensive planning
16 ordinance for future development of the City of Jacksonville; and

17 **WHEREAS**, the Council finds that the proposed PUD does not affect
18 adversely the orderly development of the City as embodied in the
19 *Zoning Code*; will not affect adversely the health and safety of
20 residents in the area; will not be detrimental to the natural
21 environment or to the use or development of the adjacent properties
22 in the general neighborhood; and the proposed PUD will accomplish the
23 objectives and meet the standards of Section 656.340 (Planned Unit
24 Development) of the *Zoning Code* of the City of Jacksonville; now,
25 therefore

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

27 **Section 1. Subject Property Location and Description.** The
28 approximately 2.56± acres are located in Council District 8 at 14255
29 Duval Road, between Higate Road and Duval Place West (R.E. No. 019365-
30 0000), as more particularly described in **Exhibit 1**, dated July 17,
31 2023, and graphically depicted in **Exhibit 2**, both of which are

1 attached hereto and incorporated herein by this reference (the
2 "Subject Property").

3 **Section 2. Owner and Applicant Description.** The Subject
4 Property is owned by MDH Jax, Inc. The applicant is Fred Atwill,
5 9001 Forest Acres Lane, Jacksonville, Florida 32234; (904) 610-8975.

6 **Section 3. Property Rezoned.** The Subject Property,
7 pursuant to adopted companion Small-Scale Amendment Application L-
8 5855-23C, is hereby rezoned and reclassified from Residential-Rural
9 Acre (RR-Acre) District to Planned Unit Development (PUD) District.
10 This new PUD district shall generally permit industrial uses, and is
11 described, shown and subject to the following documents, attached
12 hereto:

13 **Exhibit 1** - Legal Description dated July 17, 2023.

14 **Exhibit 2** - Subject Property per P&DD.

15 **Exhibit 3** - Written Description dated July 11, 2023.

16 **Exhibit 4** - Site Plan dated July 11, 2023.

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

25 **Section 5. Disclaimer.** The rezoning granted herein
26 shall not be construed as an exemption from any other applicable
27 local, state, or federal laws, regulations, requirements, permits or
28 approvals. All other applicable local, state or federal permits or
29 approvals shall be obtained before commencement of the development
30 or use and issuance of this rezoning is based upon acknowledgement,
31 representation and confirmation made by the applicant(s), owner(s),

1 developer(s) and/or any authorized agent(s) or designee(s) that the
2 subject business, development and/or use will be operated in strict
3 compliance with all laws. Issuance of this rezoning does **not** approve,
4 promote or condone any practice or act that is prohibited or
5 restricted by any federal, state or local laws.

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

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11 Form Approved:

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13 /s/ Mary E. Staffopoulos

14 Office of General Counsel

15 Legislation Prepared By: Connor Corrigan

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