Introduced by the Land Use and Zoning Committee:

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ORDINANCE 2023-749

AN ORDINANCE REZONING APPROXIMATELY 1.25± ACRES LOCATED IN COUNCIL DISTRICT 8 AT 0 WEST PINE ESTATES ROAD, BETWEEN PINE ESTATES DRIVE AND PINE ESTATES ROAD WEST (R.E. NO. 020533-0010), OWNED BY AMERICAN CLASSIC HOMES, LLC, AS DESCRIBED HEREIN, FROM COMMERCIAL OFFICE (CO) DISTRICT TO RESIDENTIAL LOW DENSITY-100B (RLD-100B) DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE, PURSUANT TO FUTURE LAND USE MAP SERIES SMALL-SCALE AMENDMENT APPLICATION NUMBER L-5869-23C; PROVIDING A DISCLAIMER THAT REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Jacksonville adopted a Small-Scale Amendment to the 2045 Comprehensive Plan for the purpose of revising portions of the Future Land Use Map series (FLUMs) in order to ensure the accuracy and internal consistency of the plan, pursuant to companion application L-5869-23C; and

WHEREAS, in order to ensure consistency of zoning district with the 2045 Comprehensive Plan and the adopted companion Small-Scale Amendment L-5869-23C, an application to rezone and reclassify from Commercial Office (CO) District to Residential Low Density-100B (RLD-100B) District was filed by Hunter Faulkner, Esq. on behalf of the owner of approximately 1.25± acres of certain real property in Council District 8, as more particularly described in Section 1; and

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

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

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

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

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

Section 1. Subject Property Location and Description. The approximately 1.25± acres are located in Council District 8 at 0 West Pine Estates Road, between Pine Estates Drive and Pine Estates Road West (R.E. No. 020533-0010), as more particularly described in Exhibit 1, dated August 10, 2023, and graphically depicted in Exhibit 2, both of which are attached hereto and incorporated herein by this reference (the "Subject Property").

Section 2. Owner and Applicant Description. The Subject Property is owned by American Classic Homes, LLC. The applicant is Hunter Faulkner, Esq., One Independent Drive, Suite 1400, Jacksonville, Florida 32202; (904) 389-0050.

Section 3. Property Rezoned. The Subject Property, pursuant to adopted companion Small-Scale Amendment Application L-5869-23C, is hereby rezoned and reclassified from Commercial Office

(CO) District to Residential Low Density-100B (RLD-100B) District.

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

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

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

Form Approved:

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/s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared By: Caroline Fulton

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