1 Introduced by the Land Use and Zoning Committee:

## ORDINANCE 2023-540-E

AN ORDINANCE REZONING APPROXIMATELY 1.19± ACRES LOCATED IN COUNCIL DISTRICT 8 AT 1005 PECAN PARK ROAD, BETWEEN INTERNATIONAL AIRPORT BOULEVARD AND INTERSTATE-95 (R.E. NO. 108119-0000), OWNED BY WILLIAM ALEXANDER MERCER, AS DESCRIBED HEREIN, FROM AGRICULTURE (AGR) DISTRICT TO RESIDENTIAL LOW DENSITY-60 (RLD-60) DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE, PURSUANT TO FUTURE LAND USE MAP SERIES SMALL-SCALE AMENDMENT APPLICATION NUMBER L-5856-23C; PROVIDING A DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL <u>NOT</u> BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

19 WHEREAS, the City of Jacksonville adopted a Small-Scale 20 Amendment to the 2045 Comprehensive Plan for the purpose of revising 21 portions of the Future Land Use Map series (FLUMs) in order to ensure 22 the accuracy and internal consistency of the plan, pursuant to 23 companion application L-5856-23C; and

WHEREAS, in order to ensure consistency of zoning district with the 2045 Comprehensive Plan and the adopted companion Small-Scale Amendment L-5856-23C, an application to rezone and reclassify from Agriculture (AGR) District to Residential Low Density-60 (RMD-60) District was filed by William Alexander Mercer, the owner of approximately 1.19± acres of certain real property in Council District 8, as more particularly described in Section 1; and

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WHEREAS, the Planning and Development Department, in order to

1 ensure consistency of this zoning district with the 2045 Comprehensive
2 Plan, has considered the rezoning and has rendered an advisory
3 opinion; and

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

6 WHEREAS, the Land Use and Zoning (LUZ) Committee, after due 7 notice, held a public hearing and made its recommendation to the 8 Council; and

9 WHEREAS, the City Council, after due notice, held a public 10 hearing, and taking into consideration the above recommendations as 11 well as all oral and written comments received during the public 12 hearings, the Council finds that such rezoning is consistent with the 13 *2045 Comprehensive Plan* adopted under the comprehensive planning 14 ordinance for future development of the City of Jacksonville; now, 15 therefore

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

17 Subject Property Location and Description. Section 1. The approximately 1.19± acres are located in Council District 8 at 1005 18 19 Pecan Park Road, between International Airport Boulevard and 20 Interstate-95 (R.E. No. 108119-0000), as more particularly described 21 in Exhibit 1, dated July 12, 2023, and graphically depicted in Exhibit 22 2, both of which are attached hereto and incorporated herein by this 23 reference (the "Subject Property").

Section 2. Owner and Applicant Description. The Subject Property is owned by William Alexander Mercer. The applicant is William Alexander Mercer, 1005 Pecan Park Road, Jacksonville, Florida 32218; (904) 449-2714.

Section 3. Property Rezoned. The Subject Property, pursuant to adopted companion Small-Scale Amendment Application L-5856-23C, is hereby rezoned and reclassified from Agriculture (AGR) District to Residential Low Density-60 (RMD-60) District.

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Contingency. This rezoning shall not become 1 Section 4. 2 effective until thirty-one (31) days after adoption of the companion 3 Small-Scale Amendment; and further provided that if the companion 4 Small-Scale Amendment is challenged by the state land planning agency, this rezoning shall not become effective until the state land planning 5 agency or the Administration Commission issues a final order 6 7 determining the companion Small-Scale Amendment is in compliance with Chapter 163, Florida Statutes. 8

9 Section 5. The rezoning Disclaimer. granted herein 10 shall **not** be construed as an exemption from any other applicable 11 local, state, or federal laws, regulations, requirements, permits or 12 approvals. All other applicable local, state or federal permits or 13 approvals shall be obtained before commencement of the development 14 or use and issuance of this rezoning is based upon acknowledgement, 15 representation and confirmation made by the applicant(s), owner(s), 16 developer(s) and/or any authorized agent(s) or designee(s) that the 17 subject business, development and/or use will be operated in strict 18 compliance with all laws. Issuance of this rezoning does not approve, 19 promote or condone any practice or act that is prohibited or 20 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.

26 Form Approved:

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- /s/ Mary E. Staffopoulos
- 29 Office of General Counsel
- 30 Legislation Prepared By: Jacquelyn Williams
- 31 GC-#1583045-v1-2023-540\_(Z-5089).docx

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