

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

4 **ORDINANCE 2023-541-E**

5 AN ORDINANCE REZONING APPROXIMATELY 3.13± ACRES  
6 LOCATED IN COUNCIL DISTRICT 2 AT 0 TIERRA CHASE  
7 WAY, 12441 TIERRA CHASE WAY, 12447 TIERRA CHASE  
8 WAY, 12453 TIERRA CHASE WAY, 12459 TIERRA CHASE  
9 WAY, 12465 TIERRA CHASE WAY AND 12471 TIERRA  
10 CHASE WAY, BETWEEN MT. PLEASANT ROAD AND MT.  
11 PLEASANT WOODS DRIVE (R.E. NOS. 160903-0150  
12 (PORTION), 160903-0215 (PORTION), 160903-0220  
13 (PORTION), 160903-0225 (PORTION), 160903-0230  
14 (PORTION), 160903-0235 (PORTION) AND 160903-0240  
15 (PORTION)), AS DESCRIBED HEREIN, OWNED BY CENTURY  
16 COMMUNITIES OF FLORIDA, LLC, FROM RESIDENTIAL  
17 RURAL-ACRE (RR-ACRE) DISTRICT TO PLANNED UNIT  
18 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND  
19 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT  
20 SINGLE FAMILY RESIDENTIAL USES, AS DESCRIBED IN  
21 THE TIERRA CHASE PUD; PROVIDING A DISCLAIMER THAT  
22 THE REZONING GRANTED HEREIN SHALL NOT BE  
23 CONSTRUED AS AN EXEMPTION FROM ANY OTHER  
24 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.  
25

26 **WHEREAS**, Century Communities of Florida, LLC, the owner of  
27 approximately 3.13± acres located in Council District 2 at 0 Tierra  
28 Chase Way, 12441 Tierra Chase Way, 12447 Tierra Chase Way, 12453  
29 Tierra Chase Way, 12459 Tierra Chase Way, 12465 Tierra Chase Way and  
30 12471 Tierra Chase Way, between Mt. Pleasant Road and Mt. Pleasant  
31 Woods Drive (R.E. Nos. 160903-0150 (portion), 160903-0215 (portion),

1 160903-0220 (portion), 160903-0225 (portion), 160903-0230 (portion),  
2 160903-0235 (portion) and 160903-0240 (portion)), as more  
3 particularly described in **Exhibit 1**, dated July 6, 2023, and  
4 graphically depicted in **Exhibit 2**, both of which are attached hereto  
5 (the "Subject Property"), has applied for a rezoning and  
6 reclassification of the Subject Property from Residential Rural-Acre  
7 (RR-Acre) District to Planned Unit Development (PUD) District, as  
8 described in Section 1 below; and

9 **WHEREAS**, the Planning Commission, acting as the local planning  
10 agency, has reviewed the application and made an advisory  
11 recommendation to the Council; and

12 **WHEREAS**, the Land Use and Zoning Committee, after due notice and  
13 public hearing, has made its recommendation to the Council; and

14 **WHEREAS**, the Council finds that such rezoning is: (1) consistent  
15 with the *2045 Comprehensive Plan*; (2) furthers the goals, objectives  
16 and policies of the *2045 Comprehensive Plan*; and (3) is not in  
17 conflict with any portion of the City's land use regulations; and

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

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

27 **Section 1. Property Rezoned.** The Subject Property is  
28 hereby rezoned and reclassified from Residential Rural-Acre (RR-Acre)  
29 District to Planned Unit Development (PUD) District. This new PUD  
30 district shall generally permit single family residential uses, and  
31 is described, shown and subject to the following documents, attached

1 hereto:

2 **Exhibit 1** - Legal Description dated July 6, 2023.

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

4 **Exhibit 3** - Written Description dated June 26, 2023.

5 **Exhibit 4** - Site Plan dated February 10, 2021.

6 **Section 2. Owner and Description.** The Subject Property is  
7 owned by Century Communities of Florida, LLC and is legally described  
8 in **Exhibit 1**, attached hereto. The applicant is Brian Small, Bird  
9 Dog, LLC, 3948 3<sup>rd</sup> Street South, Suite 116, Jacksonville Beach, Florida  
10 32250; (843) 384-9333.

11 **Section 3. Disclaimer.** The rezoning granted herein shall  
12 **not** be construed as an exemption from any other applicable local,  
13 state, or federal laws, regulations, requirements, permits or  
14 approvals. All other applicable local, state or federal permits or  
15 approvals shall be obtained before commencement of the development  
16 or use and issuance of this rezoning is based upon acknowledgement,  
17 representation and confirmation made by the applicant(s), owners(s),  
18 developer(s) and/or any authorized agent(s) or designee(s) that the  
19 subject business, development and/or use will be operated in strict  
20 compliance with all laws. Issuance of this rezoning does **not** approve,  
21 promote or condone any practice or act that is prohibited or  
22 restricted by any federal, state or local laws.

23 **Section 4. Effective Date.** The enactment of this Ordinance  
24 shall be deemed to constitute a quasi-judicial action of the City  
25 Council and shall become effective upon signature by the Council  
26 President and Council Secretary.

1 Form Approved:

2

3           /s/ Mary E. Staffopoulos          

4 Office of General Counsel

5 Legislation Prepared By: Stephen Nutt

6 GC-#1583102-v3-2023-541\_(Z-5056\_PUD).docx