

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-784-E**

5 AN ORDINANCE REZONING APPROXIMATELY 7.83±
6 ACRES, LOCATED IN COUNCIL DISTRICT 12 AT 0
7 NORMANDY BOULEVARD AND 0 YELLOW WATER ROAD,
8 BETWEEN NORMANDY BOULEVARD AND YELLOW WATER
9 ROAD (R.E. NOS. 002278-0005, 002278-0030 AND
10 002278-0055), AS DESCRIBED HEREIN, OWNED BY
11 CLASS INVESTMENTS COMPANY, INC., FROM
12 COMMERCIAL NEIGHBORHOOD (CN) DISTRICT AND
13 AGRICULTURE (AGR) DISTRICT TO PLANNED UNIT
14 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
15 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
16 COMMERCIAL USES, INCLUDING OUTDOOR
17 STORAGE/PARKING OF RECREATIONAL VEHICLES AND
18 BOATS, AS DESCRIBED IN THE YELLOW WATER AT
19 NORMANDY PUD, PURSUANT TO FUTURE LAND USE MAP
20 SERIES (FLUMS) SMALL-SCALE AMENDMENT
21 APPLICATION NUMBER L-5873-23C; PROVIDING A
22 DISCLAIMER THAT THE REZONING GRANTED HEREIN
23 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM
24 ANY OTHER APPLICABLE LAWS; PROVIDING AN
25 EFFECTIVE DATE.

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27 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
28 Amendment to the *2045 Comprehensive Plan* for the purpose of
29 revising portions of the Future Land Use Map series (FLUMs) in
30 order to ensure the accuracy and internal consistency of the plan,
31 pursuant to companion application L-5873-23C; and

1 **WHEREAS**, in order to ensure consistency of zoning district
2 with the *2045 Comprehensive Plan* and the adopted companion
3 Small-Scale Amendment L-5873-23C, an application to rezone and
4 reclassify from Commercial Neighborhood (CN) District and
5 Agriculture (AGR) District to Planned Unit Development (PUD)
6 District was filed by Cyndy Trimmer, Esq. on behalf of the owner of
7 approximately 7.83± acres of certain real property in Council
8 District 12, as more particularly described in Section 1; and

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

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

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

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

24 **WHEREAS**, the Council finds that the proposed PUD does not
25 affect adversely the orderly development of the City as embodied in
26 the *Zoning Code*; will not affect adversely the health and safety of
27 residents in the area; will not be detrimental to the natural
28 environment or to the use or development of the adjacent properties
29 in the general neighborhood; and the proposed PUD will accomplish
30 the objectives and meet the standards of Section 656.340 (Planned
31 Unit Development) of the *Zoning Code* of the City of Jacksonville;

1 now therefore

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

3 **Section 1. Subject Property Location and Description.**

4 The approximately 7.83± acres are located in Council District 12 at
5 0 Normandy Boulevard and 0 Yellow Water Road, between Normandy
6 Boulevard and Yellow Water Road (R.E. Nos. 002278-0005, 002278-0030
7 and 002278-0055), as more particularly described in **Exhibit 1**,
8 dated September 10, 2023, and graphically depicted in **Exhibit 2**,
9 both of which are attached hereto and incorporated herein by this
10 reference (the "Subject Property").

11 **Section 2. Owner and Applicant Description.** The Subject

12 Property is owned by Class Investments Company, Inc. The applicant
13 is Cyndy Trimmer, Esq., One Independent Drive, Suite 1200,
14 Jacksonville, Florida 32202; (904) 807-0185.

15 **Section 3. Property Rezoned.** The Subject Property,

16 pursuant to adopted companion Small-Scale Amendment Application
17 L-5873-23C, is hereby rezoned and reclassified from Commercial
18 Neighborhood (CN) District and Agriculture (AGR) District to
19 Planned Unit Development (PUD) District. This new PUD district
20 shall generally permit commercial uses, including outdoor
21 storage/parking of recreational vehicles and boats, and is
22 described, shown and subject to the following documents, attached
23 hereto:

24 **Exhibit 1** - Legal Description dated September 10, 2023.

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

26 **Revised Exhibit 3** - Revised Written Description dated November 20,
27 2023.

28 **Exhibit 4** - Site Plan dated June 16, 2023.

29 **Section 4. Contingency.** This rezoning shall not become

30 effective until thirty-one (31) days after adoption of the
31 companion Small-Scale Amendment; and further provided that if the

1 companion Small-Scale Amendment is challenged by the state land
2 planning agency, this rezoning shall not become effective until the
3 state land planning agency or the Administration Commission issues
4 a final order determining the companion Small-Scale Amendment is in
5 compliance with Chapter 163, *Florida Statutes*.

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

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

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24 Form Approved:

25
26 /s/ Mary E. Staffopoulos

27 Office of General Counsel

28 Legislation Prepared By: Stephen Nutt

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