

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-106**

5 AN ORDINANCE REZONING APPROXIMATELY 0.60± OF AN
6 ACRE LOCATED IN COUNCIL DISTRICT 8 AT 0 RIBAUT
7 AVENUE AND 9821 RIBAUT AVENUE, BETWEEN TROUT
8 RIVER BOULEVARD AND 2ND AVENUE (R.E. NOS. 029942-
9 0840 AND 029942-0850), OWNED BY VALARIE C. SAWYER,
10 RN, AND BRANDON WHITE, D/B/A TROUT RIVER ASSISTED
11 LIVING FACILITY, LLC, AS DESCRIBED HEREIN, FROM
12 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (2008-
13 799-E), COMMERCIAL COMMUNITY/GENERAL-2 (CCG-2)
14 DISTRICT AND RESIDENTIAL LOW DENSITY-60 (RLD-60)
15 DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
16 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
17 ZONING CODE, TO PERMIT ASSISTED LIVING AND SINGLE
18 FAMILY RESIDENTIAL USES, AS DESCRIBED IN THE
19 SAWYER RIBAUT AVENUE PUD, PURSUANT TO FUTURE LAND
20 USE MAP SERIES (FLUMS) SMALL-SCALE AMENDMENT
21 APPLICATION NUMBER L-5476-20C; PROVIDING A
22 DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL
23 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
24 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
25

26 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
27 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
28 portions of the Future Land Use Map series (FLUMs) in order to ensure
29 the accuracy and internal consistency of the plan, pursuant to
30 application L-5476-20C and companion land use Ordinance 2021-105; and

31 **WHEREAS**, in order to ensure consistency of zoning district with

1 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
2 Amendment L-5476-20C, an application to rezone and reclassify from
3 Planned Unit Development (PUD) District (2008-799-E), Commercial
4 Community/General-2 (CCG-2) District and Residential Low Density-60
5 (RLD-60) District to Planned Unit Development (PUD) District was
6 filed by Valarie C. Sawyer, RN, and Brandon White, d/b/a Trout River
7 Assisted Living Facility, LLC, as the owners of approximately 0.60±
8 of an acre of certain real property in Council District 8, as more
9 particularly described in Section 1; and

10 **WHEREAS**, the Planning and Development Department, in order to
11 ensure consistency of this zoning district with the *2030 Comprehensive*
12 *Plan*, has considered the rezoning and has rendered an advisory
13 opinion; and

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

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

19 **WHEREAS**, the City Council, after due notice, held a public
20 hearing, and taking into consideration the above recommendations as
21 well as all oral and written comments received during the public
22 hearings, the Council finds that such rezoning is consistent with the
23 *2030 Comprehensive Plan* adopted under the comprehensive planning
24 ordinance for future development of the City of Jacksonville; and

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

1 Development) of the *Zoning Code* of the City of Jacksonville; now,
2 therefore

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

4 **Section 1. Subject Property Location and Description.** The
5 approximately 0.60± of an acre (R.E. Nos. 029942-0840 and 029942-
6 0850) is located in Council District 8, at 0 Ribault Avenue and 9821
7 Ribault Avenue, between Trout River Boulevard and 2nd Avenue, as more
8 particularly described in **Exhibit 1**, dated January 26, 2021, and
9 graphically depicted in **Exhibit 2**, both of which are **attached hereto**
10 and incorporated herein by this reference (Subject Property).

11 **Section 2. Owner and Applicant Description.** The Subject
12 Property is owned by Valarie C. Sawyer, RN, and Brandon White, d/b/a
13 Trout River Assisted Living Facility, LLC. The applicant is Valarie
14 C. Sawyer, RN, 9821 Ribault Avenue, Jacksonville, Florida 32208;
15 (904) 887-3931.

16 **Section 3. Property Rezoned.** The Subject Property,
17 pursuant to adopted companion Small-Scale Amendment L-5476-20C, is
18 hereby rezoned and reclassified from Planned Unit Development (PUD)
19 District (2008-799-E), Commercial Community/General-2 (CCG-2)
20 District and Residential Low Density-60 (RLD-60) District to Planned
21 Unit Development (PUD) District. This new PUD district shall
22 generally permit assisted living and single family residential uses,
23 and is described, shown and subject to the following documents,
24 **attached hereto:**

25 **Exhibit 1** - Legal Description dated January 26, 2021.

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

27 **Exhibit 3** - Written Description dated December 8, 2020.

28 **Exhibit 4** - Site Plan dated November 18, 2020.

29 **Section 4. Contingency.** This rezoning shall not become
30 effective until 31 days after adoption of the companion Small-Scale
31 Amendment unless challenged by the state land planning agency; and

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

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

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

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24 Form Approved:

25
26 /s/ Shannon K. Eller

27 Office of General Counsel

28 Legislation Prepared By: Erin Abney

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