

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-338**

5 AN ORDINANCE REZONING APPROXIMATELY 15.54± ACRES
6 LOCATED IN COUNCIL DISTRICT 8 AT 0 BROWARD ROAD,
7 BETWEEN ISLAND POINT DRIVE AND CLARK ROAD (R.E.
8 NO. 022159-0000 (PORTION)) OWNED BY TROUT RIVER
9 HOLDINGS, LLC, AS DESCRIBED HEREIN, FROM PLANNED
10 UNIT DEVELOPMENT (PUD), RESIDENTIAL MEDIUM
11 DENSITY-A (RMD-A), COMMERCIAL NEIGHBORHOOD (CN)
12 AND RESIDENTIAL LOW DENSITY-60 (RLD-60)
13 DISTRICTS TO CONSERVATION (CSV) DISTRICT, AS
14 DEFINED AND CLASSIFIED UNDER THE ZONING CODE,
15 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
16 LARGE-SCALE AMENDMENT APPLICATION NUMBER L-
17 5515-21A; PROVIDING A DISCLAIMER THAT THE
18 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
19 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
20 PROVIDING AN EFFECTIVE DATE.
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22 **WHEREAS**, the City of Jacksonville adopted a Large-Scale land use
23 amendment to the *2030 Comprehensive Plan* for the purpose of revising
24 portions of the Future Land Use Map series (FLUMs) in order to ensure
25 the accuracy and internal consistency of the plan, pursuant to the
26 companion land use ordinance for application L-5515-21A; and

27 **WHEREAS**, in order to ensure consistency of zoning district with
28 the *2030 Comprehensive Plan* and the adopted companion Large-Scale
29 land use amendment L-5515-21A, an application to rezone and reclassify
30 the Subject Property was filed by the City of Jacksonville, as more
31 particularly described in Section 1; and

1 **WHEREAS**, the Planning and Development Department, in order to
2 ensure consistency of this zoning district with the *2030 Comprehensive*
3 *Plan*, has considered the rezoning and has rendered an advisory
4 opinion; and

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

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

9 **WHEREAS**, the City Council after due notice held a public hearing,
10 taking into consideration the above recommendations as well as all
11 oral and written comments received during the public hearings, the
12 Council finds that such rezoning is consistent with the *2030*
13 *Comprehensive Plan* adopted under the comprehensive planning ordinance
14 for future development of the City of Jacksonville; now, therefore

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

16 **Section 1. Subject Property Location and Description.** The
17 approximately 15.54± acres (R.E. No. 022159-0000 (portion)) are
18 located in Council District 8 at 0 Broward Road, between Island Point
19 Drive and Clark Road, as more particularly described in **Exhibit 1**,
20 dated January 11, 2021, and graphically depicted in **Exhibit 2**, both
21 of which are **attached hereto** and incorporated herein by this reference
22 (Subject Property).

23 **Section 2. Owner and Applicant Description.** The Subject
24 Property is owned by Trout River Holdings, LLC. The applicant is the
25 City of Jacksonville, 214 North Hogan Street, Suite 300, Jacksonville,
26 Florida 32202; (904) 255-7800.

27 **Section 3. Property Rezoned.** The Subject Property,
28 pursuant to adopted companion Large-Scale land use amendment
29 application L-5515-21A, is hereby rezoned and reclassified from
30 Planned Unit Development (PUD), Residential Medium Density-A (RMD-
31 A), Commercial Neighborhood (CN) and Residential Low Density-60 (RLD-

1 60) Districts to Conservation (CSV) District.

2 **Section 4. Disclaimer.** The rezoning granted herein shall
3 not be construed as an exemption from any other applicable local,
4 state, or federal laws, regulations, requirements, permits or
5 approvals. All other applicable local, state or federal permits or
6 approvals shall be obtained before commencement of the development
7 or use and issuance of this rezoning is based upon acknowledgement,
8 representation and confirmation made by the applicant(s), owner(s),
9 developer(s) and/or any authorized agent(s) or designee(s) that the
10 subject business, development and/or use will be operated in strict
11 compliance with all laws. Issuance of this rezoning does not approve,
12 promote or condone any practice or act that is prohibited or
13 restricted by any federal, state or local laws.

14 **Section 5. Contingency.** This rezoning shall not become
15 effective until 31 days after adoption of the companion Large-Scale
16 land use amendment unless challenged by the state land planning
17 agency; and further provided that if the companion Large-Scale land
18 use amendment is challenged by the state land planning agency, this
19 rezoning shall not become effective until the state land planning
20 agency or the Administration Commission issues a final order
21 determining the companion Large-Scale land use amendment is in
22 compliance with Chapter 163, *Florida Statutes*.

23 **Section 6. 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 the Council Secretary.

1 Form Approved:

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3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared By: Connie Quinto

6 GC-#1435309-v1-2021-338_Original_Bill