

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

4 **ORDINANCE 2020-283-E**

5 AN ORDINANCE REZONING APPROXIMATELY 13.79±  
6 ACRES LOCATED IN COUNCIL DISTRICT 7 AT 0 DUVAL  
7 ROAD AND 14241 DUVAL ROAD, BETWEEN DUVAL ROAD  
8 AND INTERSTATE 95 (R.E. NOS. 019373-0020 AND  
9 019659-0000) OWNED BY BROWARD DUVAL, LLC, ET  
10 AL., AND THE HIGGINBOTHAM LAND TRUST, ET AL.,  
11 AS DESCRIBED HEREIN, FROM RESIDENTIAL LOW  
12 DENSITY-60 (RLD-60) DISTRICT TO COMMERCIAL  
13 RESIDENTIAL OFFICE (CRO) DISTRICT, AS DEFINED  
14 AND CLASSIFIED UNDER THE ZONING CODE, PURSUANT  
15 TO FUTURE LAND USE MAP SERIES (FLUMS) LARGE-  
16 SCALE AMENDMENT APPLICATION NUMBER L-5393-19A;  
17 PROVIDING A DISCLAIMER THAT THE REZONING  
18 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN  
19 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
20 PROVIDING AN EFFECTIVE DATE.  
21

22 **WHEREAS**, the City of Jacksonville adopted a Large-Scale land  
23 use amendment to the *2030 Comprehensive Plan* for the purpose of  
24 revising portions of the Future Land Use Map series (FLUMs) in  
25 order to ensure the accuracy and internal consistency of the plan,  
26 pursuant to application L-5393-19A and companion land use Ordinance  
27 2020-282; and

28 **WHEREAS**, in order to ensure consistency of zoning district  
29 with the *2030 Comprehensive Plan* and the adopted companion Large-  
30 Scale land use amendment L-5393-19A, an application to rezone and  
31 reclassify from Residential Low Density-60 (RLD-60) District to

1 Commercial Residential Office (CRO) District was filed by Alexander  
2 Harden, on behalf of Broward Duval, LLC, et al., and the  
3 Higginbotham Land Trust, et al., the owners of approximately 13.79±  
4 acres of certain real property in Council District 7, as more  
5 particularly described in Section 1; and

6 **WHEREAS**, the Planning and Development Department, in order to  
7 ensure consistency of this zoning district with the *2030*  
8 *Comprehensive Plan*, has considered the rezoning and has rendered an  
9 advisory opinion; and

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

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

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

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

23 **Section 1. Subject Property Location and Description.** The  
24 approximately 13.79± acres (R.E. Nos. 019373-0020 and 019359-0000)  
25 are located in Council District 7 at 0 Duval Road and 14241 Duval  
26 Road, between Duval Road and Interstate 95, as more particularly  
27 described in **Exhibit 1**, dated January 17, 2020, and graphically  
28 depicted in **Exhibit 2**, both of which are **attached hereto** and  
29 incorporated herein by this reference (Subject Property).

30 **Section 2. Owner and Applicant Description.** The Subject  
31 Property is owned by Broward Duval, LLC, et al., and the

1 Higginbotham Land Trust, et al. The applicant is Alexander Harden,  
2 501 Riverside Avenue, Suite 901, Jacksonville, Florida 32202; (904)  
3 396-5731.

4 **Section 3. Property Rezoned.** The Subject Property,  
5 pursuant to adopted companion Large-Scale land use amendment  
6 application L-5393-19A, is hereby rezoned and reclassified from  
7 Residential Low Density-60 (RLD-60) District to Commercial  
8 Residential Office (CRO) District.

9 **Section 4. Disclaimer.** The rezoning granted herein shall  
10 not be construed as an exemption from any other applicable local,  
11 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  
19 approve, promote or condone any practice or act that is prohibited  
20 or restricted by any federal, state or local laws.

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

30 **Section 6. Effective Date.** The enactment of this  
31 Ordinance shall be deemed to constitute a quasi-judicial action of

1 the City Council and shall become effective upon signature by the  
2 Council President and the Council Secretary.

3

4 Form Approved:

5

6  /s/ Shannon K. Eller

7 Office of General Counsel

8 Legislation Prepared By: Bruce Lewis

9 GC-#1349710-v1-Z-2707\_LS\_ADP\_COMP\_REZ.docx