

1 Introduced and amended by the Land Use and Zoning Committee:

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3
4 **ORDINANCE 2024-344-E**

5 AN ORDINANCE REZONING APPROXIMATELY 11,047.38±
6 ACRES LOCATED IN COUNCIL DISTRICT 11 AT 0
7 COCONUT PALM PARKWAY, 0 J. TURNER BUTLER
8 BOULEVARD, 0 KIWI PALM COURT, 4950 20 MILE ROAD
9 NORTH, 0 PHILIPS HIGHWAY, 14931 PHILIPS HIGHWAY,
10 0 ROSEWATER LANE, 0 SAN PABLO ROAD AND 6586 SAN
11 PABLO ROAD SOUTH, BETWEEN INTERSTATE-295 AND THE
12 DUVAL COUNTY/ST. JOHNS COUNTY LINE (R.E. NOS.
13 167752-0200, 167755-0020, 167763-0020,
14 167764-0010, 167764-1100, 167769-0015, 167774-
15 0000, 167775-0010, 167778-0320, 167876-0020,
16 167877-0000, 167886-0000, 167887-0000, 168158-
17 0000, 168159-0000, 168160-0000 AND 168177-
18 0120), AS DESCRIBED HEREIN, OWNED BY BJD
19 TIMBERLANDS, LLC AND ESTUARY, LLC, FROM
20 AGRICULTURE (AGR) DISTRICT TO PLANNED UNIT
21 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
22 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
23 COMMERCIAL, OFFICE, INSTITUTIONAL, SINGLE AND
24 MULTI-FAMILY RESIDENTIAL NEIGHBORHOODS WITH
25 ACTIVE AND PASSIVE RECREATION, AS DESCRIBED IN
26 THE ESTUARY LLC PUD, PURSUANT TO FUTURE LAND USE
27 MAP SERIES (FLUMS) LARGE-SCALE AMENDMENT
28 APPLICATION NUMBER L-5861-23A AND THE ESTUARY
29 CONCEPTUAL MASTER PLAN APPROVED BY ORDINANCE
30 2024-343-E; PUD SUBJECT TO CONDITIONS; PROVIDING
31 A DISCLAIMER THAT THE REZONING GRANTED HEREIN

1 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
2 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
3 DATE.

4
5 **WHEREAS**, the City of Jacksonville adopted a Large-Scale
6 Amendment to the *2045 Comprehensive Plan* for the purpose of revising
7 portions of the Future Land Use Map series (FLUMs) in order to ensure
8 the accuracy and internal consistency of the plan, pursuant to the
9 companion land use application L-5861-23A; and

10 **WHEREAS**, in order to ensure consistency of zoning district
11 with the *2045 Comprehensive Plan* and the adopted companion Large-Scale
12 Amendment L-5861-23A, an application to rezone and reclassify from
13 Agriculture (AGR) District to Planned Unit Development (PUD) District
14 was filed by Paul M. Harden, Esq., on behalf of BJD Timberlands, LLC
15 and Estuary, LLC, owners of approximately 11,047.38± acres of certain
16 real property in Council District 11, as more particularly described
17 in Section 1 below; and

18 **WHEREAS**, the Planning and Development Department, in order to
19 ensure consistency of this zoning district with the *2045 Comprehensive*
20 *Plan*, has considered the rezoning and has rendered an advisory
21 opinion; and

22 **WHEREAS**, the Planning Commission has considered the
23 application and has rendered an advisory opinion; and

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

27 **WHEREAS**, the City Council, after due notice, held a public
28 hearing, and taking into consideration the above recommendations as
29 well as all oral and written comments received during the public
30 hearings, the Council finds that such rezoning is consistent with the
31 *2045 Comprehensive Plan* adopted under the comprehensive planning

1 ordinance for future development of the City of Jacksonville; and

2 **WHEREAS**, based on the staff report of the Planning and
3 Development Department and other competent and substantial evidence
4 received at the public hearings, the Council finds that the proposed
5 PUD does not affect adversely the orderly development of the City as
6 embodied in the *Zoning Code*; will not affect adversely the health and
7 safety of residents in the area; will not be detrimental to the
8 natural environment or to the use or development of the adjacent
9 properties in the general neighborhood; and the proposed PUD will
10 accomplish the objectives and meet the standards of Section 656.340
11 (Planned Unit Development) of the *Zoning Code* of the City of
12 Jacksonville; now therefore

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

14 **Section 1. Subject Property Location and Description.** The
15 approximately 11,047.38± acres are located in Council District 11 at
16 0 Coconut Palm Parkway, 0 J. Turner Butler Boulevard, 0 Kiwi Palm
17 Court, 4950 20 Mile Road North, 0 Philips Highway, 14931 Philips
18 Highway, 0 Rosewater Lane, 0 San Pablo Road and 6586 San Pablo Road
19 South, Between Interstate-295 and the Duval County/St. Johns County
20 Line (R.E. NOS. 167752-0200, 167755-0020, 167763-0020, 167764-0010,
21 167764-1100, 167769-0015, 167774-0000, 167775-0010, 167778-0320,
22 167876-0020, 167877-0000, 167886-0000, 167887-0000, 168158-0000,
23 168159-0000, 168160-0000 and 168177-0120), as more particularly
24 described in **Exhibit 1**, dated April 12, 2024, and graphically depicted
25 in **Exhibit 2**, both of which are **attached hereto** and incorporated
26 herein by this reference (the "Subject Property").

27 **Section 2. Owner and Applicant Description.** The Subject
28 Property is owned by BJD Timberlands, LLC and Estuary. The applicant
29 is Paul M. Harden, Esq., 1431 Riverplace Boulevard, Suite 901,
30 Jacksonville, Florida 32207; (904) 396-5731.

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

1 pursuant to adopted companion Large-Scale Amendment L-5533-21A and
2 the Estuary Conceptual Master Plan adopted by 2024-343-E, is hereby
3 rezoned and reclassified from Agriculture (AGR) District to Planned
4 Unit Development (PUD) District. This new PUD district shall generally
5 permit commercial, office, institutional, single and multi-family
6 residential neighborhoods with active and passive recreation, and is
7 described, shown and subject to the following documents, attached
8 hereto:

9 **Exhibit 1** - Legal Description dated April 12, 2024.

10 **Exhibit 2** - Subject Property Map (prepared by P&DD).

11 **Exhibit 3** - Written Description dated May 1, 2024.

12 **Exhibit 4** - Site Plan dated April 24, 2024.

13 **Section 4. Rezoning Approved Subject to Conditions.** This
14 rezoning is approved subject to the following conditions. Such
15 conditions control over the Written Description and the Site Plan and
16 may only be amended through a rezoning:

17 (1) A traffic study may be required for future developments
18 within the PUD at Civil Site Plan Review. All traffic studies shall
19 meet the requirements of the Land Development Procedures Manual
20 Section 1.1.11 (January 2024).

21 (2) The cross section of any roadway proposed to be dedicated
22 to the City of Jacksonville shall match the City standard cross
23 sections found in the Land Development Procedures Manual, Volume 3 -
24 Standard Details (January 2024), plates P-119 through P-127, unless
25 otherwise approved by the Transportation Planning Division.

26 **Section 5. Rezoning Approved Subject to Condition.** This
27 rezoning is approved subject to the following condition. Such
28 condition controls over the Written Description and the Site Plan and
29 may only be amended through a rezoning.

30 (1) Development of the Subject Property shall be consistent with
31 and in compliance with the Estuary, LLC Conceptual Master Plan

1 approved in Ordinance 2024-343-E.

2 **Section 6. Contingency.** This rezoning shall not become
3 effective until thirty-one (31) days after adoption of the companion
4 Large-Scale Amendment unless challenged by the state land planning
5 agency; and further provided that if the companion Large-Scale
6 Amendment is challenged by the state land planning agency, this
7 rezoning shall not become effective until the state land planning
8 agency or the Administration Commission issues a final order
9 determining the companion Large-Scale Amendment is in compliance with
10 Chapter 163, *Florida Statutes*.

11 **Section 7. Disclaimer.** The rezoning granted herein
12 shall not be construed as an exemption from any other applicable
13 local, 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), owner(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 8. 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/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Kaysie Cox

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