

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-281**

5 AN ORDINANCE REZONING APPROXIMATELY 16.11± ACRES
6 LOCATED IN COUNCIL DISTRICT 12 AT 0 BEAVER
7 STREET WEST, BETWEEN ZEPHYR DAIRY DRIVE AND OTIS
8 ROAD (R.E. NO. 001675-0500) OWNED BY R AND J OF
9 DUVAL, LLC, AS DESCRIBED HEREIN, FROM PLANNED
10 UNIT DEVELOPMENT (PUD) DISTRICT (2007-1057-E) TO
11 RECREATIONAL AND OPEN SPACE (ROS) DISTRICT, AS
12 DEFINED AND CLASSIFIED UNDER THE ZONING CODE,
13 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
14 LARGE-SCALE AMENDMENT APPLICATION NUMBER L-
15 5367-19A; PROVIDING A DISCLAIMER THAT THE
16 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
17 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
18 PROVIDING AN EFFECTIVE DATE.
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20 **WHEREAS**, the City of Jacksonville adopted a Large-Scale land use
21 amendment to the *2030 Comprehensive Plan* for the purpose of revising
22 portions of the Future Land Use Map series (FLUMs) in order to ensure
23 the accuracy and internal consistency of the plan, pursuant to
24 application L-5367-19A and companion land use Ordinance 2020-280; and

25 **WHEREAS**, in order to ensure consistency of zoning district with
26 the *2030 Comprehensive Plan* and the adopted companion Large-Scale
27 land use amendment L-5367-19A, an application to rezone and reclassify
28 from Planned Unit Development (PUD) District (2007-1057-E) to
29 Recreational and Open Space (ROS) District was filed by Curtis L.
30 Hart, on behalf of R and J of Duval, LLC, the owner of approximately
31 16.11± acres of certain real property in Council District 12, as more

1 particularly described in Section 1; and

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

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

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

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

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

17 **Section 1. Subject Property Location and Description.** The
18 approximately 16.11± acres (R.E. No. 001675-0500) are located in
19 Council District 12 at 0 Beaver Street West, between Zephyr Dairy
20 Drive and Otis Road, as more particularly described in **Exhibit 1**,
21 dated September 6, 2019, and graphically depicted in **Exhibit 2**, both
22 of which are **attached hereto** and incorporated herein by this reference
23 (Subject Property).

24 **Section 2. Owner and Applicant Description.** The Subject
25 Property is owned by R and J of Duval, LLC. The applicant is Curtis
26 L. Hart, 8051 Tara Lane, Jacksonville, Florida 32216; (904) 993-5008.

27 **Section 3. Property Rezoned.** The Subject Property,
28 pursuant to adopted companion Large-Scale land use amendment
29 application L-5367-19A, is hereby rezoned and reclassified from
30 Planned Unit Development (PUD) District (2007-1057-E) to Recreational

1 and Open Space (ROS) 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.

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28 Form Approved:

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30 /s/ Shannon K. Eller

1 Office of General Counsel
2 Legislation Prepared By: Andrew Hetzel
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