

1 Introduced by the Land Use and Zoning Committee:

4 **ORDINANCE 2021-338-E**

5 AN ORDINANCE REZONING APPROXIMATELY 15.54±
6 ACRES LOCATED IN COUNCIL DISTRICT 8 AT 0
7 BROWARD ROAD, BETWEEN ISLAND POINT DRIVE AND
8 CLARK ROAD (R.E. NO. 022159-0000 (PORTION))
9 OWNED BY TROUT RIVER HOLDINGS, LLC, AS
10 DESCRIBED HEREIN, FROM PLANNED UNIT
11 DEVELOPMENT (PUD), RESIDENTIAL MEDIUM DENSITY-
12 A (RMD-A), COMMERCIAL NEIGHBORHOOD (CN) AND
13 RESIDENTIAL LOW DENSITY-60 (RLD-60) DISTRICTS
14 TO CONSERVATION (CSV) DISTRICT, AS DEFINED AND
15 CLASSIFIED UNDER THE ZONING CODE, PURSUANT TO
16 FUTURE LAND USE MAP SERIES (FLUMS) LARGE-SCALE
17 AMENDMENT APPLICATION NUMBER L-5515-21A;
18 PROVIDING A DISCLAIMER THAT THE REZONING
19 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
20 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
21 PROVIDING AN EFFECTIVE DATE.

22
23 **WHEREAS**, the City of Jacksonville adopted a Large-Scale land
24 use amendment to the *2030 Comprehensive Plan* for the purpose of
25 revising portions of the Future Land Use Map series (FLUMs) in
26 order to ensure the accuracy and internal consistency of the plan,
27 pursuant to the companion land use ordinance for application L-
28 5515-21A; and

29 **WHEREAS**, in order to ensure consistency of zoning district
30 with the *2030 Comprehensive Plan* and the adopted companion Large-
31 Scale land use amendment L-5515-21A, an application to rezone and

1 reclassify the Subject Property was filed by the City of
2 Jacksonville, as more particularly described in Section 1; and

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

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

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

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

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

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

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

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

1 pursuant to adopted companion Large-Scale land use amendment
2 application L-5515-21A, is hereby rezoned and reclassified from
3 Planned Unit Development (PUD), Residential Medium Density-A (RMD-
4 A), Commercial Neighborhood (CN) and Residential Low Density-60
5 (RLD-60) Districts to Conservation (CSV) District.

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

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

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

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Form Approved:

 /s/ Shannon K. Eller

Office of General Counsel

Legislation Prepared By: Connie Quinto

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