

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

4 **ORDINANCE 2022-147**

5 AN ORDINANCE REZONING APPROXIMATELY 18.51± ACRES
6 LOCATED IN COUNCIL DISTRICT 2 AT 0 ZOO PARKWAY,
7 BETWEEN ZOO PARKWAY AND CSX RAILWAY (R.E. NO.
8 111061-0300), OWNED BY WILLIAM M. BOSTWICK,
9 WILLIAM C. BOSTWICK, CHARLES W. BOSTWICK, AND
10 BANK OF AMERICA, N.A., AS TRUSTEES OF THE
11 CHARLES W. BOSTWICK TRUST CREATED UNDER THE
12 LAST WILL AND TESTAMENT OF NELL L. COWAN
13 BOSTWICK, DECEASED, DATED JANUARY 22, 1964, AND
14 THE CODICILS THERETO, AND BY WILLIAM C.
15 BOSTWICK, CHARLES W. BOSTWICK, AND BANK OF
16 AMERICA, N.A., AS TRUSTEES OF THE WILLIAM C.
17 BOSTWICK TRUST CREATED UNDER THE LAST WILL AND
18 TESTAMENT OF NELL L. COWAN BOSTWICK, DECEASED,
19 DATED JANUARY 22, 1964, AND THE CODICILS
20 THERETO, AS DESCRIBED HEREIN, FROM INDUSTRIAL
21 WATER (IW) DISTRICT TO INDUSTRIAL HEAVY (IH)
22 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
23 ZONING CODE, PURSUANT TO FUTURE LAND USE MAP
24 SERIES (FLUMS) SMALL-SCALE AMENDMENT APPLICATION
25 NUMBER L-5648-21C; PROVIDING A DISCLAIMER THAT
26 THE REZONING GRANTED HEREIN SHALL NOT BE
27 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
28 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
29

30 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
31 Amendment to the *2030 Comprehensive Plan* for the purpose of revising

1 portions of the Future Land Use Map series (FLUMs) in order to ensure
2 the accuracy and internal consistency of the plan, pursuant to
3 companion application L-5648-21C; and

4 **WHEREAS**, in order to ensure consistency of zoning district with
5 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
6 Amendment L-5648-21C, an application to rezone and reclassify from
7 Industrial Water (IW) District to Industrial Heavy (IH) District was
8 filed by Paul Harden, Esq., on behalf of the owners of approximately
9 18.51± acres of certain real property in Council District 2, as more
10 particularly described in Section 1; and

11 **WHEREAS**, the Planning and Development Department, in order to
12 ensure consistency of this zoning district with the *2030 Comprehensive*
13 *Plan*, has considered the rezoning and has rendered an advisory
14 opinion; and

15 **WHEREAS**, the Planning Commission has considered the application
16 and has rendered an advisory opinion; and

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

20 **WHEREAS**, the City Council, after due notice, held a public
21 hearing, and taking into consideration the above recommendations as
22 well as all oral and written comments received during the public
23 hearings, the Council finds that such rezoning is consistent with the
24 *2030 Comprehensive Plan* adopted under the comprehensive planning
25 ordinance for future development of the City of Jacksonville; now,
26 therefore

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

28 **Section 1. Subject Property Location and Description.** The
29 approximately 18.51± acres are located in Council District 2 at 0 Zoo
30 Parkway, between Zoo Parkway and CSX Railway (R.E. No. 111061-0300),
31 as more particularly described in **Exhibit 1**, dated December 16, 2021,

1 and graphically depicted in **Exhibit 2**, both of which are **attached**
2 **hereto** and incorporated herein by this reference (the "Subject
3 Property").

4 **Section 2. Owner and Applicant Description.** The Subject
5 Property is owned by William M. Bostwick, William C. Bostwick,
6 Charles W. Bostwick, and Bank of America, N.A., as Trustees of the
7 Charles W. Bostwick Trust created under the Last Will and Testament
8 of Nell L. Cowan Bostwick, deceased, dated January 22, 1964, and
9 the Codicils thereto, and by William C. Bostwick, Charles W.
10 Bostwick, and Bank of America, N.A., as Trustees of the William C.
11 Bostwick Trust created under the Last Will and Testament of Nell
12 L. Cowan Bostwick, deceased, dated January 22, 1964, and the
13 Codicils thereto. The applicant is Paul Harden, Esq., 1431
14 Riverplace Boulevard, Suite 901, Jacksonville, Florida 32207; (904)
15 396-5731.

16 **Section 3. Property Rezoned.** The Subject Property,
17 pursuant to adopted companion Small-Scale Amendment Application L-
18 5648-21C, is hereby rezoned and reclassified from Industrial Water
19 (IW) District to Industrial Heavy (IH) District.

20 **Section 4. Contingency.** This rezoning shall not become
21 effective until thirty-one (31) days after adoption of the companion
22 Small-Scale Amendment; and further provided that if the companion
23 Small-Scale Amendment is challenged by the state land planning agency,
24 this rezoning shall not become effective until the state land planning
25 agency or the Administration Commission issues a final order
26 determining the companion Small-Scale Amendment is in compliance with
27 Chapter 163, *Florida Statutes*.

28 **Section 5. Disclaimer.** The rezoning granted herein
29 shall **not** be construed as an exemption from any other applicable
30 local, state, or federal laws, regulations, requirements, permits or
31 approvals. All other applicable local, state or federal permits or

1 approvals shall be obtained before commencement of the development
2 or use and issuance of this rezoning is based upon acknowledgement,
3 representation and confirmation made by the applicant(s), owner(s),
4 developer(s) and/or any authorized agent(s) or designee(s) that the
5 subject business, development and/or use will be operated in strict
6 compliance with all laws. Issuance of this rezoning does **not** approve,
7 promote or condone any practice or act that is prohibited or
8 restricted by any federal, state or local laws.

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

13
14 Form Approved:

15
16 /s/ Mary E. Staffopoulos

17 Office of General Counsel

18 Legislation Prepared By: Connor Corrigan

19 GC-#1484232-v2-2022-147_(Z-3957).docx