

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-609**

5 AN ORDINANCE REZONING APPROXIMATELY 9.86± ACRES,
6 LOCATED IN COUNCIL DISTRICT 14 AT 0 AND 7335
7 MORSE AVENUE, BETWEEN FIRESTONE ROAD AND RICKER
8 ROAD (R.E. NO(S). 015746-0000 AND 015747-0000),
9 AS DESCRIBED HEREIN, OWNED BY MORSE AVENUE
10 NURSERY, LLC, FROM RESIDENTIAL RURAL-ACRE (RR-
11 ACRE) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
12 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
13 ZONING CODE, TO PERMIT SINGLE-FAMILY RESIDENTIAL
14 AND AGRICULTURAL USES, AS DESCRIBED IN THE
15 YELLOW BLUFF ESTATES PUD, PURSUANT TO FUTURE
16 LAND USE MAP SERIES (FLUMS) SMALL-SCALE
17 AMENDMENT APPLICATION NUMBER L-5957-24C;
18 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
19 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
20 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
21 EFFECTIVE DATE.
22

23 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
24 Amendment to the *2045 Comprehensive Plan* for the purpose of revising
25 portions of the Future Land Use Map series (FLUMs) in order to ensure
26 the accuracy and internal consistency of the plan, pursuant to
27 companion application L-5957-24C; and

28 **WHEREAS,** in order to ensure consistency of zoning district
29 with the *2045 Comprehensive Plan* and the adopted companion Small-Scale
30 Amendment L-5957-24C, an application to rezone and reclassify from
31 Residential Rural-Acre (RR-Acre) District to Planned Unit Development

1 (PUD) District was filed by Josh Cockrell on behalf of the owner of
2 approximately 9.86± acres of certain real property in Council District
3 14, as more particularly described in Section 1; and

4 **WHEREAS,** the Planning and Development Department, in order to
5 ensure consistency of this zoning district with the *2045 Comprehensive*
6 *Plan*, has considered the rezoning and has rendered an advisory
7 opinion; and

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

10 **WHEREAS,** the Land Use and Zoning Committee, after due notice
11 and public hearing, has made its recommendation to the Council; and

12 **WHEREAS,** the City Council, after due notice, held a public
13 hearing, and 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 the
16 *2045 Comprehensive Plan* adopted under the comprehensive planning
17 ordinance for future development of the City of Jacksonville; and

18 **WHEREAS,** the Council finds that the proposed PUD does not
19 affect adversely the orderly development of the City as embodied in
20 the *Zoning Code*; will not affect adversely the health and safety of
21 residents in the area; will not be detrimental to the natural
22 environment or to the use or development of the adjacent properties
23 in the general neighborhood; and the proposed PUD will accomplish the
24 objectives and meet the standards of Section 656.340 (Planned Unit
25 Development) of the *Zoning Code* 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 9.86± acres are located in Council District 14 at 0 and
30 7335 Morse Avenue, between Firestone Road and Ricker Road (R.E. No(s).
31 015746-0000 and 015747-0000), as more particularly described in

1 **Exhibit 1**, dated June 6, 2024, and graphically depicted in **Exhibit**
2 **2**, both of which are attached hereto and incorporated herein by this
3 reference (the "Subject Property").

4 **Section 2. Owner and Applicant Description.** The Subject
5 Property is owned by Morse Avenue Nursery, LLC. The applicant is
6 Josh Cockrell, PO Box 28327, Jacksonville, Florida 32226; (904) 720-
7 4260.

8 **Section 3. Property Rezoned.** The Subject Property,
9 pursuant to adopted companion Small-Scale Amendment Application
10 L-5957-24C, is hereby rezoned and reclassified from Residential
11 Rural-Acre (RR-Acre) District to Planned Unit Development (PUD)
12 District. This new PUD district shall generally permit single-family
13 residential and agricultural uses, and is described, shown and subject
14 to the following documents, attached hereto:

15 **Exhibit 1** - Legal Description dated June 6, 2024.

16 **Exhibit 2** - Subject Property per P&DD.

17 **Exhibit 3** - Written Description dated June 24, 2024.

18 **Exhibit 4** - Site Plan dated June 21, 2024.

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

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

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

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

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13 Form Approved:

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15 /s/ Dylan Reingold

16 Office of General Counsel

17 Legislation Prepared By: Jackie Williams

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