

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-789-E**

5 AN ORDINANCE REZONING APPROXIMATELY 200± ACRES,
6 LOCATED IN COUNCIL DISTRICT 12 AT 0 52ND STREET,
7 0 53RD STREET, 0 54TH STREET, 0 55TH STREET, 0
8 56TH STREET, 0 57TH STREET, 0 58TH STREET, 0
9 59TH STREET, 0 60TH STREET, 0 61ST STREET, 0
10 63RD STREET, 0 64TH STREET, 0 POW-MIA MEMORIAL
11 PARKWAY, 0 SOUTH HALSEMA ROAD, 1054 SOUTH
12 HALSEMA ROAD AND 0 COLON AVENUE, BETWEEN CECIL
13 COMMERCE CENTER PARKWAY AND CHAFFEE ROAD SOUTH,
14 OWNED BY WILLIAM E. BOYD, BOYD TIMBER, INC. AND
15 BOYCO, INC., AS MORE PARTICULARLY DESCRIBED
16 HEREIN, FROM RESIDENTIAL RURAL-ACRE (RR-ACRE)
17 DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
18 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
19 ZONING CODE, TO PERMIT RESIDENTIAL USES, AS
20 DESCRIBED IN THE POW-MIA MEMORIAL PARKWAY PUD;
21 PUD SUBJECT TO CONDITION; PROVIDING A DISCLAIMER
22 THAT THE REZONING GRANTED HEREIN SHALL NOT BE
23 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
24 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
25

26 **WHEREAS**, William E. Boyd, Boyd Timber, Inc. and Boyco, Inc., the
27 owners of approximately 200± acres located in Council District 12 at
28 0 52nd Street, 0 53rd Street, 0 54th Street, 0 55th Street, 0 56th Street,
29 0 57th Street, 0 58th Street, 0 59th Street, 0 60th Street, 0 61st Street,
30 0 63rd Street, 0 64th Street, 0 POW-MIA Memorial Parkway, 0 South
31 Halsema Road, 1054 South Halsema Road and 0 Colon Avenue, between

1 Cecil Commerce Center Parkway and Chaffee Road South (R.E. Nos.
2 001985-0100, 001985-0150, 001985-0200, 001985-0300, 001985-0400,
3 001985-0500, 001985-0600, 001985-0700, 001985-0800, 001985-0900,
4 001985-1000, 001985-1100, 001985-1200, 001985-1300, 001985-1400,
5 001985-1500, 001985-1600, 001985-1700, 001985-1800, 001985-1900,
6 001985-2000, 001985-2100, 001985-2200, 001985-2300, 001985-2400,
7 001985-2500, 001985-2600, 001985-2700, 001987-0210, 001993-1000,
8 001994-0000, 001931-0009, 001940-0000, 001889-0000 and 002018-0000),
9 as more particularly described in **Exhibit 1**, dated April 20, 2022,
10 and graphically depicted in **Exhibit 2**, both of which are attached
11 hereto (the "Subject Property"), has applied for a rezoning and
12 reclassification of that property from Residential Rural-Acre (RR-
13 Acre) District to Planned Unit Development (PUD) District, as
14 described in Section 1 below; 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 Committee, after due notice and
18 public hearing, has made its recommendation to the Council; and

19 **WHEREAS**, the Council finds that such rezoning is: (1) consistent
20 with the *2030 Comprehensive Plan*; (2) furthers the goals, objectives
21 and policies of the *2030 Comprehensive Plan*; and (3) is not in
22 conflict with any portion of the City's land use regulations; and

23 **WHEREAS**, the Council finds the proposed rezoning does not
24 adversely affect the orderly development of the City as embodied in
25 the Zoning Code; will not adversely affect the health and safety of
26 residents in the area; will not be detrimental to the natural
27 environment or to the use or development of the adjacent properties
28 in the general neighborhood; and will accomplish the objectives and
29 meet the standards of Section 656.340 (Planned Unit Development) of
30 the Zoning Code; now, therefore

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

1 **Section 1. Property Rezoned.** The Subject Property is
2 hereby rezoned and reclassified from Residential Rural-Acre (RR-Acre)
3 District to Planned Unit Development (PUD) District. This new PUD
4 district shall generally permit residential uses and is described,
5 shown and subject to the following documents, attached hereto:

6 **Exhibit 1** - Legal Description dated April 20, 2022.

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

8 **Exhibit 3** - Written Description dated July 26, 2022.

9 **Exhibit 4** - Site Plan dated July 13, 2022.

10 **Section 2. Rezoning Approved Subject to Condition.** This
11 rezoning is approved subject to the following condition. Such
12 condition controls over the Written Description and the Site Plan and
13 may only be amended through a rezoning:

14 (1) A traffic study shall be provided at Civil Site Plan Review
15 unless the Chief of the Traffic Engineering Division determines one
16 will not be required. Prior to the commencement of the traffic study,
17 if required, the traffic professional shall conduct a methodology
18 meeting to determine the limits of the study. The methodology meeting
19 shall include the Chief of the Traffic Engineering Division, the
20 Chief of the Transportation Division and the traffic reviewer from
21 Development Services.

22 **Section 3. Owner and Description.** The Subject Property
23 is owned by William E. Boyd, Boyd Timber, Inc. and Boyco, Inc. and
24 is legally described in **Exhibit 1**, attached hereto. The applicant
25 is Paul Harden, Esq., 1431 Riverplace Boulevard, Suite 901,
26 Jacksonville, Florida 32207; (904) 396-5731.

27 **Section 4. 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 5. 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:

14
15 /s/ Mary E. Staffopoulos

16 Office of General Counsel

17 Legislation Prepared By: Bruce Lewis

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