

1 Introduced by the Land Use and Zoning Committee:

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ORDINANCE 2020-281-E

AN ORDINANCE REZONING APPROXIMATELY 16.11± ACRES LOCATED IN COUNCIL DISTRICT 12 AT 0 BEAVER STREET WEST, BETWEEN ZEPHYR DAIRY DRIVE AND OTIS ROAD (R.E. NO. 001675-0500) OWNED BY R AND J OF DUVAL, LLC, AS DESCRIBED HEREIN, FROM PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (2007-1057-E) TO RECREATIONAL AND OPEN SPACE (ROS) DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE, PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS) LARGE-SCALE AMENDMENT APPLICATION NUMBER L-5367-19A; PROVIDING A DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Jacksonville adopted a Large-Scale land use amendment to the *2030 Comprehensive Plan* for the purpose of revising portions of the Future Land Use Map series (FLUMs) in order to ensure the accuracy and internal consistency of the plan, pursuant to application L-5367-19A and companion land use Ordinance 2020-280; and

WHEREAS, in order to ensure consistency of zoning district with the *2030 Comprehensive Plan* and the adopted companion Large-Scale land use amendment L-5367-19A, an application to rezone and reclassify from Planned Unit Development (PUD) District (2007-1057-E) to Recreational and Open Space (ROS) District was filed by

1 Curtis L. Hart, on behalf of R and J of Duval, LLC, the owner of
2 approximately 16.11± acres of certain real property in Council
3 District 12, 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 2030
6 *Comprehensive Plan*, has considered the rezoning and has rendered an
7 advisory 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 (LUZ) Committee after due
11 notice held a public hearing and made its recommendation to the
12 Council; and

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

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

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

28 **Section 2. Owner and Applicant Description.** The Subject
29 Property is owned by R and J of Duval, LLC. The applicant is
30 Curtis L. Hart, 8051 Tara Lane, Jacksonville, Florida 32216; (904)
31 993-5008.

1 **Section 3. Property Rezoned.** The Subject Property,
2 pursuant to adopted companion Large-Scale land use amendment
3 application L-5367-19A, is hereby rezoned and reclassified from
4 Planned Unit Development (PUD) District (2007-1057-E) to
5 Recreational and Open Space (ROS) 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.

1 Form Approved:

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3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared By: Andrew Hetzel

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