

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-171**

5 AN ORDINANCE REZONING APPROXIMATELY 7.18± ACRES
6 LOCATED IN COUNCIL DISTRICT 2 ON HECKSCHER
7 DRIVE, BETWEEN BLOUNT ISLAND BOULEVARD AND
8 BROWNS CREEK, OWNED BY NATURE CONSERVANCY,
9 INC., CLOVIS A. WOOD, JR., ET AL., AND THE
10 UNITED STATES DEPARTMENT OF THE INTERIOR -
11 NATIONAL PARK SERVICE, AS DESCRIBED HEREIN,
12 FROM INDUSTRIAL WATER (IW) DISTRICT TO
13 CONSERVATION (CSV) DISTRICT, AS DEFINED AND
14 CLASSIFIED UNDER THE ZONING CODE, PURSUANT TO
15 FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE
16 AMENDMENT APPLICATION NUMBER L-5407-19C;
17 PROVIDING A DISCLAIMER THAT THE REZONING
18 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
19 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
20 PROVIDING AN EFFECTIVE DATE.

21
22 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
23 Amendment to the *2030 Comprehensive Plan* for the purpose of
24 revising portions of the Future Land Use Map series (FLUMs) in
25 order to ensure the accuracy and internal consistency of the plan,
26 pursuant to application L-5407-19C and companion land use Ordinance
27 2020-170; and

28 **WHEREAS,** in order to ensure consistency of zoning district
29 with the *2030 Comprehensive Plan* and the adopted companion Small-
30 Scale Amendment L-5407-19C, an application to rezone and reclassify
31 from Industrial Water (IW) District to Conservation (CSV) District

1 was filed by the City of Jacksonville, on behalf of Nature
2 Conservancy, Inc., Clovis A. Wood, Jr., et al., and the United
3 States Department of the Interior - National Park Service, the
4 owners of approximately 7.18± acres of certain real property in
5 Council District 2, as more particularly described in Section 1;
6 and

7 **WHEREAS**, the Planning and Development Department, in order to
8 ensure consistency of this zoning district with the *2030*
9 *Comprehensive Plan*, has considered the rezoning and has rendered an
10 advisory opinion; and

11 **WHEREAS**, the Planning Commission has considered the
12 application and has rendered an advisory opinion; and

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

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

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

24 **Section 1. Subject Property Location and Description.** The
25 approximately 7.18± acres are located in Council District 2, on
26 Heckscher Drive, between Blount Island Boulevard and Browns Creek,
27 as more particularly described in **Exhibit 1**, dated January 28,
28 2020, and graphically depicted in **Exhibit 2**, both of which are
29 **attached hereto** and incorporated herein by this reference (Subject
30 Property).

31 **Section 2. Owner and Applicant Description.** The Subject

1 Property is owned by Nature Conservancy, Inc., Clovis A. Wood, Jr.,
2 et al., and the United States Department of the Interior - National
3 Park Service. The applicant is the City of Jacksonville, 214 North
4 Hogan Street, Suite 300, Jacksonville, Florida 32202; (904) 255-
5 7800.

6 **Section 3. Property Rezoned.** The Subject Property,
7 pursuant to adopted companion Small-Scale Amendment Application L-
8 5407-19C, is hereby rezoned and reclassified from Industrial Water
9 (IW) District to Conservation (CSV) District.

10 **Section 4. Contingency.** This rezoning shall not become
11 effective until 31 days after adoption of the companion Small-Scale
12 Amendment; and further provided that if the companion Small-Scale
13 Amendment is challenged by the state land planning agency, this
14 rezoning shall not become effective until the state land planning
15 agency or the Administration Commission issues a final order
16 determining the companion Small-Scale Amendment is in compliance
17 with Chapter 163, *Florida Statutes*.

18 **Section 5. Disclaimer.** The rezoning granted herein
19 shall not be construed as an exemption from any other applicable
20 local, state, or federal laws, regulations, requirements, permits
21 or approvals. All other applicable local, state or federal permits
22 or approvals shall be obtained before commencement of the
23 development or use and issuance of this rezoning is based upon
24 acknowledgement, representation and confirmation made by the
25 applicant(s), owner(s), developer(s) and/or any authorized agent(s)
26 or designee(s) that the subject business, development and/or use
27 will be operated in strict compliance with all laws. Issuance of
28 this rezoning does not approve, promote or condone any practice or
29 act that is prohibited or restricted by any federal, state or local
30 laws.

31 **Section 6. Effective Date.** The enactment of this

1 Ordinance shall be deemed to constitute a quasi-judicial action of
2 the City Council and shall become effective upon signature by the
3 Council President and the Council Secretary.

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5 Form Approved:

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7 /s/ Shannon K. Eller

8 Office of General Counsel

9 Legislation Prepared By: Arimus Wells

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