

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2021-102-E**

5 AN ORDINANCE REZONING APPROXIMATELY 16.96±  
6 ACRES LOCATED IN COUNCIL DISTRICT 11 AT 7981  
7 BAYMEADOWS CIRCLE WEST, BETWEEN BAYMEADOWS  
8 CIRCLE EAST AND BAYMEADOWS CIRCLE WEST (R.E.  
9 NO. 148521-4015 (PORTION)), OWNED BY D.R.  
10 HORTON, INC. - JACKSONVILLE, AS DESCRIBED  
11 HEREIN, FROM PLANNED UNIT DEVELOPMENT (PUD)  
12 DISTRICT (2014-539-E) TO PLANNED UNIT  
13 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND  
14 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT  
15 MULTI-FAMILY RESIDENTIAL USES, AS DESCRIBED IN  
16 THE TERRACE PINES PUD, PURSUANT TO FUTURE LAND  
17 USE MAP SERIES (FLUMS) SMALL-SCALE AMENDMENT  
18 APPLICATION NUMBER L-5509-20C; PROVIDING A  
19 DISCLAIMER THAT THE REZONING GRANTED HEREIN  
20 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY  
21 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE  
22 DATE.  
23

24 **WHEREAS**, the City of Jacksonville adopted a Small-Scale  
25 Amendment to the *2030 Comprehensive Plan* for the purpose of  
26 revising portions of the Future Land Use Map series (FLUMs) in  
27 order to ensure the accuracy and internal consistency of the plan,  
28 pursuant to application L-5509-20C and companion land use Ordinance  
29 2021-101; and

30 **WHEREAS**, in order to ensure consistency of zoning district

1 with the *2030 Comprehensive Plan* and the adopted companion Small-  
2 Scale Amendment L-5509-20C, an application to rezone and reclassify  
3 from Planned Unit Development (PUD) District (2014-539-E) to  
4 Planned Unit Development (PUD) District was filed by T.R. Hainline,  
5 Esq., on behalf of D.R. Horton, Inc. - Jacksonville, the owner of  
6 approximately 16.96± acres of certain real property in Council  
7 District 11, as more particularly described in Section 1; and

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

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

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

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

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

1 now, therefore

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

3 **Section 1. Subject Property Location and Description.** The  
4 approximately 16.96± acres (R.E. No. 148521-4015 (portion)) are  
5 located in Council District 11, at 7981 Baymeadows Circle West,  
6 between Baymeadows Circle East and Baymeadows Circle West, as more  
7 particularly described in **Exhibit 1**, dated December 4, 2020, and  
8 graphically depicted in **Exhibit 2**, both of which are **attached**  
9 **hereto** and incorporated herein by this reference (Subject  
10 Property).

11 **Section 2. Owner and Applicant Description.** The Subject  
12 Property is owned by D.R. Horton, Inc. - Jacksonville. The  
13 applicant is T.R. Hainline, Esq., 1301 Riverplace Boulevard, Suite  
14 1500, Jacksonville, Florida 32207; (904) 346-5531.

15 **Section 3. Property Rezoned.** The Subject Property,  
16 pursuant to adopted companion Small-Scale Amendment L-5509-20C, is  
17 hereby rezoned and reclassified from Planned Unit Development (PUD)  
18 District (2014-539-E) to Planned Unit Development (PUD) District.  
19 This new PUD district shall generally permit multi-family  
20 residential uses, and is described, shown and subject to the  
21 following documents, **attached hereto**:

22 **Exhibit 1** - Legal Description dated December 4, 2020.

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

24 **Exhibit 3** - Written Description dated January 14, 2021.

25 **Exhibit 4** - Site Plan dated April 9, 2020.

26 **Section 4. Contingency.** This rezoning shall not become  
27 effective until 31 days after adoption of the companion Small-Scale  
28 Amendment unless challenged by the state land planning agency; and  
29 further provided that if the companion Small-Scale Amendment is  
30 challenged by the state land planning agency, this rezoning shall  
31 not become effective until the state land planning agency or the

1 Administration Commission issues a final order determining the  
2 companion Small-Scale Amendment is in compliance with Chapter 163,  
3 *Florida Statutes*.

4       **Section 5. Disclaimer.** The rezoning granted herein  
5 shall not be construed as an exemption from any other applicable  
6 local, state, or federal laws, regulations, requirements, permits  
7 or approvals. All other applicable local, state or federal permits  
8 or approvals shall be obtained before commencement of the  
9 development or use and issuance of this rezoning is based upon  
10 acknowledgement, representation and confirmation made by the  
11 applicant(s), owner(s), developer(s) and/or any authorized agent(s)  
12 or designee(s) that the subject business, development and/or use  
13 will be operated in strict compliance with all laws. Issuance of  
14 this rezoning does not approve, promote or condone any practice or  
15 act that is prohibited or restricted by any federal, state or local  
16 laws.

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

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22 Form Approved:

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24       /s/ Shannon K. Eller      

25 Office of General Counsel

26 Legislation Prepared By: Bruce Lewis

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