

1 Introduced and amended by the Land Use and Zoning Committee:

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3
4 **ORDINANCE 2022-786-E**

5 AN ORDINANCE REZONING APPROXIMATELY 587.25±
6 ACRES LOCATED IN COUNCIL DISTRICT 12 AT 0 YELLOW
7 WATER ROAD, 0 NORMANDY BOULEVARD AND 14461
8 NORMANDY BOULEVARD, BETWEEN YELLOW WATER ROAD AND
9 BICENTENNIAL DRIVE (R.E. NOS. 002275-0000,
10 002289-0000, 002267-0000, 002286-5000, 002313-
11 0120 AND 002313-0090), OWNED BY YELLOW WATER LAND
12 HOLDINGS, LLC, EDWARD ELIAS AND RIMA ELIAS, AS
13 DESCRIBED HEREIN, FROM PLANNED UNIT DEVELOPMENT
14 (PUD) DISTRICT (2006-1156-E) AND AGRICULTURE
15 (AGR) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
16 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
17 ZONING CODE, TO PERMIT RESIDENTIAL AND COMMERCIAL
18 USES, AS DESCRIBED IN THE REVISED BRIDLE CREEK
19 PUD, PURSUANT TO FUTURE LAND USE MAP SERIES
20 (FLUMS) SMALL-SCALE AMENDMENT APPLICATION NUMBER
21 L-5750-22C; PUD SUBJECT TO CONDITIONS; PROVIDING
22 A DISCLAIMER THAT THE REZONING GRANTED HEREIN
23 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
24 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
25 DATE.

26
27 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
28 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
29 portions of the Future Land Use Map series (FLUMs) in order to ensure
30 the accuracy and internal consistency of the plan, pursuant to
31 companion application L-5750-22C; and

1 **WHEREAS**, in order to ensure consistency of zoning district with
2 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
3 Amendment L-5750-22C, an application to rezone and reclassify from
4 Planned Unit Development (PUD) District (2006-1156-E) and Agriculture
5 (AGR) District to Planned Unit Development (PUD) District was filed
6 by Paul Harden, Esq., on behalf of the owners of approximately 587.25±
7 acres of certain real property in Council District 12, as more
8 particularly described in Section 1; and

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

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

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

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

24 **WHEREAS**, the Council finds that the proposed PUD does not affect
25 adversely the orderly development of the City as embodied in the
26 *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 the
30 objectives and meet the standards of Section 656.340 (Planned Unit
31 Development) of the *Zoning Code* of the City of Jacksonville; now,

1 therefore

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

3 **Section 1. Subject Property Location and Description.** The
4 approximately 587.25± acres are located in Council District 12 at 0
5 Yellow Water Road, 0 Normandy Boulevard and 14461 Normandy Boulevard,
6 between Yellow Water Road and Bicentennial Drive (R.E. Nos. 002275-
7 0000, 002289-0000, 002267-0000, 002286-5000, 002313-0120 and 002313-
8 0090), as more particularly described in **Exhibit 1**, dated July 1,
9 2022, and graphically depicted in **Exhibit 2**, both of which are
10 attached hereto and incorporated herein by this reference (the
11 "Subject Property").

12 **Section 2. Owner and Applicant Description.** The Subject
13 Property is owned by Yellow Water Land Holdings, LLC, Edward Elias
14 and Rima Elias. The applicant is Paul Harden, Esq., 1431 Riverplace
15 Boulevard, Suite 901, Jacksonville, Florida 32207; (904) 396-5731.

16 **Section 3. Property Rezoned.** The Subject Property,
17 pursuant to adopted companion Small-Scale Amendment Application L-
18 5750-22C, is hereby rezoned and reclassified from Planned Unit
19 Development (PUD) District (2006-1156-E) and Agriculture (AGR)
20 District to Planned Unit Development (PUD) District. This new PUD
21 district shall generally permit residential and commercial uses and
22 is described, shown and subject to the following documents, attached
23 hereto:

24 **Exhibit 1** - Legal Description dated July 1, 2022.

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

26 **Revised Exhibit 3** - Revised Written Description dated December 6,
27 2022.

28 **Exhibit 4** - Site Plan dated July 5, 2022.

29 **Section 4. Rezoning Approved Subject to Conditions.** This
30 rezoning is approved subject to the following conditions. Such
31 conditions control over the Written Description and the Site Plan and

1 may only be amended through a rezoning:

2 (1) A traffic study shall be provided at Civil Site Plan Review
3 unless the Chief of the Traffic Engineering Division determines one
4 will not be required. Prior to the commencement of the traffic study,
5 if required, the traffic professional shall conduct a methodology
6 meeting to determine the limits of the study. The methodology meeting
7 shall include the Chief of the Traffic Engineering Division, the
8 Chief of the Transportation Division and the traffic reviewer from
9 Development Services.

10 (2) None of the residential lots shall have direct access to
11 Yellow Water Road.

12 **Section 5. Contingency.** This rezoning shall not become
13 effective until thirty-one (31) days after adoption of the companion
14 Small-Scale Amendment; and further provided that if the companion
15 Small-Scale Amendment is challenged by the state land planning agency,
16 this rezoning shall not become effective until the state land planning
17 agency or the Administration Commission issues a final order
18 determining the companion Small-Scale Amendment is in compliance with
19 Chapter 163, *Florida Statutes*.

20 **Section 6. Disclaimer.** The rezoning granted herein
21 shall not be construed as an exemption from any other applicable
22 local, state, or federal laws, regulations, requirements, permits or
23 approvals. All other applicable local, state or federal permits or
24 approvals shall be obtained before commencement of the development
25 or use and issuance of this rezoning is based upon acknowledgement,
26 representation and confirmation made by the applicant(s), owner(s),
27 developer(s) and/or any authorized agent(s) or designee(s) that the
28 subject business, development and/or use will be operated in strict
29 compliance with all laws. Issuance of this rezoning does not approve,
30 promote or condone any practice or act that is prohibited or
31 restricted by any federal, state or local laws.

1 **Section 7. Effective Date.** The enactment of this Ordinance
2 shall be deemed to constitute a quasi-judicial action of the City
3 Council and shall become effective upon signature by the Council
4 President and the Council Secretary.

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6 Form Approved:

7
8 /s/ Mary E. Staffopoulos

9 Office of General Counsel

10 Legislation Prepared By: Erin Abney

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