

1 Introduced by the Land Use and Zoning Committee:
2
3

4 **ORDINANCE 2024-344**

5 AN ORDINANCE REZONING APPROXIMATELY 11,047.38±
6 ACRES LOCATED IN COUNCIL DISTRICT 11 AT 0
7 COCONUT PALM PARKWAY, 0 J. TURNER BUTLER
8 BOULEVARD, 0 KIWI PALM COURT, 4950 20 MILE ROAD
9 NORTH, 0 PHILIPS HIGHWAY, 14931 PHILIPS HIGHWAY,
10 0 ROSEWATER LANE, 0 SAN PABLO ROAD AND 6586 SAN
11 PABLO ROAD SOUTH, BETWEEN INTERSTATE-295 AND THE
12 DUVAL COUNTY/ST. JOHNS COUNTY LINE (R.E. NOS.
13 167752-0200, 167755-0020, 167763-0020, 167764-
14 0010, 167764-1100, 167769-0015, 167774-0000,
15 167775-0010, 167778-0320, 167876-0020, 167877-
16 0000, 167886-0000, 167887-0000, 168158-0000,
17 168159-0000, 168160-0000 AND 168177-0120), AS
18 DESCRIBED HEREIN, OWNED BY BJD TIMBERLANDS, LLC
19 AND ESTUARY, LLC, FROM AGRICULTURE (AGR)
20 DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
21 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
22 ZONING CODE, TO PERMIT COMMERCIAL, OFFICE,
23 INSTITUTIONAL, SINGLE AND MULTI-FAMILY
24 RESIDENTIAL NEIGHBORHOODS WITH ACTIVE AND
25 PASSIVE RECREATION, AS DESCRIBED IN THE ESTUARY
26 LLC PUD, PURSUANT TO FUTURE LAND USE MAP SERIES
27 (FLUMS) LARGE-SCALE AMENDMENT APPLICATION
28 NUMBER L-5861-23A AND THE ESTUARY CONCEPTUAL
29 MASTER PLAN APPROVED BY ORDINANCE 2024-343-E;
30 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
31 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION

1 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
2 EFFECTIVE DATE.

3
4 **WHEREAS**, the City of Jacksonville adopted a Large-Scale
5 Amendment to the *2045 Comprehensive Plan* for the purpose of revising
6 portions of the Future Land Use Map series (FLUMs) in order to ensure
7 the accuracy and internal consistency of the plan, pursuant to the
8 companion land use application L-5861-23A; and

9 **WHEREAS**, in order to ensure consistency of zoning district
10 with the *2045 Comprehensive Plan* and the adopted companion Large-Scale
11 Amendment L-5861-23A, an application to rezone and reclassify from
12 Agriculture (AGR) District to Planned Unit Development (PUD) District
13 was filed by Paul M. Harden, Esq., on behalf of BJD Timberlands, LLC
14 and Estuary, LLC, owners of approximately 11,047.38± acres of certain
15 real property in Council District 11, as more particularly described
16 in Section 1 below; and

17 **WHEREAS**, the Planning and Development Department, in order to
18 ensure consistency of this zoning district with the *2045 Comprehensive*
19 *Plan*, has considered the rezoning and has rendered an advisory
20 opinion; and

21 **WHEREAS**, the Planning Commission has considered the
22 application and has rendered an advisory opinion; and

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

26 **WHEREAS**, the City Council, after due notice, held a public
27 hearing, and taking into consideration the above recommendations as
28 well as all oral and written comments received during the public
29 hearings, the Council finds that such rezoning is consistent with the
30 *2045 Comprehensive Plan* adopted under the comprehensive planning
31 ordinance for future development of the City of Jacksonville; and

1 **WHEREAS**, based on the staff report of the Planning and
2 Development Department and other competent and substantial evidence
3 received at the public hearings, the Council finds that the proposed
4 PUD does not affect adversely the orderly development of the City as
5 embodied in the *Zoning Code*; will not affect adversely the health and
6 safety of residents in the area; will not be detrimental to the
7 natural environment or to the use or development of the adjacent
8 properties in the general neighborhood; and the proposed PUD will
9 accomplish the objectives and meet the standards of Section 656.340
10 (Planned Unit Development) of the *Zoning Code* of the City of
11 Jacksonville; now therefore

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

13 **Section 1. Subject Property Location and Description.** The
14 approximately 11,047.38± acres are located in Council District 11 at
15 0 Coconut Palm Parkway, 0 J. Turner Butler Boulevard, 0 Kiwi Palm
16 Court, 4950 20 Mile Road North, 0 Philips Highway, 14931 Philips
17 Highway, 0 Rosewater Lane, 0 San Pablo Road and 6586 San Pablo Road
18 South, Between Interstate-295 and the Duval County/St. Johns County
19 Line (R.E. NOS. 167752-0200, 167755-0020, 167763-0020, 167764-0010,
20 167764-1100, 167769-0015, 167774-0000, 167775-0010, 167778-0320,
21 167876-0020, 167877-0000, 167886-0000, 167887-0000, 168158-0000,
22 168159-0000, 168160-0000 and 168177-0120), as more particularly
23 described in **Exhibit 1**, dated April 12, 2024, and graphically depicted
24 in **Exhibit 2**, both of which are **attached hereto** and incorporated
25 herein by this reference (the "Subject Property").

26 **Section 2. Owner and Applicant Description.** The Subject
27 Property is owned by BJD Timberlands, LLC and Estuary. The applicant
28 is Paul M. Harden, Esq., 1431 Riverplace Boulevard, Suite 901,
29 Jacksonville, Florida 32207; (904) 396-5731.

30 **Section 3. Property Rezoned.** The Subject Property,
31 pursuant to adopted companion Large-Scale Amendment L-5533-21A and

1 the Estuary Conceptual Master Plan adopted by 2024-343-E, is hereby
2 rezoned and reclassified from Agriculture (AGR) District to Planned
3 Unit Development (PUD) District. This new PUD district shall generally
4 permit commercial, office, institutional, single and multi-family
5 residential neighborhoods with active and passive recreation, and is
6 described, shown and subject to the following documents, **attached**
7 **hereto:**

8 **Exhibit 1** - Legal Description dated April 12, 2024.

9 **Exhibit 2** - Subject Property Map (prepared by P&DD).

10 **Exhibit 3** - Written Description dated May 1, 2024.

11 **Exhibit 4** - Site Plan dated April 24, 2024.

12 **Section 4. Rezoning Approved Subject to Condition.** This
13 rezoning is approved subject to the following condition. Such
14 condition controls over the Written Description and the Site Plan and
15 may only be amended through a rezoning.

16 (1) Development of the Subject Property shall be consistent with
17 and in compliance with the Estuary, LLC Conceptual Master Plan
18 approved in Ordinance 2024-343-E.

19 **Section 5. Contingency.** This rezoning shall not become
20 effective until thirty-one (31) days after adoption of the companion
21 Large-Scale Amendment unless challenged by the state land planning
22 agency; and further provided that if the companion Large-Scale
23 Amendment is challenged by the state land planning agency, this
24 rezoning shall not become effective until the state land planning
25 agency or the Administration Commission issues a final order
26 determining the companion Large-Scale Amendment is in compliance with
27 Chapter 163, *Florida Statutes*.

28 **Section 6. Disclaimer.** The rezoning granted herein
29 shall not be construed as an exemption from any other applicable
30 local, state, or federal laws, regulations, requirements, permits or
31 approvals. All other applicable local, state or federal permits or

1 approvals shall be obtained before commencement of the development
2 or use, and issuance of this rezoning is based upon acknowledgement,
3 representation and confirmation made by the applicant(s), owner(s),
4 developer(s) and/or any authorized agent(s) or designee(s) that the
5 subject business, development and/or use will be operated in strict
6 compliance with all laws. Issuance of this rezoning does not approve,
7 promote or condone any practice or act that is prohibited or
8 restricted by any federal, state or local laws.

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

13
14 Form Approved:

15
16 _____ /s/ Dylan Reingold

17 Office of General Counsel

18 Legislation Prepared By: Kaysie Cox

19 GC-#1627157-v1-2024-344_(Z-5555_PUD).docx