

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

4 **ORDINANCE 2022-664-E**

5 AN ORDINANCE REZONING APPROXIMATELY 11.41±  
6 ACRES, LOCATED IN COUNCIL DISTRICT 10 AT 1101  
7 BULLS BAY HIGHWAY AND 1103 BULLS BAY HIGHWAY,  
8 BETWEEN COMMONWEALTH AVENUE AND OCALA AVENUE  
9 (R.E. NOS. 004831-0000 AND 004806-5000), OWNED  
10 BY FLORIDA LAND TRUST NO. 2021-MAY 5, AS  
11 DESCRIBED HEREIN, FROM RESIDENTIAL RURAL-ACRE  
12 (RR-ACRE) DISTRICT TO PLANNED UNIT DEVELOPMENT  
13 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER  
14 THE ZONING CODE, TO PERMIT LIGHT INDUSTRIAL  
15 USES, AS DESCRIBED IN THE BULLS BAY INDUSTRIAL  
16 PUD, PURSUANT TO FUTURE LAND USE MAP SERIES  
17 (FLUMS) SMALL-SCALE AMENDMENT APPLICATION  
18 NUMBER L-5657-22C; PUD SUBJECT TO CONDITIONS;  
19 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED  
20 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION  
21 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN  
22 EFFECTIVE DATE.  
23

24 **WHEREAS,** the City of Jacksonville adopted a Small-Scale  
25 Amendment to the *2030 Comprehensive Plan* for the purpose of revising  
26 portions of the Future Land Use Map series (FLUMs) in order to ensure  
27 the accuracy and internal consistency of the plan, pursuant to the  
28 companion land use ordinance for application L-5657-22C; and

29 **WHEREAS,** in order to ensure consistency of zoning district with  
30 the *2030 Comprehensive Plan* and the adopted companion Small-Scale  
31 Amendment L-5657-22C, an application to rezone and reclassify from

1 Residential Rural-Acre (RR-Acre) District to Planned Unit Development  
2 (PUD) District was filed by Cyndy Trimmer, Esq., on behalf of the  
3 owner of approximately 11.41± acres of certain real property in  
4 Council District 10, as more particularly described in Section 1; and

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

9 **WHEREAS**, the Planning Commission has considered the application  
10 and has rendered an advisory opinion; and

11 **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due  
12 notice and public hearing, has made its recommendation to the Council;  
13 and

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

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

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

30 **Section 1. Subject Property Location and Description.** The  
31 approximately 11.41± acres are located in Council District 10 at 1101

1 Bulls Bay Highway and 1103 Bulls Bay Highway, between Commonwealth  
2 Avenue and Ocala Avenue (R.E. Nos. 004831-0000 and 004806-5000), as  
3 more particularly described in **Exhibit 1**, dated April 27, 2022, and  
4 graphically depicted in **Exhibit 2**, both of which are attached hereto  
5 and incorporated herein by this reference (the "Subject Property").

6 **Section 2. Owner and Applicant Description.** The Subject  
7 Property is owned by Florida Land Trust No. 2021-May 5. The applicant  
8 is Cyndy Trimmer, Esq., 1 Independent Drive, Suite 1200, Jacksonville,  
9 Florida 32202; (904) 807-0185.

10 **Section 3. Property Rezoned.** The Subject Property,  
11 pursuant to adopted companion Small-Scale Amendment L-5657-22C, is  
12 hereby rezoned and reclassified from Residential Rural-Acre (RR-Acre)  
13 District to Planned Unit Development (PUD) District. This new PUD  
14 district shall generally permit light industrial uses and is  
15 described, shown and subject to the following documents, attached  
16 hereto:

17 **Exhibit 1** - Legal Description dated April 27, 2022.

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

19 **Revised Exhibit 3** - Revised Written Description dated October 28,  
20 2022.

21 **Revised Exhibit 4** - Revised Site Plan dated October 28, 2022.

22 **Section 4. Rezoning Approved Subject to Conditions.** This  
23 rezoning is approved subject to the following conditions. Such  
24 conditions control over the Written Description and the Site Plan and  
25 may only be amended through a rezoning:

26 (1) A maximum of two driveway entrances will be permitted along  
27 Bulls Bay Highway, or as otherwise approved by the Traffic Engineering  
28 Division.

29 (2) Bulk storage of flammable liquids and/or acids shall be  
30 prohibited.

31 (3) Automobile wrecking yards or junkyards shall be prohibited.

1 (4) Apart from approved driveway accesses, the developer shall  
2 retain existing trees and foliage along Bulls Bay Highway until the  
3 site is redeveloped for warehouses or other permitted uses at which  
4 time the developer shall install landscaping along Bulls Bay Highway  
5 in accordance with Part 12 of the Zoning Code.

6 (5) Recessed entry gates shall be installed across driveway  
7 accesses on Bulls Bay Highway, as approved by the Planning and  
8 Development Department.

9 **Section 5. Contingency.** This rezoning shall not become  
10 effective until thirty-one (31) days after adoption of the companion  
11 Small-Scale Amendment unless challenged by the state land planning  
12 agency; 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 with  
17 Chapter 163, *Florida Statutes*.

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

30 **Section 7. Effective Date.** The enactment of this Ordinance  
31 shall be deemed to constitute a quasi-judicial action of the City

1 Council and shall become effective upon signature by the Council  
2 President and the Council Secretary.

3

4 Form Approved:

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6           /s/ Mary E. Staffopoulos          

7 Office of General Counsel

8 Legislation Prepared By: Connor Corrigan

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