

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-876**

5 AN ORDINANCE REZONING APPROXIMATELY 7.79±
6 ACRES, LOCATED IN COUNCIL DISTRICT 13 ON THE
7 NORTH SIDE OF BEACH BOULEVARD BETWEEN 14511
8 BEACH BOULEVARD AND 14549 BEACH BOULEVARD, AND
9 BETWEEN EUNICE ROAD AND ROYAL PALM DRIVE, AS
10 DESCRIBED HEREIN, OWNED BY PALM COVE MARINA
11 HOLDINGS, LLC, FROM PLANNED UNIT DEVELOPMENT
12 (PUD) (2004-523-E) AND COMMERCIAL
13 COMMUNITY/GENERAL-2 (CCG-2) DISTRICTS TO
14 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
15 DEFINED AND CLASSIFIED UNDER THE ZONING CODE,
16 TO PERMIT MIXED USE DEVELOPMENT, AS DESCRIBED
17 IN THE HARBOR LIGHTS JACKSONVILLE PUD;
18 PROVIDING A DISCLAIMER THAT THE REZONING
19 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
20 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
21 PROVIDING AN EFFECTIVE DATE.
22

23 **WHEREAS,** Palm Cove Marina Holdings, LLC, the owner of
24 approximately 7.79± acres, located in Council District 13 on the
25 north side of Beach Boulevard between 14511 Beach Boulevard and
26 14549 Beach Boulevard, and between Eunice Road and Royal Palm
27 Drive, as more particularly described in **Exhibit 1**, dated September
28 27, 2019, and graphically depicted in **Exhibit 2**, both of which are
29 **attached hereto** (Subject Property), has applied for a rezoning and
30 reclassification of that property from Planned Unit Development
31 (PUD) (2004-523-E) and Commercial Community/General-2 (CCG-2)

1 Districts to Planned Unit Development (PUD) District, as described
2 in Section 1 below; and

3 **WHEREAS,** the Planning Commission has considered the
4 application and has rendered an advisory opinion; and

5 **WHEREAS,** the Land Use and Zoning Committee, after due notice
6 and public hearing, has made its recommendation to the Council; and

7 **WHEREAS,** the Council finds that such rezoning is: (1)
8 consistent with the *2030 Comprehensive Plan*; (2) furthers the
9 goals, objectives and policies of the *2030 Comprehensive Plan*; and
10 (3) is not in conflict with any portion of the City's land use
11 regulations; and

12 **WHEREAS,** the Council finds the proposed rezoning does not
13 adversely affect the orderly development of the City as embodied in
14 the Zoning Code; will not adversely affect the health and safety of
15 residents in the area; will not be detrimental to the natural
16 environment or to the use or development of the adjacent properties
17 in the general neighborhood; and will accomplish the objectives and
18 meet the standards of Section 656.340 (Planned Unit Development) of
19 the Zoning Code; now, therefore

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

21 **Section 1. Property Rezoned.** The Subject Property is
22 hereby rezoned and reclassified from Planned Unit Development (PUD)
23 (2004-523-E) and Commercial Community/General-2 (CCG-2) Districts
24 to Planned Unit Development (PUD) District. This new PUD district
25 shall generally permit mixed use development, and is described,
26 shown and subject to the following documents, **attached hereto:**

27 **Exhibit 1** - Legal Description dated September 27, 2019.

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

29 **Exhibit 3** - Written Description dated November 26, 2019.

30 **Exhibit 4** - Site Plan dated November 7, 2019.

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

1 is owned by Palm Cove Marina Holdings, LLC, and is legally
2 described in **Exhibit 1, attached hereto**. The agent is Thomas O.
3 Ingram, Esq., 233 East Bay Street, Suite 1113, Jacksonville,
4 Florida 32202; (904) 612-9179.

5 **Section 3. Disclaimer.** The rezoning granted herein
6 shall not be construed as an exemption from any other applicable
7 local, state, or federal laws, regulations, requirements, permits
8 or approvals. All other applicable local, state or federal permits
9 or approvals shall be obtained before commencement of the
10 development or use and issuance of this rezoning is based upon
11 acknowledgement, representation and confirmation made by the
12 applicant(s), owner(s), developer(s) and/or any authorized agent(s)
13 or designee(s) that the subject business, development and/or use
14 will be operated in strict compliance with all laws. Issuance of
15 this rezoning does not approve, promote or condone any practice or
16 act that is prohibited or restricted by any federal, state or local
17 laws.

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

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23 Form Approved:

24
25 /s/ Shannon K. Eller

26 Office of General Counsel

27 Legislation Prepared By: Arimus Wells

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