

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2020-5-E**

5 AN ORDINANCE REZONING APPROXIMATELY 13.36±  
6 ACRES LOCATED IN COUNCIL DISTRICT 12 AT 8781  
7 U.S. 301 HIGHWAY SOUTH, BETWEEN U.S. 301  
8 HIGHWAY SOUTH AND LOEST ROAD (R.E. NO. 001192-  
9 0010 (PORTION)), OWNED BY RIVER POINT, INC., AS  
10 DESCRIBED HEREIN, FROM AGRICULTURE (AGR) AND  
11 COMMERCIAL COMMUNITY/GENERAL-1 (CCG-1)  
12 DISTRICTS TO COMMERCIAL COMMUNITY/GENERAL-2  
13 (CCG-2) DISTRICT, AS DEFINED AND CLASSIFIED  
14 UNDER THE ZONING CODE, PURSUANT TO FUTURE LAND  
15 USE MAP SERIES (FLUMS) SMALL-SCALE AMENDMENT  
16 APPLICATION NUMBER L-5409-19C; PROVIDING A  
17 DISCLAIMER THAT THE REZONING GRANTED HEREIN  
18 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY  
19 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE  
20 DATE.  
21

22 **WHEREAS**, the City of Jacksonville adopted a Small-Scale  
23 Amendment to the *2030 Comprehensive Plan* for the purpose of  
24 revising portions of the Future Land Use Map series (FLUMs) in  
25 order to ensure the accuracy and internal consistency of the plan,  
26 pursuant to application L-5409-19C and companion land use Ordinance  
27 2020-4; and

28 **WHEREAS**, in order to ensure consistency of zoning district  
29 with the *2030 Comprehensive Plan* and the adopted companion Small-  
30 Scale Amendment L-5409-19C, an application to rezone and reclassify

1 from Agriculture (AGR) and Commercial Community/General-1 (CCG-1)  
2 Districts to Commercial Community/General-2 (CCG-2) District was  
3 filed by the owner of approximately 13.36± acres of certain real  
4 property in Council District 12, as more particularly described in  
5 Section 1; and

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

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

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

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

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

23 **Section 1. Subject Property Location and Description.** The  
24 approximately 13.36± acres (R.E. No. 001192-0010 (portion)) are  
25 located in Council District 12, at 8781 U.S. 301 Highway South,  
26 between U.S. 301 Highway South and Loest Road, as more particularly  
27 described in **Exhibit 1**, dated October 23, 2019, and graphically  
28 depicted in **Exhibit 2**, both of which are **attached hereto** and  
29 incorporated herein by this reference (Subject Property).

30 **Section 2. Owner and Applicant Description.** The Subject  
31 Property is owned by River Point, Inc. The applicant is T.R.

1 Hainline, Esq., 1301 Riverplace Boulevard, Suite 1500,  
2 Jacksonville, Florida 32207; (904) 346-5531.

3 **Section 3. Property Rezoned.** The Subject Property,  
4 pursuant to adopted companion Small-Scale Amendment Application L-  
5 5409-19C, is hereby rezoned and reclassified from Agriculture (AGR)  
6 and Commercial Community/General-1 (CCG-1) Districts to Commercial  
7 Community/General-2 (CCG-2) District.

8 **Section 4. Contingency.** This rezoning shall not become  
9 effective until 31 days after adoption of the companion Small-Scale  
10 Amendment; and further provided that if the companion Small-Scale  
11 Amendment is challenged by the state land planning agency, this  
12 rezoning shall not become effective until the state land planning  
13 agency or the Administration Commission issues a final order  
14 determining the companion Small-Scale Amendment is in compliance  
15 with Chapter 163, *Florida Statutes*.

16 **Section 5. Disclaimer.** The rezoning granted herein  
17 shall not be construed as an exemption from any other applicable  
18 local, state, or federal laws, regulations, requirements, permits  
19 or approvals. All other applicable local, state or federal permits  
20 or approvals shall be obtained before commencement of the  
21 development or use and issuance of this rezoning is based upon  
22 acknowledgement, representation and confirmation made by the  
23 applicant(s), owner(s), developer(s) and/or any authorized agent(s)  
24 or designee(s) that the subject business, development and/or use  
25 will be operated in strict compliance with all laws. Issuance of  
26 this rezoning does not approve, promote or condone any practice or  
27 act that is prohibited or restricted by any federal, state or local  
28 laws.

29 **Section 6. Effective Date.** The enactment of this  
30 Ordinance shall be deemed to constitute a quasi-judicial action of  
31 the City Council and shall become effective upon signature by the

1 Council President and the Council Secretary.

2 Form Approved:

3

4 /s/ Shannon K. Eller

5 Office of General Counsel

6 Legislation Prepared By: Bruce Lewis

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