

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2020-165**

5 AN ORDINANCE REZONING APPROXIMATELY 2512.23±  
6 ACRES LOCATED IN COUNCIL DISTRICT 11, EAST OF  
7 I-295 AND SOUTH OF J. TURNER BUTLER BOULEVARD,  
8 OWNED BY ESTUARY, LLC, AS DESCRIBED HEREIN,  
9 FROM AGRICULTURE (AGR) DISTRICT TO RESIDENTIAL  
10 RURAL-ACRE (RR-ACRE) DISTRICT, AS DEFINED AND  
11 CLASSIFIED UNDER THE ZONING CODE, PURSUANT TO  
12 FUTURE LAND USE MAP SERIES (FLUMS) LARGE-SCALE  
13 AMENDMENT APPLICATION NUMBER L-5349-18A;  
14 PROVIDING A DISCLAIMER THAT THE REZONING  
15 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN  
16 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
17 PROVIDING AN EFFECTIVE DATE.  
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19 **WHEREAS**, the City of Jacksonville adopted a Large-Scale land  
20 use amendment to the *2030 Comprehensive Plan* for the purpose of  
21 revising portions of the Future Land Use Map series (FLUMs) in  
22 order to ensure the accuracy and internal consistency of the plan,  
23 pursuant to application L-5349-18A and companion land use Ordinance  
24 2020-164; and

25 **WHEREAS**, in order to ensure consistency of zoning district  
26 with the *2030 Comprehensive Plan* and the adopted companion Large-  
27 Scale land use amendment L-5349-18A, an application to rezone and  
28 reclassify from Agriculture (AGR) District to Residential Rural-  
29 Acre (RR-Acre) District was filed by Paul M. Harden, Esq., on  
30 behalf of Estuary, LLC, the owner of approximately 2512.23± acres  
31 of certain real property in Council District 11, as more

1 particularly described in Section 1; and

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

6       **WHEREAS**, the Planning Commission has considered the  
7 application and has rendered an advisory opinion; and

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

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

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

19       **Section 1. Subject Property Location and Description.** The  
20 approximately 2512.23± acres are located in Council District 11,  
21 east of I-295 and south of J. Turner Butler Boulevard, as more  
22 particularly described in **Exhibit 1**, dated December 23, 2019, and  
23 graphically depicted in **Exhibit 2**, both of which are **attached**  
24 **hereto** and incorporated herein by this reference (Subject  
25 Property).

26       **Section 2. Owner and Applicant Description.** The Subject  
27 Property is owned by Estuary, LLC. The applicant is Paul M.  
28 Harden, Esq., 501 Riverside Avenue, Suite 901, Jacksonville,  
29 Florida 32202; (904) 396-5731.

30       **Section 3. Property Rezoned.** The Subject Property,  
31 pursuant to adopted companion Large-Scale land use amendment

1 application L-5349-18A, is hereby rezoned and reclassified from  
2 Agriculture (AGR) District to Residential Rural-Acre (RR-Acre)  
3 District.

4       **Section 4. Disclaimer.** The rezoning granted herein shall  
5 not be construed as an exemption from any other applicable local,  
6 state, or federal laws, regulations, requirements, permits or  
7 approvals. All other applicable local, state or federal permits or  
8 approvals shall be obtained before commencement of the development  
9 or use and issuance of this rezoning is based upon acknowledgement,  
10 representation and confirmation made by the applicant(s), owner(s),  
11 developer(s) and/or any authorized agent(s) or designee(s) that the  
12 subject business, development and/or use will be operated in strict  
13 compliance with all laws. Issuance of this rezoning does not  
14 approve, promote or condone any practice or act that is prohibited  
15 or restricted by any federal, state or local laws.

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

25       **Section 6. Effective Date.** The enactment of this  
26 Ordinance shall be deemed to constitute a quasi-judicial action of  
27 the City Council and shall become effective upon signature by the  
28 Council President and the Council Secretary.

1 Form Approved:

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3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared By: Connor Corrigan

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