

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-163-E**

5 AN ORDINANCE REZONING APPROXIMATELY 2795.50±
6 ACRES LOCATED IN COUNCIL DISTRICT 11 AT 0
7 PHILIPS HIGHWAY, 14931 PHILIPS HIGHWAY, 0
8 SLOCUMB AVENUE, AND 0 GRAND STREET, BETWEEN
9 PHILIPS HIGHWAY AND J. TURNER BUTLER
10 BOULEVARD, OWNED BY ESTUARY, LLC, AS DESCRIBED
11 HEREIN, FROM AGRICULTURE (AGR) DISTRICT TO
12 RESIDENTIAL RURAL-ACRE (RR-ACRE) DISTRICT, AS
13 DEFINED AND CLASSIFIED UNDER THE ZONING CODE,
14 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
15 LARGE-SCALE AMENDMENT APPLICATION NUMBER L-
16 5325-18A; PROVIDING A DISCLAIMER THAT THE
17 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
18 AS AN EXEMPTION FROM ANY OTHER APPLICABLE
19 LAWS; PROVIDING AN EFFECTIVE DATE.
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21 **WHEREAS**, the City of Jacksonville adopted a Large-Scale land
22 use amendment to the *2030 Comprehensive Plan* for the purpose of
23 revising portions of the Future Land Use Map series (FLUMs) in
24 order to ensure the accuracy and internal consistency of the plan,
25 pursuant to application L-5325-18A and companion land use Ordinance
26 2020-162; and

27 **WHEREAS**, in order to ensure consistency of zoning district
28 with the *2030 Comprehensive Plan* and the adopted companion Large-
29 Scale land use amendment L-5325-18A, an application to rezone and
30 reclassify from Agriculture (AGR) District to Residential Rural-
31 Acre (RR-Acre) District was filed by Paul M. Harden, Esq., on

1 behalf of Estuary, LLC, the owner of approximately 2795.50± acres
2 of certain real property in Council District 11, as more
3 particularly described in Section 1; and

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

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

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

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

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

21 **Section 1. Subject Property Location and Description.** The
22 approximately 2795.50± acres are located in Council District 11 at
23 0 Philips Highway, 14931 Philips Highway, 0 Slocumb Avenue, and 0
24 Grand Street, between Philips Highway and J. Turner Butler
25 Boulevard, as more particularly described in **Exhibit 1**, dated
26 November 1, 2018, and graphically depicted in **Exhibit 2**, both of
27 which are **attached hereto** and incorporated herein by this reference
28 (Subject Property).

29 **Section 2. Owner and Applicant Description.** The Subject
30 Property is owned by Estuary, LLC. The applicant is Paul M.
31 Harden, Esq., 501 Riverside Avenue, Suite 901, Jacksonville,

1 Florida 32202; (904) 396-5731.

2 **Section 3. Property Rezoned.** The Subject Property,
3 pursuant to adopted companion Large-Scale land use amendment
4 application L-5325-18A, is hereby rezoned and reclassified from
5 Agriculture (AGR) District to Residential Rural-Acre (RR-Acre)
6 District.

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

19 **Section 5. Contingency.** This rezoning shall not become
20 effective until 31 days after adoption of the companion Large-Scale
21 land use amendment unless challenged by the state land planning
22 agency; and further provided that if the companion Large-Scale land
23 use 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 land use amendment is in
27 compliance with Chapter 163, *Florida Statutes*.

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

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