

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-169-E**

5 AN ORDINANCE REZONING APPROXIMATELY 30.24±
6 ACRES IN COUNCIL DISTRICT 2 AT 0 STARRATT
7 ROAD, BETWEEN STARRATT ROAD AND HIDDEN CREEK
8 DRIVE (R.E. NOS. 106175-0010, 106176-0200, AND
9 108426-0370) OWNED BY YELLOW BLUFF PARTNERS,
10 LLC, AND DAVID JAMES VICKERS, ET AL., AS
11 DESCRIBED HEREIN, FROM PLANNED UNIT
12 DEVELOPMENT (90-685-433 AND MM-17-28) (PUD)
13 AND RESIDENTIAL LOW DENSITY-90 (RLD-90)
14 DISTRICTS TO PLANNED UNIT DEVELOPMENT (PUD)
15 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
16 ZONING CODE, TO PERMIT SINGLE FAMILY
17 RESIDENTIAL USES, AS DESCRIBED IN THE TIMBER
18 COVE PUD, PURSUANT TO FUTURE LAND USE MAP
19 SERIES (FLUMS) LARGE-SCALE AMENDMENT
20 APPLICATION L-5391-19A; PUD SUBJECT TO
21 CONDITIONS; PROVIDING A DISCLAIMER THAT THE
22 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
23 AS AN EXEMPTION FROM ANY OTHER APPLICABLE
24 LAWS; PROVIDING AN EFFECTIVE DATE.
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26 **WHEREAS**, the City of Jacksonville adopted a Large-Scale
27 Amendment to the *2030 Comprehensive Plan* for the purpose of
28 revising portions of the Future Land Use Map series (FLUMs) in
29 order to ensure the accuracy and internal consistency of the plan,
30 pursuant to application L-5391-19A and companion land use Ordinance
31 2020-168; and

1 **WHEREAS**, in order to ensure consistency of zoning district
2 with the *2030 Comprehensive Plan* and the adopted companion Large-
3 Scale Amendment L-5391-19A, an application to rezone and reclassify
4 from Planned Unit Development (90-685-433 and MM-17-28) (PUD) and
5 Residential Low Density-90 (RLD-90) Districts to Planned Unit
6 Development (PUD) District was filed by T.R. Hainline, Esq., on
7 behalf of Yellow Bluff Partners, LLC, and David James Vickers, et
8 al., the owners of approximately 30.24± acres of certain real
9 property in Council District 2, as more particularly described in
10 Section 1; and

11 **WHEREAS**, the Planning and Development Department, in order to
12 ensure consistency of this zoning district with the *2030*
13 *Comprehensive Plan*, has considered the rezoning and has rendered an
14 advisory opinion; and

15 **WHEREAS**, the Planning Commission has considered the
16 application and has rendered an advisory opinion; and

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

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

27 **WHEREAS**, the Council finds that the proposed PUD does not
28 affect adversely the orderly development of the City as embodied in
29 the *Zoning Code*; will not affect adversely the health and safety of
30 residents in the area; will not be detrimental to the natural
31 environment or to the use or development of the adjacent properties

1 in the general neighborhood; and the proposed PUD will accomplish
2 the objectives and meet the standards of Section 656.340 (Planned
3 Unit Development) of the *Zoning Code* of the City of Jacksonville;
4 now, therefore

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

6 **Section 1. Subject Property Location and Description.** The
7 approximately 30.24± acres (R.E. Nos. 106175-0010, 106176-0200, and
8 108426-0370) are in Council District 2 at 0 Starratt Road, between
9 Starratt Road and Hidden Creek Drive, as more particularly
10 described in **Exhibit 1**, dated January 24, 2020, **attached hereto** and
11 incorporated herein by this reference (Subject Property).

12 **Section 2. Owner and Applicant Description.** The subject
13 property is owned by Yellow Bluff Partners, LLC, and David James
14 Vickers, et al. The applicant is T.R. Hainline, Esq., 1301
15 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207;
16 (904) 346-5531.

17 **Section 3. Property Rezoned.** The Subject Property,
18 pursuant to adopted companion Large-Scale Amendment L-5391-19A, is
19 hereby rezoned and reclassified from Planned Unit Development (90-
20 685-433 and MM-17-28) (PUD) and Residential Low Density-90 (RLD-90)
21 Districts to Planned Unit Development (PUD) District. This new PUD
22 district shall generally permit single family residential uses, and
23 is described, shown and subject to the following documents,
24 **attached hereto:**

25 **Exhibit 1** - Legal Description dated January 24, 2020.

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

27 **Exhibit 3** - Written Description dated February 10, 2020.

28 **Exhibit 4** - Site Plan dated January 2020.

29 **Exhibit 5** - PUD Conditions dated August 18, 2020.

30 **Section 4. Rezoning Approved Subject to Conditions.** This
31 rezoning is approved subject to the following conditions.

1 (1) The conditions set forth in **Exhibit 5, attached hereto**
2 and dated August 18, 2020, are conditions of this PUD Ordinance.
3 Such conditions control over the Written Description and the Site
4 Plan and may only be amended through a rezoning.

5 **Section 5. Contingency.** This rezoning shall not become
6 effective until 31 days after adoption of the companion Large-Scale
7 Amendment unless challenged by the state land planning agency; and
8 further provided that if the companion Large-Scale Amendment is
9 challenged by the state land planning agency, this rezoning shall
10 not become effective until the state land planning agency or the
11 Administration Commission issues a final order determining the
12 companion Large-Scale Amendment is in compliance with Chapter 163,
13 *Florida Statutes*.

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

27 **Section 7. Effective Date.** The enactment of this
28 Ordinance shall be deemed to constitute a quasi-judicial action of
29 the City Council and shall become effective upon signature by the
30 Council President and the Council Secretary.

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1 Form Approved:

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3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared By: Connie Quinto

6 GC-#1384578-v1-2020-169-E