



A NEW DAY.

# City of Jacksonville, Florida

*Donna Deegan, Mayor*

Planning and Development Department  
214 N. Hogan St., Suite 300  
Jacksonville, FL 32202  
(904) 630-CITY  
Jacksonville.gov

January 23, 2025

The Honorable Randy White  
The Honorable Kevin Carrico, LUZ Chair  
And Members of the City Council  
City Hall  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report  
Ordinance No.: 2024-0973**

Dear Honorable Council President White, Honorable Council Member and LUZ Chairperson Carrico and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve**

Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: **8-0**

Mark McGowan, Chair	Aye
Tina Meskel, Vice Chair	Aye
Mon'e Holder, Secretary	Aye
Lamonte Carter	Aye
Amy Fu	Aye
Charles Garrison	Aye
Julius Harden	Aye
Ali Marar	Aye

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Erin L. Abney', with a stylized flourish at the end.

**Erin L. Abney, MPA**

Chief, Current Planning Division  
Planning & Development Department  
214 North Hogan Street, 3<sup>rd</sup> Floor  
Jacksonville, FL 32202  
(904) 255-7817; EAbney@coj.net

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2024-0973**

**JANUARY 23, 2025**

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee and City Council its comments and recommendation regarding Application for Rezoning **Ord. 2024-0973**.

***Location:*** 6030 and 6040 Firestone Road, between Wheat Road and 118<sup>th</sup> Street

***Real Estate Numbers:*** 014560-0100; 014560-0000

***Current Zoning District:*** Residential Rural Acre (RR-Acre)

***Proposed Zoning District:*** Residential Medium Density-A (RMD-A)

***Current Land Use Category:*** Low Density Residential (LDR)

***Proposed Land Use Category:*** Medium Density Residential (MDR)

***Planning District:*** District 4

***Council District:*** District 14

***Applicant/Agent:*** Marshall H. Phillips, Esq.  
Rogers Towers, P.A.  
1301 Riverplace Boulevard, Suite 1500  
Jacksonville, Florida 32207

***Owners:*** Albert G. Higgins  
6030 Firestone Road  
Jacksonville, Florida 32244

6040 Firestone Road Land Trust  
6040 Firestone Road  
Jacksonville, Florida. 32244

***Staff Recommendation:*** **APPROVE**

## **GENERAL INFORMATION**

Application for Rezoning **2024-0973** seeks to rezone approximately 6.80 acres of land from Residential Rural-Acre (RR-Acre) to Residential Medium Density-A (RMD-A) zoning district in permit for a Single-Family Residential Development or Townhomes. There is a companion Land Use Amendment, Ordinance 2024-972 (L-5994-24C) proposing to go from Low Density Residential (LDR) to Medium Density Residential (MDR). The Planning Department is also Recommending Approval on the Small-Scale Land Use Amendment.

## **STANDARDS, CRITERIA AND FINDINGS**

Pursuant to Section 656.125 of the Zoning Code, an applicant for a proposed rezoning bears the burden of proving, by substantial competent evidence, that the proposed rezoning is consistent with the City's comprehensive plan for future development of the subject parcel. In determining whether a proposed rezoning is consistent with the 2045 Comprehensive Plan, the Planning and Development Department considers several factors, including (a) whether it is consistent with the functional land use category identified in the Future Land Use Map series of the Future Land Use Element; (b) whether it furthers the goals, objectives and policies of the Comprehensive Plan; and (c) whether it conflicts with any portion of the City's land use regulations. Thus, the fact that a proposed rezoning is permissible within a given land use category does not automatically render it consistent with the 2045 Comprehensive Plan, as a determination of consistency entails an examination of several different factors.

### ***1. Is the proposed rezoning consistent with the 2045 Comprehensive Plan?***

Yes. The 6.08-acre subject site is located along the west side of Firestone Road, a collector roadway located in between 118th Street and Wheat Road. The subject site is located in Council District 14, Planning District 4 (Southwest), and is in the Suburban Development Area and is currently utilized as a single-family residential lot. The applicant is proposing a rezoning from Residential Rural-Acre (RR-Acre) to Residential Medium Density-A (RMD-A) to allow for the development of single-family homes. The applicant has also proposed a companion land use amendment from Low Density Residential (LDR) to Medium Density Residential (MDR), which is pending concurrently with this application, pursuant to 2024-972.

Medium Density Residential (MDR) is a category intended to provide compact medium to high density residential development and can serve as transitional uses between low density residential uses and higher density residential uses, commercial uses and public and semi-public use areas. Multi-family housing such as apartments, condominiums, townhomes and rowhouses should be the predominant development typologies in this category. Plan amendment requests for new MDR designations are preferred in locations which are supplied with full urban services and in locations which serve as a transition between commercial and residential land uses.

The subject site is located in the Suburban Area, which generally corresponds with the urbanizing portions of the City in areas that have usually been developed after

consolidation. Development should generally continue at low densities with medium density development at major corridor intersections and transit stations. The maximum gross density in the Suburban Area shall be 20 units/acre and the minimum gross density shall be greater than 7 units/acre. However, for sites located in the Suburban area, the maximum gross density shall be 30 units per acre when the site fronts along a road classified as a collector or higher and where the site does not abut land in LDR or RR. In the absence of the availability of centralized potable water and/or wastewater, the maximum gross density of development permitted in this category shall be the same as allowed in Low Density Residential (LDR) without such services.

RMD-A is a primary zoning district of the MDR land use category, and therefore the proposed rezoning is consistent with the 2045 Comprehensive Plan.

2. ***Does the proposed rezoning further the goals, objectives and policies of the 2045 Comprehensive Plan?***

Yes. The proposed rezoning is consistent with the following policies of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan.

**Goal 1** To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

**Objective 1.1** Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

**Policy 1.1.22** Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

**Goal 3** To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

**Policy 3.1.5** The City shall provide opportunities for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

3. *Does the proposed rezoning conflict with any portion of the City's land use regulations?*

No. The proposed rezoning is not in conflict with any portion of the City's land use regulations. If approved as recommended by the Staff of the Planning and Development Department, the subject property will be rezoned from Residential Rural-Acre (RR-Acre) to Residential Medium Density-A (RMD-A) to be developed with single family dwellings or townhomes.

**SURROUNDING LAND USE AND ZONING**

The subject property is located on Firestone Road just south of Wheat Road. The proposed rezoning is to develop new residential units. The surrounding areas and uses are primarily residential with a mix of Single-Family Dwellings and a Multi-Family development to the north. Therefore, the proposed rezoning to a district that allows for Single Family Dwellings or Townhomes is consistent with the surrounding area. Nevertheless, the surrounding uses, land use categories, and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	MDR/LDR	RMD-D; RR-Acre	Single Family Dwellings
South	MDR	RMD-A	Single Family Dwellings
East	LDR	RR-Acre	Single Family Dwellings
West	LDR	RR-Acre	Single Family Dwellings

It is the opinion of the Planning and Development Department that the requested rezoning to RMD-A will be consistent and compatible with the surrounding uses.

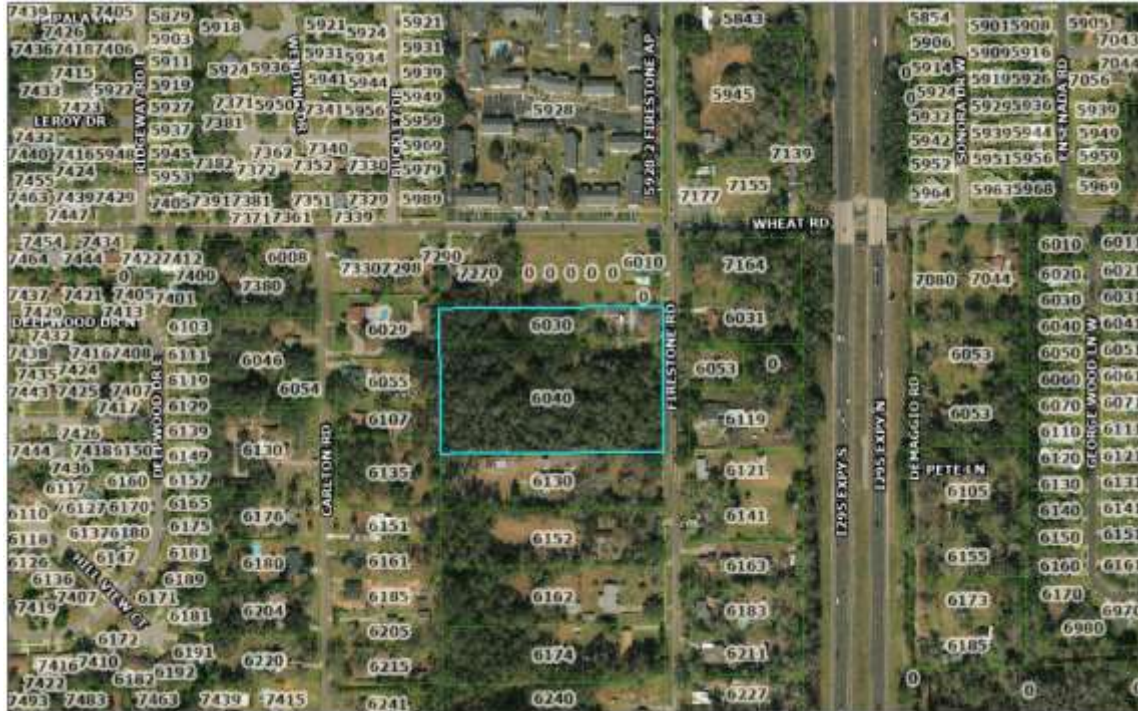
**SUPPLEMENTARY INFORMATION**

Applicant provided photo evidence of posted Notice Signs to the Planning & Development Department on **December 9, 2024**.



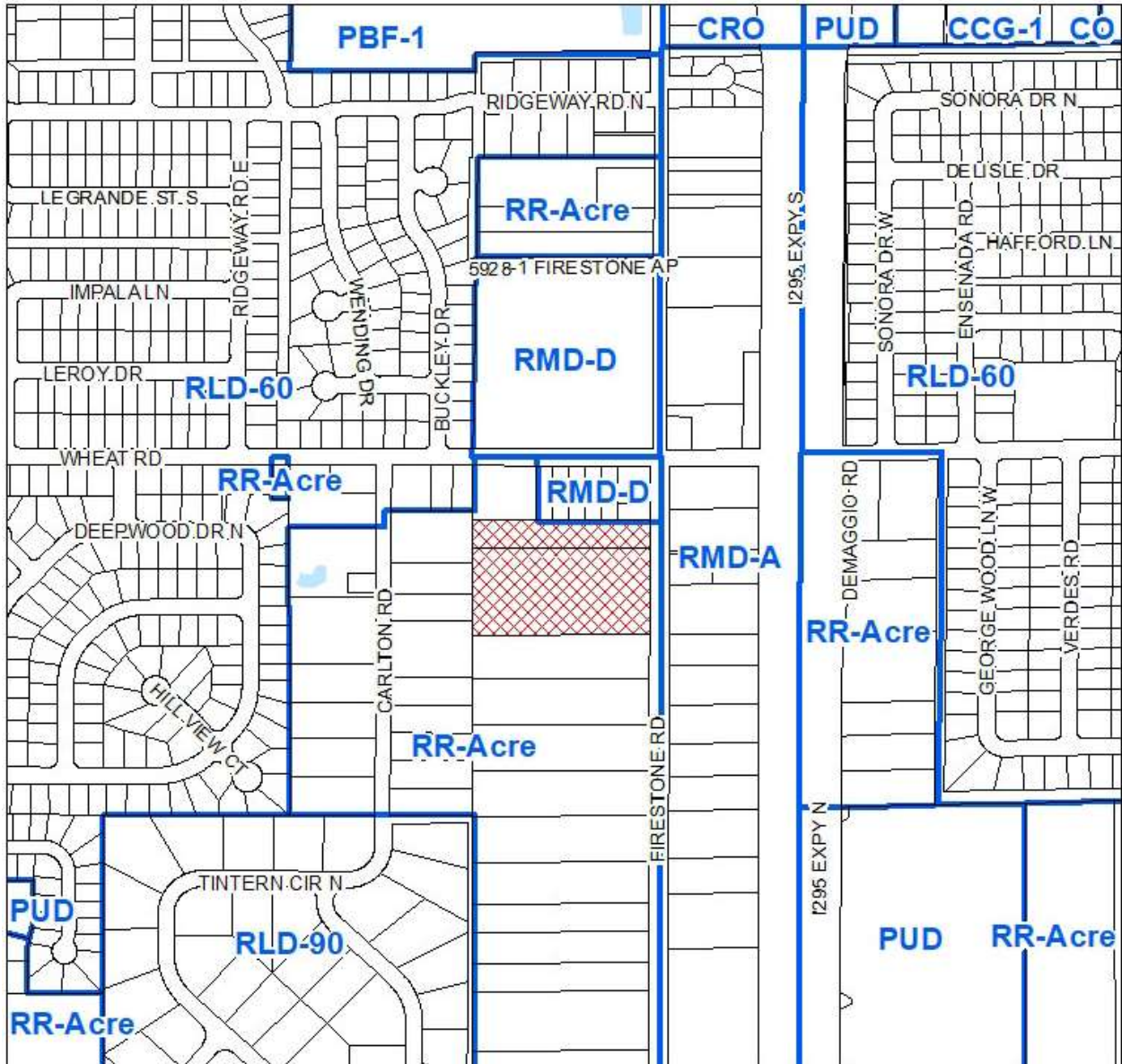
**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2024-0973** be **APPROVED**.



Aerial Photo

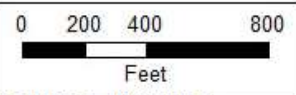
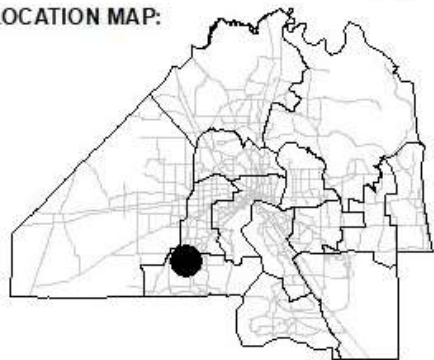




REQUEST SOUGHT:

**FROM: RR-ACRE**  
**TO: RMD-A**

LOCATION MAP:



COUNCIL DISTRICT:

**14**

ORDINANCE NUMBER  
**ORD-2024-0973**

TRACKING NUMBER  
**T-2024-5932**

**EXHIBIT 2**  
**PAGE 1 OF 1**





# Planning and Development Department

Ed Ball Building  
214 North Hogan Street, Suite 300  
Jacksonville, FL 32202

## MEMORANDUM

**TO:** Erin Abney  
Current Planning Division

**FROM:** Kaleigh Shuler  
Community Planning Division

**RE:** Ordinance 2024-0973

**DATE:** January 10, 2025

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*The following review is based on the information provided by the Current Planning Division staff.*

### **Description of Proposed Rezoning Application**

Current Land Use: Low Density Residential (LDR)

Proposed Land Use: Medium Density Residential (MDR) (L-5994-24C / Ordinance 2024-972)

Current Zoning: Residential Rural-Acre (RR-Acre)

Proposed Zoning: Residential Medium Density - A (RMD-A)

Total Acres: 6.08 acres

### **Comprehensive Land Use Policy Analysis**

**Is the proposed rezoning district consistent with the functional land use category identified in the 2045 Comprehensive Plan?**

YES \* NO

**\*Subject to approval of companion land use application, L-5994-24C, Ordinance 2024-972.**

### **ZONING REQUEST:**

For development consistent with the market.

**LAND USE CATEGORY CONSISTENCY REVIEW:**

The 6.08-acre subject site is located along the west side of Firestone Road, a collector roadway located in between 118<sup>th</sup> Street and Wheat Road. The subject site is located in Council District 14, Planning District 4 (Southwest), and is in the Suburban Development Area and is currently utilized as a single-family residential lot. The applicant is proposing a rezoning from Residential Rural-Acre (RR-Acre) to Residential Medium Density-A (RMD-A) to allow for the development of single-family homes. The applicant has also proposed a companion land use amendment from Low Density Residential (LDR) to Medium Density Residential (MDR), which is pending concurrently with this application, pursuant to 2024-972.

Medium Density Residential (MDR) is a category intended to provide compact medium to high density residential development and can serve as transitional uses between low density residential uses and higher density residential uses, commercial uses and public and semi-public use areas. Multi-family housing such as apartments, condominiums, townhomes and rowhouses should be the predominant development typologies in this category. Plan amendment requests for new MDR designations are preferred in locations which are supplied with full urban services and in locations which serve as a transition between commercial and residential land uses.

The subject site is located in the Suburban Area, which generally corresponds with the urbanizing portions of the City in areas that have usually been developed after consolidation. Development should generally continue at low densities with medium density development at major corridor intersections and transit stations. The maximum gross density in the Suburban Area shall be 20 units/acre and the minimum gross density shall be greater than 7 units/acre. However, for sites located in the Suburban area, the maximum gross density shall be 30 units per acre when the site fronts along a road classified as a collector or higher and where the site does not abut land in LDR or RR. In the absence of the availability of centralized potable water and/or wastewater, the maximum gross density of development permitted in this category shall be the same as allowed in Low Density Residential (LDR) without such services.

**RMD-A is a primary zoning district of the MDR land use category, and therefore the proposed rezoning is consistent with the 2045 Comprehensive Plan.**

**To ensure compliance with the provisions of the Comprehensive Plan, zoning staff should analyze the proposed zoning application in relation to the following goals, objectives, policies and/or text of the 2045 Comprehensive Plan. This analysis should be included within the staff report for the zoning application.**

Future Land Use Element:

- Goal 1 To ensure that the character and location of land uses optimize the combined potentials for economic benefit, enjoyment, wellness and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.
  
- Objective 1.1 Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.
  
- Policy 1.1.21 Rezoning and amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land

required to accommodate anticipated growth and the projected population and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business with the intent that this balance of uses shall:

A. Foster vibrant, viable communities and economic development opportunities;

B. Address outdated development patterns; and/or

C. Provide sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.

The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.

Policy 1.1.22

Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

Policy 1.2.8

Require new development and redevelopment in the Central Business District (CBD), Urban Priority Area (UPA), Urban Area (UA), and Suburban Area (SA) to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site.

Development on sites located within the UPA, UA and SA are permitted where connections to centralized potable water and/or wastewater are not available subject to compliance the following provisions:

1. Single family/non-residential (estimated flows of 600 gpd or less) where the collection system of a regional utility company is not available through gravity service via a facility within a right-of-way or easement which abuts the property.
2. Non-residential (above 600 gpd) where the collection system of a regional utility company is not within 50 feet of the property.
3. Subdivision (non-residential and residential) where:
  - a. The collection system of a regional utility company is greater than 1/4 mile from the proposed subdivision.
  - b. Each lot is a minimum of 1/2 acre unsubmerged property.

- c. Installation of dryline sewer systems shall be installed when programmed improvements are identified in the Capital Improvements Element which will make connections the JEA Collection Systems available within a five (5) year period.

Goal 3 To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

Policy 3.1.5 The City shall provide opportunities for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

Policy 3.1.12 The City shall, through Land Development Regulations, require higher density residential development and supporting commercial facilities to locate on major arterial or collector roads used for mass transit routes, and in proximity to major employment areas in order to ensure the efficient use of land, public facilities, and services, and transportation corridors.

Property Rights Element (PRE)

Goal 1 The City will recognize and respect judicially acknowledged and constitutionally protected private property rights in accordance with the Community Planning Act established in Chapter 163, Florida Statutes.

Objective 1.1 Local decision making shall be implemented and applied with sensitivity for private property rights and shall not be unduly restrictive.

Policy 1.1.1 The City will ensure that private property rights are considered in local decision making.

Policy 1.1.2 The following rights shall be considered in local decision making:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

**The proposed rezoning has been identified as being related to the following issues identified in the 2045 Comprehensive Plan. Based on this relationship, the rezoning application should be carefully evaluated for consistency or inconsistency with the following issues and related goals, objectives and/or policies:**

**Archaeological Sensitivity**

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of high and low sensitivity for the presence of archaeological resources. Projects that move forward through the Site Review process may be required to perform a Professional Archaeological Reconnaissance Survey on the portion of the site that is in a high sensitivity area. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

### Historic Preservation Element

- Policy 1.2.2            The City shall continue to review new development for the potential of archeologically significant sites. The City shall utilize the most current version of the Archeological Sensitivity Predictive Model to identify areas of high probability for artifact concentrations.
- Policy 1.2.5            The Planning and Development Department shall maintain and update for planning and permitting purposes, a series of GIS data layers and maps depicting recorded archaeological sites, historic districts and local landmarks.

### **Airport Environment Zone**

The application site is located within the 300-foot Height and Hazard Zone for Jacksonville Naval Air Station. Zoning will limit development to a maximum height of 300 feet, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

### Future Land Use Element

- Objective 2.6            Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities in accordance with the requirements of Section 163.3177, F.S.
- Policy 2.6.16            Airport Height and Hazard zones (HH) exist around all military and civilian airports within the city limits of Jacksonville. The horizontal limits of the zones and limitations on heights of obstructions within these zones are defined for each military airport in Naval Facilities Engineering Command (NAVFAC) P-80.3 01/82, on file with the Planning and Development Department, and for each civilian airport in Title 14, Code of Federal Regulations (CFR), Part 77 guidelines, on file with the Planning and Development Department. In order to assure that Title 14, CFR, Part 77 guidelines and NAVFAC P-80.3 01/82 guidelines are not exceeded and that no structure or obstruction is permitted that would raise a minimal obstruction clearance altitude, a minimum vectoring descent altitude or a decision height, all cell towers and any structure or obstruction that would extend into an Airport (HH) requires, in writing, comment from the U.S. Navy. Although written documentation from the U.S. Navy for military HH and from the FAA or JAA for civilian HH is not required for proposed structure heights below the listed height, United States Code (USC) Title 14, CFR Part 77 still applies.

### **Aquifer Recharge**

The site is located within an area identified as being in the 0 to 4 inch per year aquifer recharge area. This range is below the threshold of 12 inches or more per year which would constitute a prime recharge area as defined in the Infrastructure Element – Aquifer Recharge Sub-Element (IE-AR). Prime aquifer recharge areas are the primary focus of groundwater resource protection. However, development resulting from the proposed rezoning amendment will be reviewed during the site plan review and permitting process for compliance with the land development regulations that have been established to protect groundwater resources. Such regulations address issues such as drainage systems, septic systems, and landscape/irrigation regulations.

### Infrastructure Element – Aquifer Recharge Sub-Element (IE-AR)

Policy 1.2.3 The City shall continue to coordinate with the SJRWMD and utilize the best available resources and information including the latest update of the Floridan Aquifer Recharge GIS grid coverage to protect the functions of the natural groundwater aquifer recharge areas and to discourage urban sprawl.

Policy 1.2.7 Within two years of establishment by the SJRWMD and the Water Resources Management Plan of prime recharge areas for the Floridan Aquifer, the Planning and Development Department shall prepare maps of such designated areas showing the special zoning and land use consideration the City has established for such areas as designated by the latest update of the Floridan Aquifer Recharge GIS grid coverage.

### **Wellhead Protection Zone**

Approximately less than one acre of the subject site is within the 750-foot buffer of a wellhead. The Environmental Quality Division reviewed the companion land use application for possible impacts. While the review did not find issues with the proposed application, information was provided for the applicant's use if a well was intended on this property.

### Infrastructure Element, Sanitary Sewer Sub-Element

Policy 1.2.3 The City shall implement the Wellhead Protection Ordinance to protect its potable water supply source. Improperly constructed or maintained Hawthorne Group and Floridan Aquifer private wells in proximity to a Public Potable Water well within Duval County are potentially harmful to the drinking water supply of the City of Jacksonville. A Pathway Focused Approach to prevent migration of contamination from the shallow aquifer into the Floridan aquifer is reasonable and prudent to protect public water supplies. The intent of this policy is to protect and safeguard the health, safety and welfare of the residents of Duval County by establishing a Pathway Focused Approach to wellhead protection that safeguards the Floridan aquifer from intrusion of any contaminants that may jeopardize present and future public water supply wells.

Within Wellhead Protection Areas, the following shall apply:

1. Within a 500-foot radius around an existing Public Potable Water well, those actions and uses established by the Florida Department of Environmental Protection in Rule 62-521.400, Fla. Admin. Code shall be prohibited.
2. Pursuant to Chapter 366 City of Jacksonville Municipal Code, no existing private wells shall be deepened and no new wells shall be constructed within designated Wellhead Protection Areas that penetrate a portion of the Hawthorne Group or the Floridan Aquifer without first obtaining a well construction permit from the City of Jacksonville Environmental Quality Division (EQD) as provided in Environmental Protection Board Rule 8 and including a review of areas of known contamination at or near the proposed or existing well location. All new wells within such areas must be fully grouted.
3. Pursuant to Chapter 366 City of Jacksonville Municipal Code, abandonment of existing wells shall be in accordance with applicable SJRWMD requirements, and a copy of the plugging and abandonment report shall be submitted to the EQD.



