

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2019-690**

**OCTOBER 17, 2019**

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 Ordinance **2019-690**.

<b><i>Location:</i></b>	Rio Lindo Drive; San Jose Blvd W and St Johns River
<b><i>Real Estate Numbers:</i></b>	Several – see attached application
<b><i>Current Zoning District:</i></b>	Residential Low Density-60 (RLD-60)
<b><i>Proposed Zoning District:</i></b>	Residential Low Density-70 (RLD-70)
<b><i>Current Land Use Category:</i></b>	Low Density Residential (LDR)
<b><i>Planning District:</i></b>	District 3—Southeast
<b><i>Applicant/Agent:</i></b>	City of Jacksonville C/O Planning and Development Department 214 North Hogan Street, Suite 300 Jacksonville, FL 32202
<b><i>Owners:</i></b>	Several – see attached application
<b><i>Staff Recommendation:</i></b>	<b>APPROVE</b>

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2019-690** seeks to rezone 5.18± acres of land from Residential Low Density-60 (RLD-60) to Residential Low Density-70 (RLD-70). The properties are located in the Low Density Residential (LDR) land use category within the Urban Development Area of the Future Land Use Element of the 2030 Comprehensive Plan. The request is being sought in order to preserve current lot dimensions and prevent any new lot splits in the existing neighborhood. The request is the same made via Ord. 2018-826-E, which was for the Alhambra subdivision adjacent to the south of Rio Lindo Drive.

There was a community meeting held on August 28, 2019, to discuss the proposed rezoning, affected neighbors had no objection to the rezoning.

**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 2030 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 2030 Comprehensive Plan, as a determination of consistency entails an examination of several different factors.

**1. *Is the proposed rezoning consistent with the 2030 Comprehensive Plan?***

Yes. In accordance with Section 656.129 *Advisory recommendation on amendment of Zoning Code or rezoning of land* of the Zoning Code, the Planning and Development Department finds the subject properties to be located in the Low Density Residential (LDR) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan.

**2. *Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?***

Yes. The proposed rezoning is consistent with the listed objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. The subject properties are a part of an established residential neighborhood in the Miramar Terrace neighborhood area in the Southeast Planning District. The proposed rezoning would preserve the existing residential lot dimensions and prevent future lot splits creating smaller lot dimensions that are uncharacteristic of the neighborhood.

According to the Future Land Use Element (FLUE), Low Density Residential (LDR) in the Urban Area is intended to provide for low density residential development. Single-family dwellings are a principal use in the LDR land use category. Consistent with the plan description for the residential categories, the rezoning would allow for continued compatibility with the overall existing character of the area.

The proposed change to RLD-70 is consistent with the character of the surrounding area and is consistent with the LDR land use category.

**To ensure compliance with the provisions of the Comprehensive Plan, the proposed zoning application will be reviewed in relation to the following goals, objectives, polices or text of the 2030 Comprehensive Plan:**

## **Future Land Use Element**

### **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 1.1.1**

The City shall ensure that all new development and redevelopment after the effective date of the 2030 Comprehensive Plan is consistent with the Future Land Use Map series, and textual provisions of this and other elements of the 2030 Comprehensive Plan, as provided in Chapter 163 (Part II), Florida Statutes (F.S.).

### **Policy 1.2.9**

Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area may be permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

### **Policy 1.3.5**

The City shall require that access to new single-family residential parcels with frontage along two or more roadways be located in accordance with the following parameters:

1. If one of the roadways is unimproved, access to the parcel may be provided from the improved roadway,
2. If the roadways are of differing functional classes, then access to the parcel shall be provided from the roadway with the lower functional class only,
3. If the roadways are of the same functional class, then access shall be provided as follows:
  - a. In the case of redevelopment of existing parcels, from the roadway where the prevailing pattern of existing driveways are located; or
  - b. In the case of new subdivisions where no pattern currently exists, on the roadway with the lower average daily traffic (ADT) inclusive of development traffic.
4. Driveways should be on the same road on which the parcel is addressed and the front door of the home is located, except in the case of an entirely new planned unit development or traditional neighborhood development where rear entry drives are expressly contemplated.

The above parameters shall be followed unless it can be demonstrated in a professional traffic study submitted for review and approval to the Traffic Engineering Division and the JPDD, and with which the City staff agrees, that such access restrictions would either:

1. present a safety hazard;
2. would cause undue congestion or delay on adjacent road facilities;
3. would cause environmental degradation; or
4. would hinder adequate traffic circulation.

### **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.

### **Objective 3.1**

Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.

### **Policy 3.1.6**

The City shall provide 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 RLD-60 to RLD-70 in order to preserve current lot dimensions and prevent any new lot splits—all while adhering to local, state, and federal regulations governing wetlands.

## **SURROUNDING LAND USE AND ZONING**

The subject properties are located between San Jose Boulevard and the St Johns river. Moreover, this area is developed almost exclusively with single-family dwellings and parks. The proposed rezoning to RLD-70 would require the lots to maintain a 70 foot width and 7,200 square foot area—which in terms of current lot configurations, would bring the properties closer into conformance with RLD-70 standards and complement the RLD-90 lots to the south and west. Adjacent land uses and zoning districts are as follows:

<u>Adjacent Property</u>	<u>Land Use Category</u>	<u>Zoning District</u>	<u>Current Use(s)</u>
North	Water/LDR	PBF-1	Park
East	LDR	RLD-60	Single-Family Dwellings
South	LDR	RLD-70	Single-Family Dwellings
West	Water	WT	St Johns River

It is the opinion of the Planning and Development Department that the requested rezoning to RLD-70 will be consistent and compatible with the surrounding uses.

### SUPPLEMENTARY INFORMATION

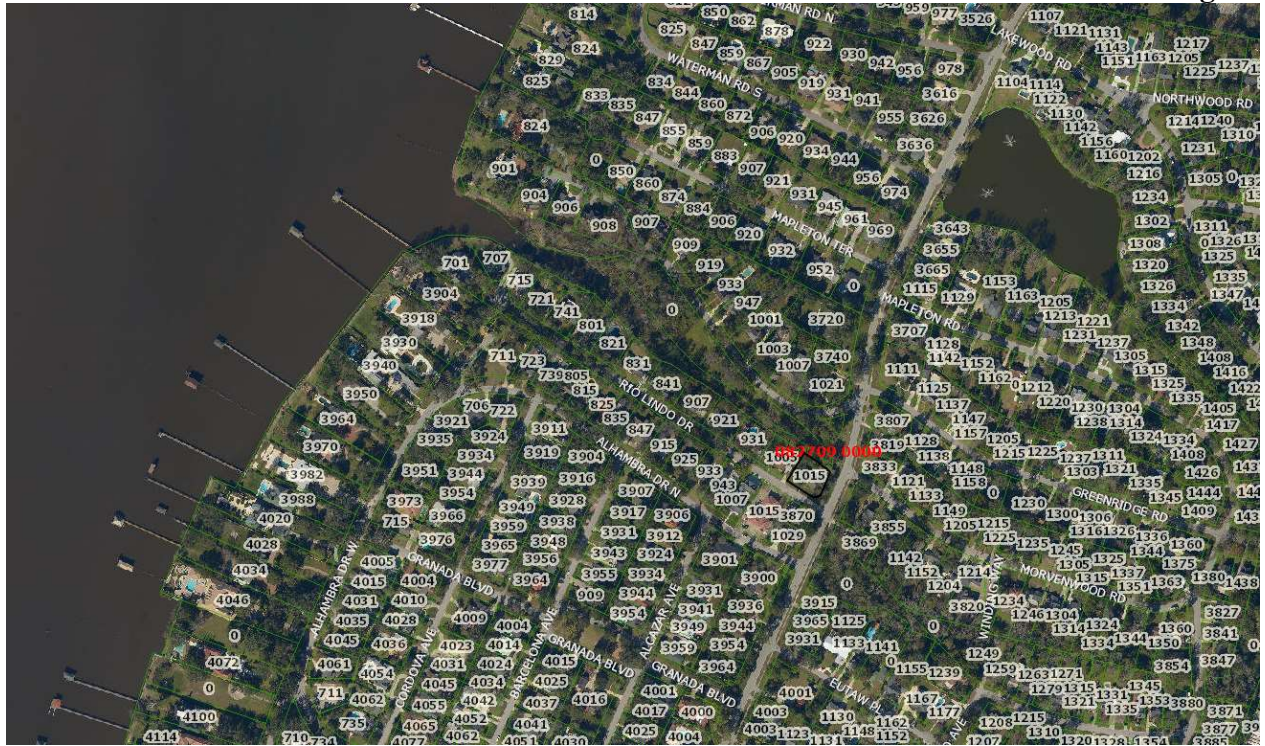
Upon visual inspection of the subject property on September 30, 2019 by the Planning and Development Department, the required Notice of Public Hearing signs were posted.



### RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance 2019-690 be **APPROVED with the following exhibit:**

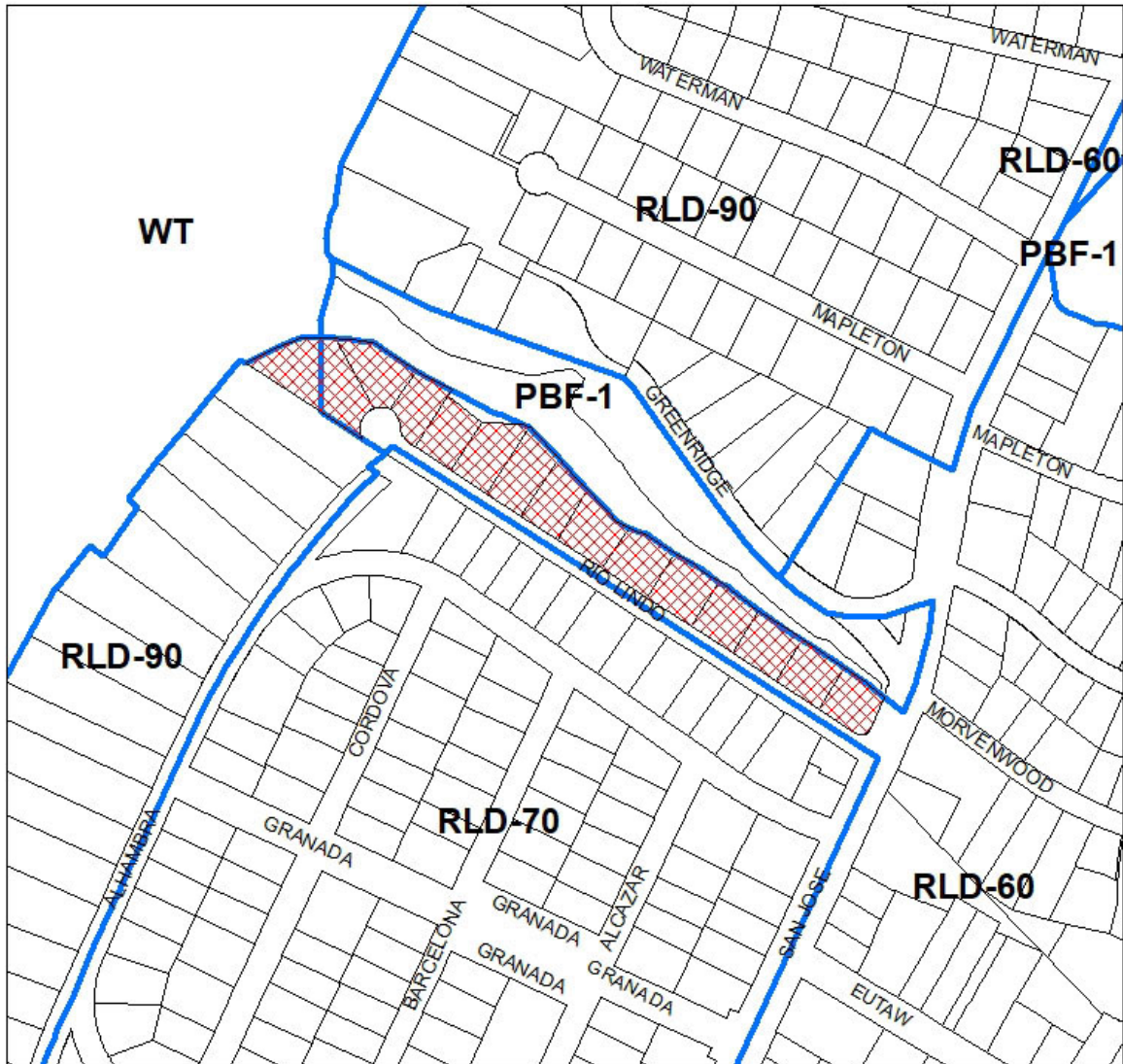
1. The revised legal description dated October 7, 2019.

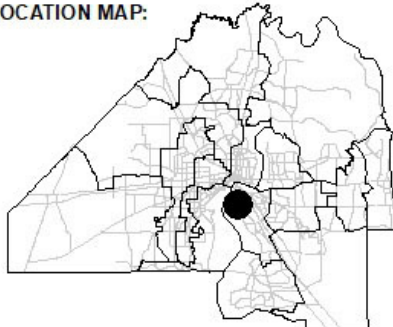
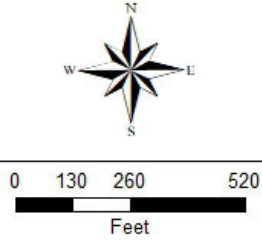


Aerial



Subject Properties



<p>REQUEST SOUGHT:</p> <p>FROM: RLD-60                  TO: RLD-70</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT: 5</p>
<p>ORDINANCE NUMBER ORD-2019-0690</p>	<p>TRACKING NUMBER T-2019-2505</p>	<p><b>EXHIBIT 2</b> <b>PAGE 1 OF 1</b></p>