



A NEW DAY.

# City of Jacksonville, Florida

*Donna Deegan, Mayor*

Planning and Development Department  
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Jacksonville, FL 32202  
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February 8, 2024

The Honorable Ronald B. Salem, Pharm. D., President  
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.: 2024-4**

Dear Honorable Council President Salem, 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: **Deny**

Planning Commission Recommendation: **Deny**

This rezoning is subject to the following exhibits:

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

Planning Commission Vote: **7-0**

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

Ali Marar Aye

Jack Meeks Aye

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

Sincerely,



Bruce E. Lewis  
City Planner Supervisor – Current Planning Division  
City of Jacksonville - Planning and Development Department  
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**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**

**APPLICATION FOR REZONING ORDINANCE 2024-0004**

**FEBRUARY 8, 2024**

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 **2024-0004**.

*Location:* 0 Old Kings Road

*Real Estate Number:* 002486-0120

*Current Zoning District:* Agriculture (AGR)

*Proposed Zoning District:* Industrial Light (IL)

*Current Land Use Category:* Agriculture (AGR)

*Proposed Land Use Category:* Light Industrial (LI)

*Planning District:* District 6—North

*Council District:* District 8

*Applicant:* Brian Small  
Bird Dog  
3948 3<sup>rd</sup> Street South, Suite 116  
Jacksonville, Florida 32250

*Owner:* Rasim Jusic  
11098 Englenook Drive  
Jacksonville, Florida 32246

*Staff Recommendation:* **DENY**

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2024-0004** seeks to rezone 4.04± acres of land from Agriculture (AGR) to Industrial Light (IL). The applicant seeks to rezone the subject site from AGR to IL to allow light industrial uses including transportation truck parking. Zoning application Ordinance 2024-0004 has a companion land use application, Ordinance 2024-0003 / L-5877-23C, that seeks a land use change from Agriculture (AGR) to Light Industrial (LI). The Planning and Development Department is recommending Denial of the companion 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?***

No. The Planning and Development Department finds that the subject property is located in the Agriculture (AGR) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2045 Comprehensive Plan. However, there is a companion Application for Small-Scale Semi-Annual Land Use Amendment to the Future Land Use Map Series L-5877-23C (Ordinance 2024-0003) that seeks to amend the site that is within the Agriculture (AGR) land use category to Light Industrial (LI). Staff is recommending Application for Small-Scale Land Use Amendment to the Future Land Use Map Series L-5877-23C be denied. Therefore, the proposed rezoning is inconsistent with the FLUMs adopted as part of the 2045 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code. A description of the category is noted below.

The subject site is in both the Rural and Suburban Development areas. The line dividing the property between the Rural and Suburban Development areas runs east/west through the subject site. The north portion of the site is in the Rural Development Area and comprises approximately  $\frac{3}{4}$  of the entire site. The balance of the site is in the Suburban Development Area.

The applicant seeks an amendment to the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan from Agriculture (AGR) in the Rural and Suburban Development areas to Light Industrial (LI) to allow the parking of transportation trucks.

According to the Future Land Use Element (FLUE), the Agriculture (AGR) land use category is intended to provide for agricultural uses and to preserve the existing rural character of outlying areas of the City where full urban services and facilities will not be provided by the City during the planning time frame. Accordingly, the principal activities allowed in these categories are agriculture and related uses.

Light Industrial (LI) is a category which provides for the location of industrial uses that are able to be performed in such a manner as to control the external effects of the process, such as smoke, noise, soot, dirt, vibration, odor, etc. Uses within this category, other than outside storage, shall be conducted within an enclosed building. Generally, light industrial uses involve materials that have previously been prepared, or raw materials that do not need refining. These uses do not create a noticeable amount of noise, dust, odor, smoke, glare or vibration outside of the building or on the site in which the activity takes place.

The proposed LI land use is inconsistent with the 2045 Comprehensive Plan. The Planning and Development Department recommends **denial** of the proposed request for the LI land use category.

As of January 25<sup>th</sup>, 2023, the applicant has been unable to submit a JEA Letter after multiple requests to JEA.

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

No. The proposed rezoning from AGR to IL is not consistent with the listed objectives, policies, and goals of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan.

**Future Land Use Element (FLUE):**

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.

*The proposed rezoning from AGR to IL of the subject property is not within the character of the area, as the surrounding area's uses are dominantly agriculture, conservation, timber, and residential.*

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.

**Airport Environment Zone**

The site is located within the 500-foot Height and Hazard Zone for the Jacksonville International Airport. Zoning will limit development to a maximum height of 500 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).

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

Yes. Staff finds that the proposed rezoning application and land use amendment is in conflict with the City's land use regulations. The applicant seeks to rezone the property from AGR to IL and change the land use category from AGR to LI.

**SURROUNDING LAND USE AND ZONING**

The 4.04-acre subject property is located along the west side of Old Kings Road, a collector road, between Acree Road, also a collector road, and Dinsmore Tower Road, a local road. A Southern Coastline Railroad track runs along the west side of the property. Trees have been removed from the property but the site is otherwise undeveloped. The surrounding Land Use Categories and Zoning Districts are as followed:

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use(s)</b>
North	AGR; CSV	AGR; CSV	Single Family Dwellings; Kings' Historic Preserve
East	AGR; MU	AGR; PUD (2009-0542); PUD (2022-0851)	Timber; Mixed uses;
South	MU; AGR	PUD (2009-0542); PUD (2007-1064); AGR	Single-Family Dwellings; Timber
West	AGR; CSV; MU	AGR; CSV; PUD (2009-0542);	Timber; Kings' Historic Preserve

Staff finds that the proposed rezoning from AGR to IL would be inconsistent and not compatible with the surrounding uses that are dominantly single-family dwellings, timber, and conservation.

**SUPPLEMENTARY INFORMATION**

The applicant provided proof of posting on **January 24<sup>th</sup>, 2024** to the Planning and Development Department, that the 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 **2024-0004** be **DENIED**.

**Aerial Photo**



**Source:** *JaxGIS*, 1/26/2024

**View of the Subject Site**



**Source:** *Planning & Development Department*, 1/26/2024

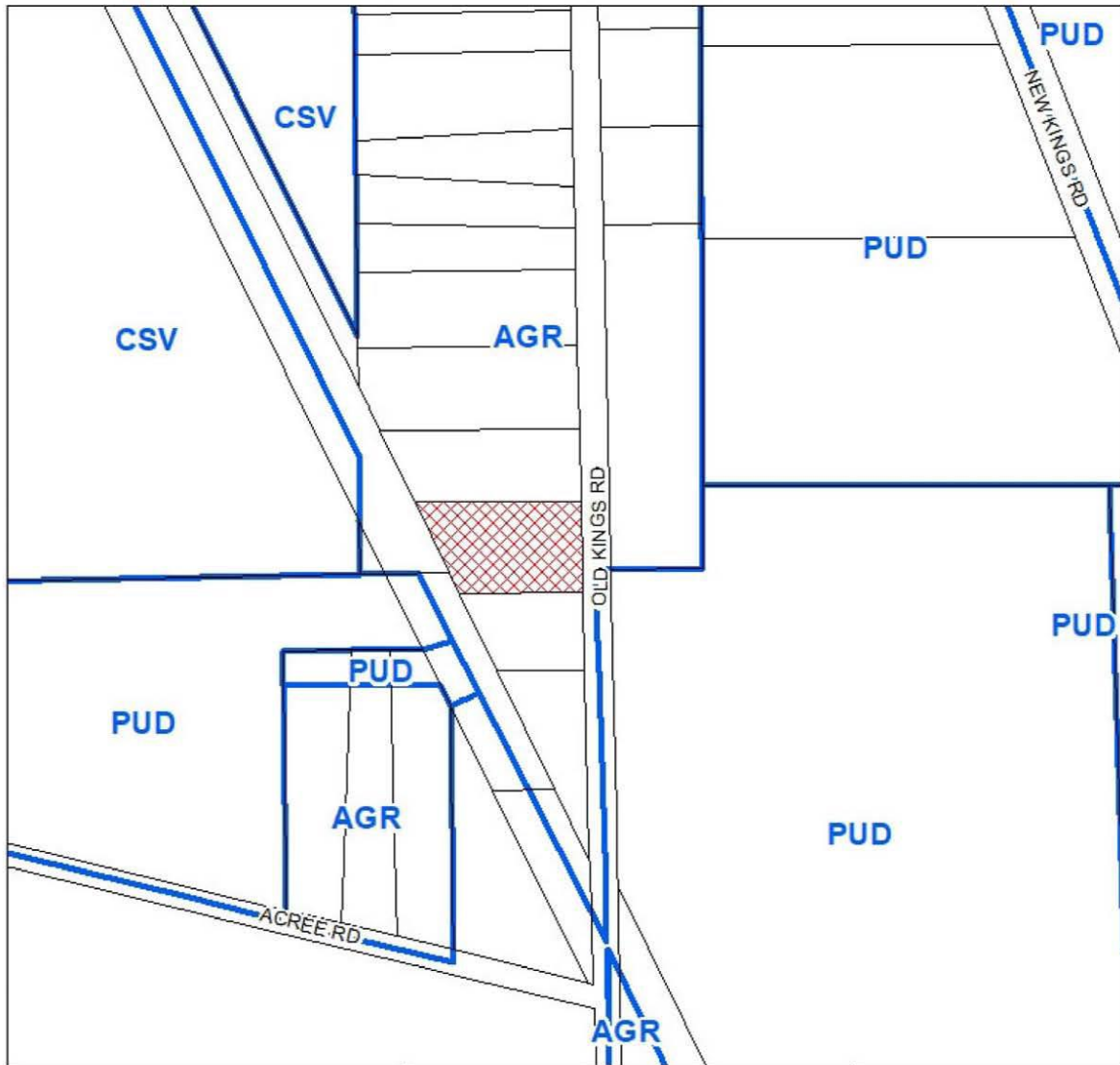
**View of Old Kings Road**



**Source:** *Planning & Development Department, 1/24/2024*



Legal Map



<p>REQUEST SOUGHT:</p> <p><b>FROM: AGR</b></p> <p><b>TO: IL</b></p>	<p>LOCATION MAP:</p>	<p>COUNCIL DISTRICT:</p> <p><b>8</b></p>
<p>ORDINANCE NUMBER</p> <p><b>ORD-2024-0004</b></p>	<p>TRACKING NUMBER</p> <p><b>T-2023-5214</b></p>	<p><b>EXHIBIT 2</b></p> <p><b>PAGE 1 OF 1</b></p>