



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 322-2
(904) 630-CITY
www.coj.net

December 7, 2023

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.: 2023-788**

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: **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**

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

Ali Marar

Aye

Jack Meeks

Absent

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 2023-0788

DECEMBER 7, 2023

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 **2023-0788**.

<i>Location:</i>	8231 Messer Road, between Johnson Terrace and Garden Street
<i>Real Estate Number(s):</i>	002851 0010
<i>Current Zoning District(s):</i>	Agriculture (AGR)
<i>Proposed Zoning District:</i>	Residential Rural-Acre (RR-Acre)
<i>Current Land Use Category:</i>	Agriculture (AGR)
<i>Proposed Land Use Category:</i>	Rural Residential (RR)
<i>Planning District:</i>	Northwest, District 5
<i>Owner(s):</i>	Richard Wright 7680 Cranbrooke Road Jacksonville, FL 32219 Lee Capps 8532 Mayall Drive Jacksonville, FL 32220 Charles Capps 8231 Messer Road Jacksonville, FL 32219 Earl Pearson Jr. 36871 Clyatt Circle Jacksonville, FL 32046 Dorothy Thompson 9250 Derby Acres Lane Jacksonville, FL 32220

Staff Recommendation:

APPROVE

GENERAL INFORMATION

Application for Rezoning Ordinance **2023-0788** seeks to rezone 2.12 acres of land from Agriculture (AGR) to Residential Rural-Acre (RR-Acre). The applicant seeks to rezone the property in order to split the property into two separate parcels. There are two existing dwelling units on the property which will result in each being on a separate parcel with the approval of this application. The applicant seeks to maintain ownership of one parcel and sell the other parcel.

There is a companion small-scale land use amendment, **2023-0787** (L-5874-23) which seeks to amend the land use from Agriculture (AGR) to Rural Residential (RR).

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. Concurrent with this application to rezone the property from AGR to RR-Acre, 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 to change the land use from Agriculture (AGR) to Rural Residential (RR) pursuant to Ordinance 2023-787. The maximum gross density in the AGR land use category is 1 unit per 2.5 acres in all Development Areas. The parcel is entirely surrounded by land in the AGR land use category and zoning district. The allowed density in the RR land use category in the Suburban Development Area when, as in this case, the site does not have access to centralized potable water and/or wastewater is 1 unit per acre. Therefore, the applicant is requesting this land use change so the owners can split the lot and allow the construction of residences on each portion. Currently, the lot contains two single-family residences that are non-conforming under the current land use.

According to the Category Description within the Future Land Use Element (FLUE), Rural Residential (RR) is intended to provide rural estate residential opportunities in the suburban and rural areas of the city. Generally, single-family detached housing will be the predominant development typology in this category. In the Suburban Development Area, the maximum gross density is two (2) units/acre when both centralized potable water and wastewater are available to the site; the maximum gross density is one (1) unit per acre when centralized potable water and/or wastewater are not available to the site. There is no minimum density.

The proposed rezoning to RR-Acre is consistent with the proposed RR land use category.

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

Yes. The rezoning application has a companion land use application, 2023-0787 (L-5874-23C), which seeks to amend the land use from AGR to RR. The parcel is located in the Suburban Development area and located at the intersection of two public right of ways. The rezoning is being sought in order to split the existing parcel into two.

The proposed application is consistent with the following objectives, policies and goals of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan:

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.

The proposed lot size is consistent and compatible with the area. Lots in this area range in size from half an acre to 4 acres, however all are located in the AGR zoning district. The companion land use amendment is needed to have consistency with the proposed zoning.

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. The subject property meets the requirements of the RR-Acre Zoning District as set forth in Section 656.313 of the Zoning Code.

SURROUNDING LAND USE AND ZONING

The proposed rezoning is located at the corner of Johnson Court and Messer Road surrounded by large single family lots. The area is heavily residential in nature and most of the surrounding lots range from a half acre to 4 acres in size. Nonetheless, the surrounding uses, land use category and zoning are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	AGR	AGR	Vacant, single-family dwellings
South	AGR	AGR	Vacant, single-family dwellings
East	AGR	AGR	Single-family dwellings
West	AGR	AGR	Vacant

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **November 22, 2023** 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 **2023-0788** be **APPROVED**.



Source: JaxGIS

Aerial view of the subject property, facing north.



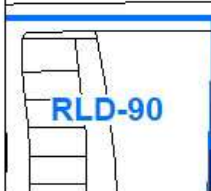
Source: Google Maps

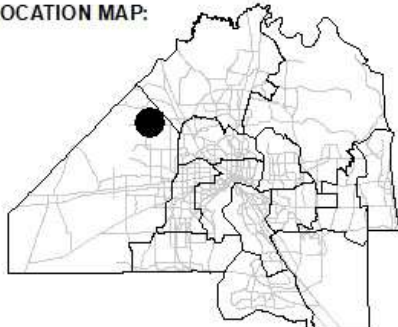

View of the subject property from Messer Road.



Source: Google Maps

View of the subject property from Messer Road.



<p>REQUEST SOUGHT:</p> <p>FROM: AGR</p> <p>TO: RR-ACRE</p>	<p>LOCATION MAP:</p> 	 <p>0 180 360 720 Feet</p> <p>COUNCIL DISTRICT: 12</p>
<p>ORDINANCE NUMBER ORD-2023-0788</p>	<p>TRACKING NUMBER T-2023-5159</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>