

City of Jacksonville, Florida

Donna Deegan, Mayor

City Hall at St. James
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Jacksonville, FL 32202
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October 5, 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.: 2023-540**

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: **7-0**

Ian Brown, Vice Chair	Aye
Jason Porter, Secretary	Absent
Marshall Adkison	Aye
Daniel Blanchard	Aye
Charles Garrison	Aye
David Hacker	Aye
Jack Meeks	Aye
Morgan Roberts	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 that reads "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B" and "L".

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 2023-0540

September 21st, 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 **2023-0540**.

<i>Location:</i>	1005 Pecan Park Road
<i>Real Estate Number:</i>	108119-0000
<i>Current Zoning District:</i>	Agriculture (AGR)
<i>Proposed Zoning District:</i>	Residential Low Density-60 (RLD-60)
<i>Current Land Use Category:</i>	Agriculture (AGR)
<i>Proposed Land Use Category:</i>	Low Density Residential (LDR)
<i>Planning District:</i>	District 6—North
<i>Applicant/Owner:</i>	William Mercer 1005 Pecan Park Road Jacksonville, Florida 32218
<i>Staff Recommendation:</i>	APPROVE

GENERAL INFORMATION

Application for Rezoning Ordinance **2023-0540** seeks to rezone 1.19± acres of land from Agriculture (AGR) to Residential Low Density-60 (RLD-60). The applicant seeks to rezone the property to build an additional single-family dwelling(s) on the property. The property currently has 1 single-family dwelling on the lot. The property is currently located in the Agriculture (AGR) land use category within the Suburban Development Area of the Future Land Use Element of the 2045 Comprehensive Plan. However, the applicant also has a companion Land Use Application (2023-0539) to change its current Land Use Category from Agriculture (AGR) to Low Density Residential (LDR).

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?

The 1.19-acre subject site is located near the corner of Pecan Park Road and Bainebridge Drove, a minor arterial roadway, along the northern section of Pecan Park Road. The site is in Planning District 6, and is in the Suburban Development Area. The site is currently in the AGR land use category. The applicant seeks to rezone the property from AGR to RLD-60.

The connection to water services only limits the maximum gross density to 4 units/acre and a minimum of ¼ acre lots in the LDR land use category. The applicant is aware of the limitation; the current intention is for 2 residential units on a minimum of ¼ acre lots on the site. Additionally, the applicant understands that if 3 or more residential units are developed on the site the Code of Subdivision regulations will apply requiring central water and sewer connections. The applicant is aware they must connect to JEA centralized water and sewer if developing 3 or more residential units and has provided a signed and notarized Centralized Water and Sewer Connection Binding Acknowledgement form.

According to the Category Description within the Future Land Use Element (FLUE), Agriculture (AGR) in all of the Development Areas is intended to provide agricultural uses and to preserve the existing rural character of outlying areas of the City. Most AGR lands are located in the Rural Area of the City where full urban services and facilities will not be provided by the City during the planning timeframe. Accordingly, the principal activities allowed in these categories are agriculture and related uses, such as farming, horticulture, forestry and logging, storage, processing and wholesale distribution of farm supplies and products. The maximum gross density is 1 unit/ 2.5 acres.

Low Density Residential (LDR) is a category intended to provide for low density residential development. Generally, single-family detached housing should be the predominant development typology in this category. The maximum gross density in the Suburban Area shall be 7 units/acre when centralized potable water and wastewater services are available to the site and there shall be no minimum density. The maximum

gross density shall be 2 units/acre and the minimum lot size shall be half an acre when both centralized potable water and wastewater are not available. The maximum gross density shall be 4 units/acre and the minimum lot size shall be ¼ of an acre if either one of centralized potable water or wastewater services are not available.

The applicant has submitted a JEA Availability Letter and intends to connect to JEA water but will have septic. Uses permitted within the RLD-60 zoning district are consistent with the LDR land use category.

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

Yes. The proposed rezoning is consistent with the listed objectives, policies and goals of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan. Low Density Residential (LDR) in the Suburban Area is intended to provide for low-density residential development. Single-family dwellings are a principal use in the LDR land use category. The maximum allowable density for the LDR land use category is seven (7) units/acre when full urban services are available.

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.

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.

Objective 1.6 The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

Property Rights Element (PRE):

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

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, once the applicant’s Companion Land Use Application is approved from AGR to LDR. The applicant seeks to rezone the property from AGR to RLD-60.

SURROUNDING LAND USE AND ZONING

The subject property is located near the corner of Pecan Park Road and Bainebridge Drove, a minor arterial roadway, along the northern section of Pecan Park Road. The surrounding area is developed with single-family dwellings, vacant residential properties, and timber uses. The surrounding neighborhood is developed with single-family dwellings on parcels with 60 feet lot widths, and 6,000 square feet lot areas up to ½ acre size lots. The surrounding Land Use Categories and Zoning Districts are as followed:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LDR	PUD	Single Family Dwellings
East	AGR; LDR	AGR; PUD	Vacant Residential; Timber;
South	PBF	PUD	Vacant Governmental
West	LDR	PUD	Single Family Dwellings

It is the opinion of the Planning and Development Department that the recommended rezoning to RLD-60 would be consistent and compatible with the surrounding uses as the PUD to the west contains single-family homes pertaining to the RLD-60s specifications, such as lot width, lot area, and setbacks.

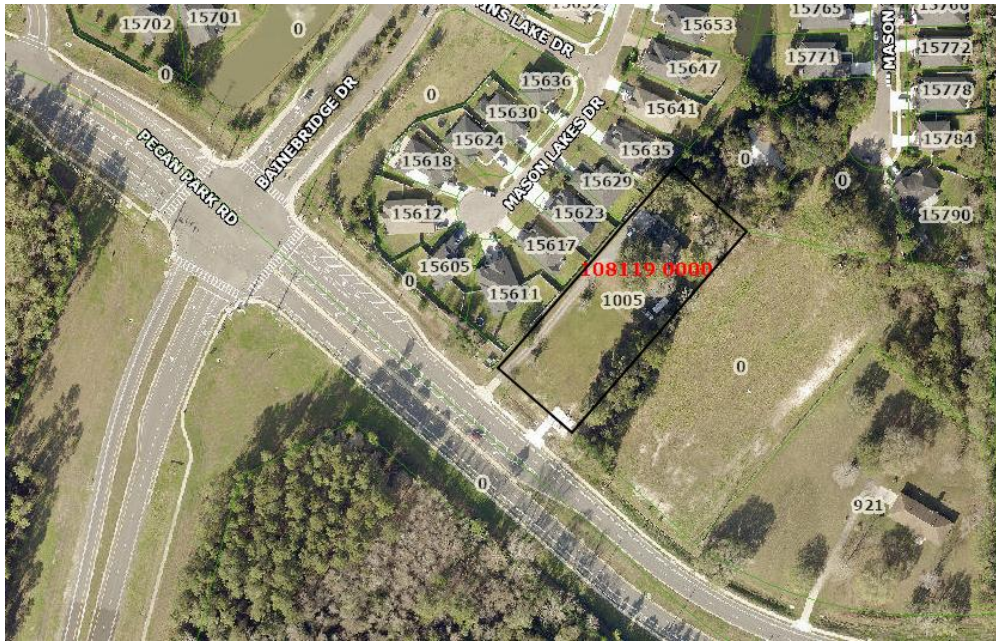
SUPPLEMENTARY INFORMATION

The applicant provided proof of posting on August 22, 2023 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 **2023-0540** be **APPROVED**.



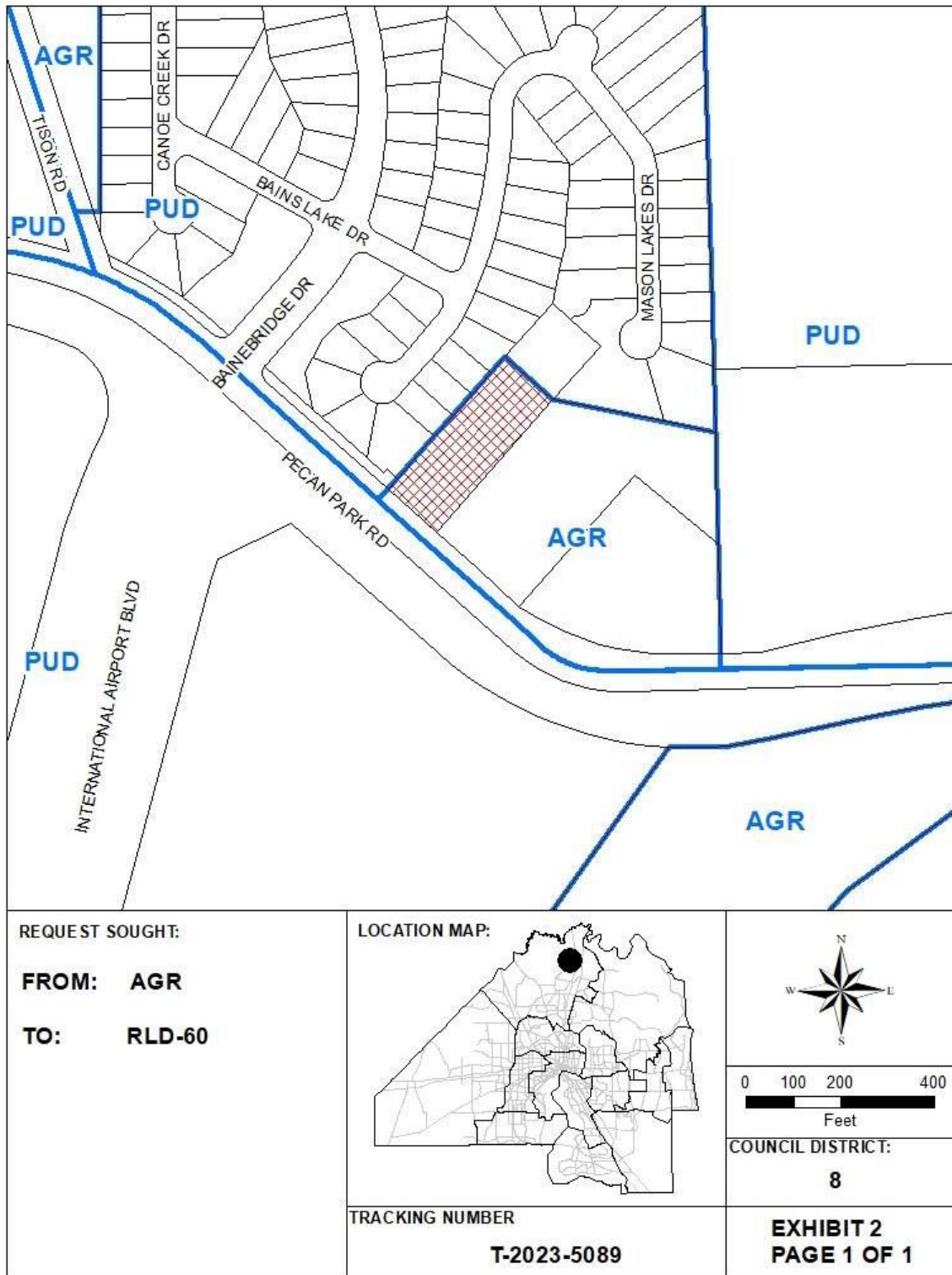
Aerial Photo

Source: JaxGIS, 9/6/2023



View of the Subject Site

Source: Planning & Development Department, 9/6/2023



Legal Map

Source: Planning & Development Department, 9/6/2023