



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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Jacksonville.gov

October 17, 2024

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.: 2024-760**

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: **5-0**

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

Ali Marar

Absent

Jack Meeks

Absent

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 TO

APPLICATION FOR REZONING ORDINANCE 2024-0760

OCTOBER 17, 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 **2024-0760**.

Location: 3707 Newcomb Road

Real Estate Number: 019488-0000

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

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

Current Land Use Category: Rural Residential (RR)

Proposed Land Use Category: Medium Density Residential (MDR)

Planning District: District 6 – North

Council District: District 8

Applicant/Agent: Brian Small
Bird Dog
3948 3rd Street South, 116
Jacksonville, FL 32250

Owner: William Leslie Howell and Minnie Lou Howell
(Life Estate)
3707 Newcomb Road
Jacksonville, FL 32218

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2024-0760** seeks to rezone approximately 5.24± acres of land from Residential Rural-Acre (RR-Acre) to Residential Medium Density-A (RMD-A). The request to rezone the property is to develop the property with 64 townhome units. According to Transportation Planning, the 64 townhomes are expected to generate 431 daily trips. The property is currently located in the Rural Residential (RR) land use category within the Suburban Area of the Future Land Use Element of the 2045 Comprehensive Plan. There is a companion Land Use

Amendment, 2024-0759 (L-5978-24C). The proposed LUA is for a small-scale land-use amendment from Rural Residential (RR) to Medium Density Residential (MDR).

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 5.24-acre parcel is located on the north side of Newcomb Road (a local roadway) which has access to Lem Turner Road, a minor arterial roadway. The site is currently developed with two single-family dwellings.

The applicant is proposing a rezoning from Residential Rural-Acre (RR-Acre) to Residential Medium Density-A (RMD-A) to allow for an increase in residential density. The applicant has also proposed a companion land use amendment from Rural Residential (RR) to Medium Density Residential (MDR), which is pending concurrently with this application, pursuant to 2024-759.

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 maximum gross density in the Suburban Area shall be 20 units/acre and the minimum gross density shall be greater than 7 units/acre. 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?***

This proposed rezoning is consistent with the 2045 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

Future Land Use Element

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.

The proposed rezoning to RMD-A will continue to ensure a consistent character of the surrounding area, which is dominantly residential.

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 residents. 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 Comprehensive Plan and Land Development Regulations.

The subject property is requesting to rezone to RMD-A. As there is an adjacent RMD-A zoning district, which is primarily single-family homes, this location, if approved, would further the character of providing housing for this area of Jacksonville that follow the Comprehensive Plan and Land Development Regulations.

Airport Environment Zone

The site is located within the 150-foot Height and Hazard Zone for the Jacksonville International Airport. Zoning will limit development to a maximum height of 150', 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).

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low, medium, and high 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.

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 RR-Acre to RMD-A in order to develop the property with townhomes.

SURROUNDING LAND USE AND ZONING

The subject site is located on the north side of Newcomb Road, a public road. The north side of Newcomb Road is zoned with a few different zoning districts and a few different land use categories, either for residential or recreational purposes. The uses are primarily single-family dwellings and recreation vehicle campgrounds. North, east, and west of the subject property are developed with single-family dwellings on mostly one acre of land, while the south and west are being used as an RV campground. The property directly to the east, 3653 Newcomb Road, was rezoned to RMD-A in July 2024 under Ordinance Number 2024-0409. With the adjacent RMD-A zoning districts to the east, the Planning and Development Department finds that the requested rezoning to RMD-A will be consistent and compatible with the surrounding uses.

The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	RR	RR-Acre	Single Family Dwellings
South	ROS	ROS	Camp Ground
East	MDR	RMD-A	Vacant
West	ROS	ROS	Campground

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **October 2, 2024**, by the Planning and Development Department, the required Notice of Public Hearing signs **were not** posted. On October 3, 2024, the applicant sent an affidavit and the following photo as evidence of the sign being posted:



RECOMMENDATION

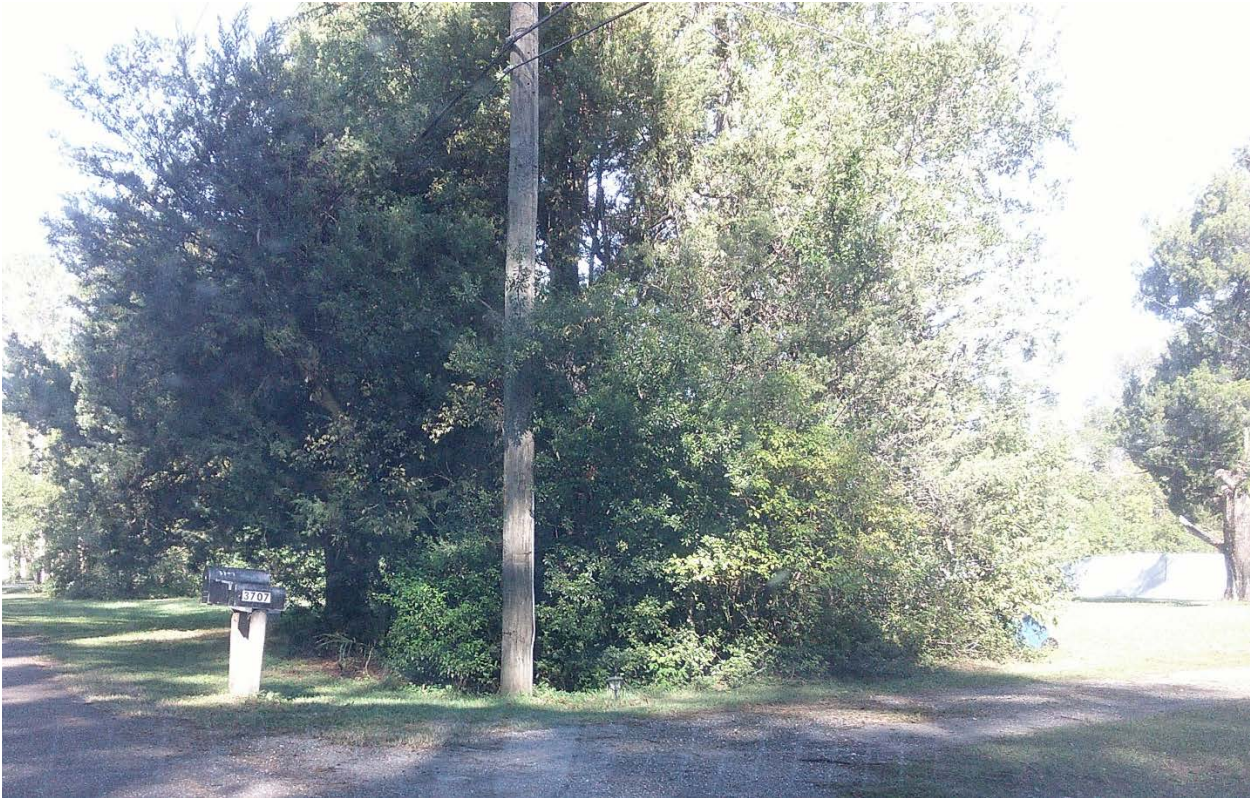
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2024-0760** be **APPROVED**.



View of subject property



View of subject property



View of subject property



View of adjacent property recently rezoned from RR-Acre to RMD-A



View of property opposite of subject site



Aerial view of subject property