

# City of Jacksonville, Florida

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*Lenny Curry, Mayor*

City Hall at St. James  
117 W. Duval St.  
Jacksonville, FL 32202  
(904) 630-CITY  
www.coj.net

May 5, 2022

The Honorable Samuel Newby, President  
The Honorable Rory Diamond, LUZ Chair  
And Members of the City Council  
City Hall  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report  
Ordinance No.: 2022-243**

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairperson Diamond 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**

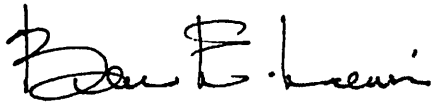
Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were no speakers in opposition. The Commissioners questioned whether there was another method to allow agriculture uses without a land use amendment and rezoning. Otherwise there was little discussion among the Commissioners.

Planning Commission Vote:	6-0
David Hacker, Chair	Aye
Alex Moldovan, Vice Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Jordan Elsbury	Absent
Joshua Garrison	Aye
Jason Porter	Absent

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

Sincerely,

A handwritten signature in black 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  
214 North Hogan Street, Suite 300  
Jacksonville, FL 32202  
(904) 255-7820  
blewis@coj.net

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FO**

**APPLICATION FOR REZONING ORDINANCE 2022-0243**

**MAY 5, 2022**

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 2022-0243.

***Location:*** 13985 Webb Road

***Real Estate Number:*** 106283-0100

***Current Zoning District:*** Rural Residential-Acre (RR-Acre)  
Planned Unit Development (2007-1007)

***Proposed Zoning District:*** Agriculture (AGR)

***Current Land Use Category:*** Low Density Residential (LDR)

***Proposed Land Use Category:*** Agriculture-IV (AGR-IV)

***Planning District:*** North, District 6

***Applicant/Owner:*** Cyndy Trimmer, Esq.  
Driver, McAfee, Hawthorne and Diebenow, PLLC  
1 Independent Drive, Suite 1200  
Jacksonville, FL 32202

***Owner:*** Lyle Shiferdek, JR.  
13985 Webb Road  
Jacksonville, FL 32218

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application for Rezoning Ordinance 2022-0243 seeks to rezone approximately 29.39± acres of property from Rural Residential-Acre (RR-Acre)/ Planned Unit Development (Ord. #2007-1007) to Agriculture (AGR) to allow for a cow pasture. The Planning and Development Department finds that the subject property is located in the Low Density Residential (LDR) 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 2030 Comprehensive Plan. There is a companion Land Use Amendment, 2022-0242 (L-5675-22C). The proposed LUA is for Low Density Residential (LDR) to Agriculture-IV (AGR-IV).

## **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. The Planning and Development Department finds that the subject property is located in the Low Density Residential (LDR) 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 2030 Comprehensive Plan. However, there is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series L-5675-22C (Ordinance 2022-0242) that seeks to amend the portion of the site that is within the Low Density Residential (LDR) land use category to Agriculture-IV (AGR-IV). Staff is recommending that Application for Land Use Amendment be approved.

Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code.

***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. LDR land use in the Suburban Development Area is intended to provide for low-density residential development. Principal uses in the LDR land use category in the Suburban Development Area include single-family and multi-family dwellings. According to the Future Land Use Element (FLUE), Agriculture (AGR) 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. AGR-IV allows one unit for every 2.5 acres.

The subject site is located on Webb Road within the Suburban Development Area, and is served by public water per the City of Jacksonville infrastructure Map. According to the map, there is a 6-inch water main within the Webb Road right-of-way adjacent to the application site. There is currently no sewer lines on this portion of Webb Road. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element. A JEA availability letter was not provided, due to the application proposal. JEA water and sewer is not necessary for an animal pasture.

The proposed zoning is consistent with the proposed land use change to AGR-IV.

### **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.

*Residential dwellings, solar farm, and vacant timberland surround the subject property. Approval of the request would allow for the use of a cow pasture, which is a downzoning, as compared to what could be developed currently on the property. The rezoning is being in compliance with Goal 1 by minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.*

#### **Archaeological**

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.

#### **Policy 1.2.6**

The Planning and Development Department shall maintain and update for planning and permitting purposes, a U.S.G.S. series of topographic maps upon which recorded archaeological sites are shown.

#### **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).

**Objective 2.5**

Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

**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/PUD to AGR to allow for a cow pasture use.

**SURROUNDING LAND USE AND ZONING**

The subject site is located on the north end of Webb Road, a local roadway, which dead-ends to properties 13985 & 13990 Webb Road. The subject property is split zoned between Residential-Rural-Acre and Planned Unit Development Ord. #2007-1007, which allowed for single-family dwellings and a solar farm. Properties to the south and east are zoned Residential Rural-Acre with single-family dwellings to the south and acres of vacant timberland to the east. North Creek Subdivision, located west of the subject property, approved through PUD Ord. #2007-0081 is developed with single-family dwellings. The request would be a down zoning and if approved would allow for a cow pasture. The adjacent land use categories and zoning districts are as follows:

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use</b>
<b>North</b>	LDR	PUD: 2007-1007	Solar Panel Farm
<b>South</b>	LDR	RR-Acre	Single Family Dwellings
<b>East</b>	LDR	RR-Acre	Vacant/Timberland
<b>West</b>	LDR	PUD: 2007-1007	Pasture/Land

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

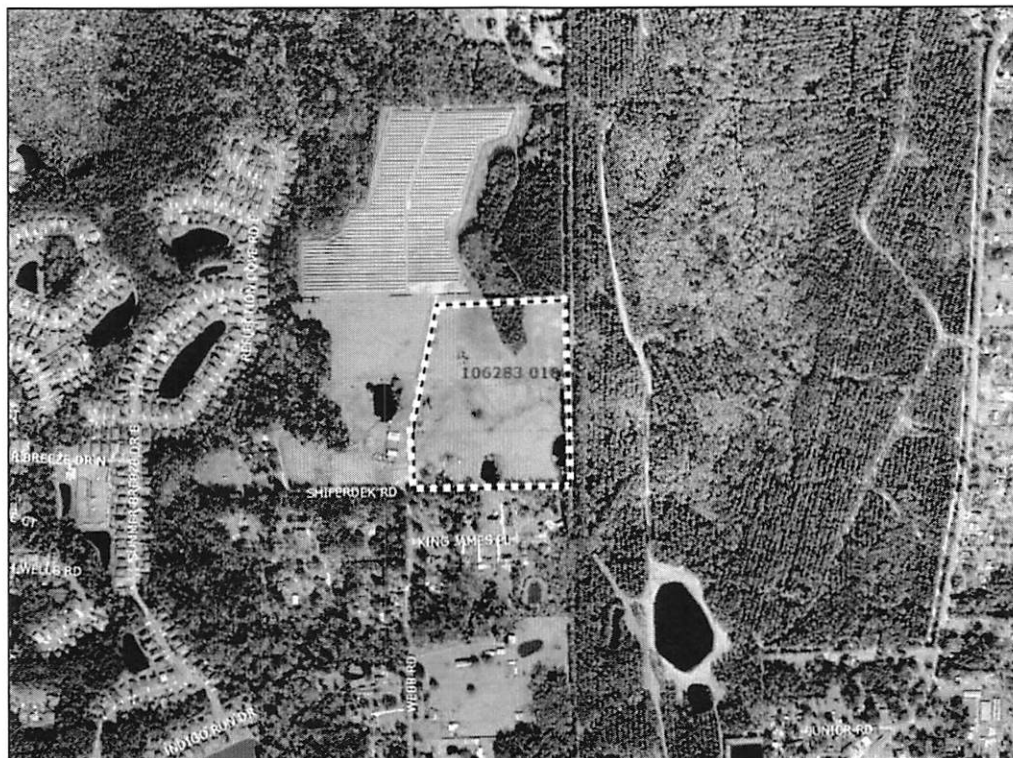
**SUPPLEMENTARY INFORMATION**

The applicant, provided photo evidence to the Planning and Development Department, on **March 22, 2022**, proof that the Notice of Public Hearing sign **was** posted.



**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2022-0243** be **APPROVED**.



**Aerial View**

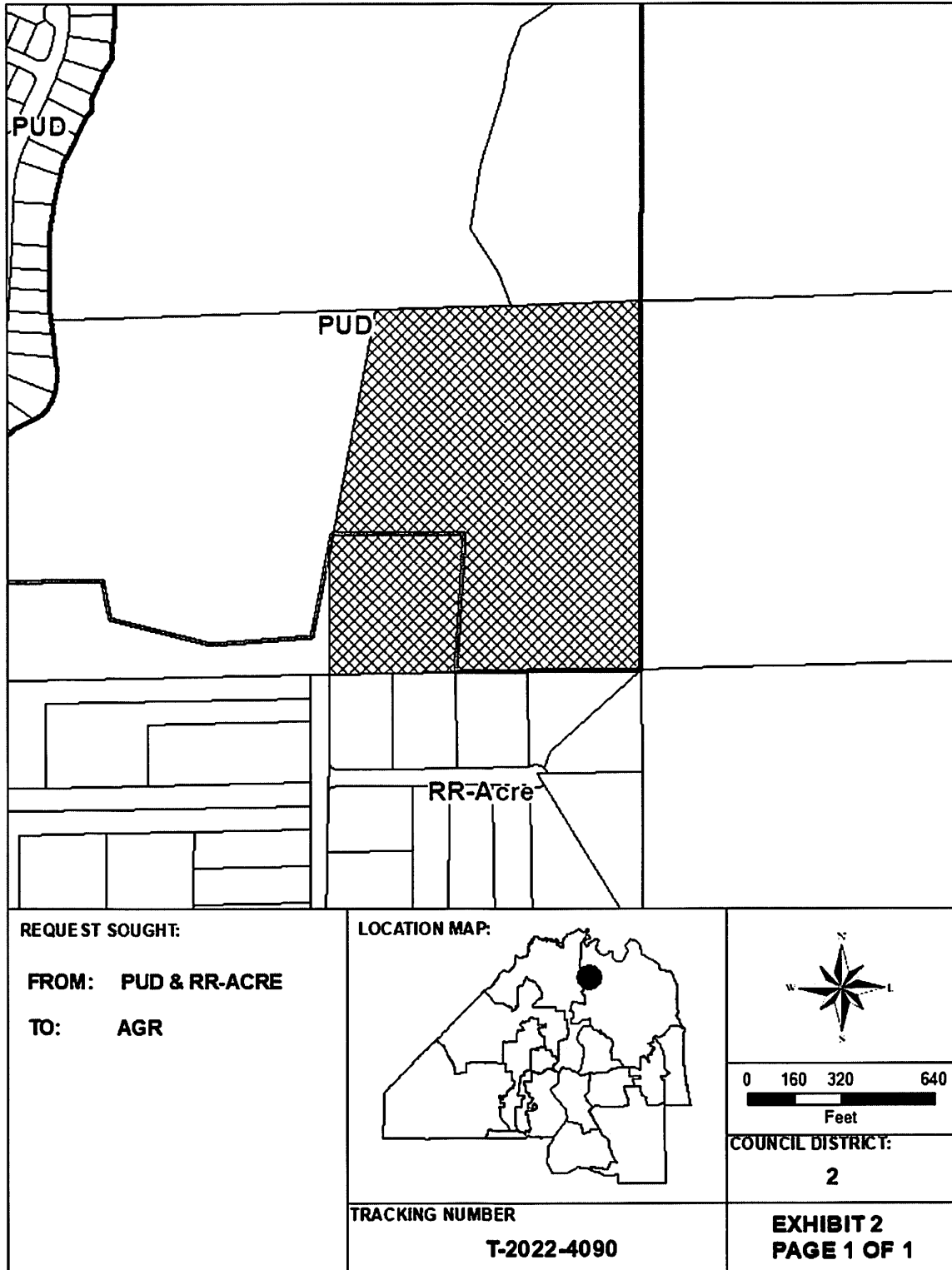
**Source: JaxGIS Map**



View of Subject Property

Source: JaxGIS Map





**Legal Map**  
Source: JaxGIS Map

**Application For Rezoning To Conventional Zoning District**

**Planning and Development Department Info**

Ordinance # 2022-0243 Staff Sign-Off/Date ELA / 03/18/2022  
 Filing Date 04/12/2022 Number of Signs to Post 1  
 Hearing Dates:  
 1st City Council 05/10/2022 Planning Commission 05/05/2022  
 Land Use & Zoning 05/17/2022 2nd City Council 05/24/2022  
 Neighborhood Association THE EDEN GROUP INC., M & M DAIRY INC  
 Neighborhood Action Plan/Corridor Study N/A

**Application Info**

Tracking # 4090 Application Status FILED COMPLETE  
 Date Started 02/16/2022 Date Submitted 02/16/2022

**General Information On Applicant**

Last Name First Name Middle Name  
 TRIMMER CYNDY  
 Company Name  
 DRIVER, MCAFEE, HAWTHORNE AND DIEBENOW, PLLC  
 Mailing Address  
 1 INDEPENDENT DRIVE, SUITE 1200  
 City State Zip Code  
 JACKSONVILLE FL 32202  
 Phone Fax Email  
 9048070185 904 CKT@DRIVERMCAFEE.COM

**General Information On Owner(s)**

Check to fill first Owner with Applicant Info

Last Name First Name Middle Name  
 SHIFERDEK, JR. LYLE E.  
 Company/Trust Name  
 Mailing Address  
 13985 WEBB ROAD  
 City State Zip Code  
 JACKSONVILLE FL 32218  
 Phone Fax Email

**Property Information**

Previous Zoning Application Filed For Site?   
 If Yes, State Application No(s) 2007-1007

Map RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map 106283 0100	2	6	PUD,RR-ACRE	AGR

Ensure that RE# is a 10 digit number with a space (##### #)

Existing Land Use Category  
 LDR

Land Use Category Proposed?  
 If Yes, State Land Use Application #  
 5675

Total Land Area (Nearest 1/100th of an Acre) 29.39

**Justification For Rezoning Application**

APPLICANT SEEKS THIS REZONING TO ALLOW FOR COW PASTURE USE.

**Location Of Property**

**General Location**

NORTH OF SHIFERDEK ROAD AND WEST OF STARRATT ROAD

<b>House #</b>	<b>Street Name, Type and Direction</b>	<b>Zip Code</b>
13985	WEBB RD	32218

**Between Streets**  
SHIFERDEK ROAD and STARRATT ROAD

**Required Attachments For Formal, Complete application**

The following items must be attached to each application in the order prescribed below. All pages of the application must be on 8½" X 11" paper with provision for page numbering by the staff as prescribed in the application instructions manual. Please check each item below for inclusion of information required.

**Exhibit 1** A very clear, accurate and legible legal description of the property on the form provided with application package (Exhibit 1). The legal description (which may be either lot and block or metes and bounds) should not be a faint or distorted copy that is difficult to read or duplicate.

**Exhibit A** Property Ownership Affidavit - Notarized Letter(s).

**Exhibit B** Agent Authorization - Notarized letter(s) designating the agent.

**Supplemental Information**

Supplemental Information items are submitted separately and not part of the formal application

- One copy of the Deeds to indicate proof of property ownership.

**Public Hearings And Posting Of Signs**

No application will be accepted until all the requested information has been supplied and the required fee has been paid. Acceptance of a completed application does not guarantee its approval by the City Council. The applicant will be notified of public hearing dates on this application upon the filing of the application. The applicant or authorized agent **MUST BE PRESENT** at the public hearings. The required SIGN(S) must be **POSTED** on the property **BY THE APPLICANT** within 5 days after the filing of an application. The sign(s) may be removed only after final action of the Council and must be removed within 10 days of such action.

The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper **AT LEAST 14 DAYS IN ADVANCE OF THE PUBLIC HEARING.** (The Daily Record - 10 North Newnan Street, Jacksonville, FL 32202 • (904) 356-2466 • Fax (904) 353-2628) Advertising costs are payable by the applicant directly to the newspaper and the applicant must furnish **PROOF OF PUBLICATION** to the Planning and Development Department, 214 North Hogan Street, Ed Ball Building, Suite 300, Jacksonville, Florida, 32202, prior to the public hearing.

**Application Certification**

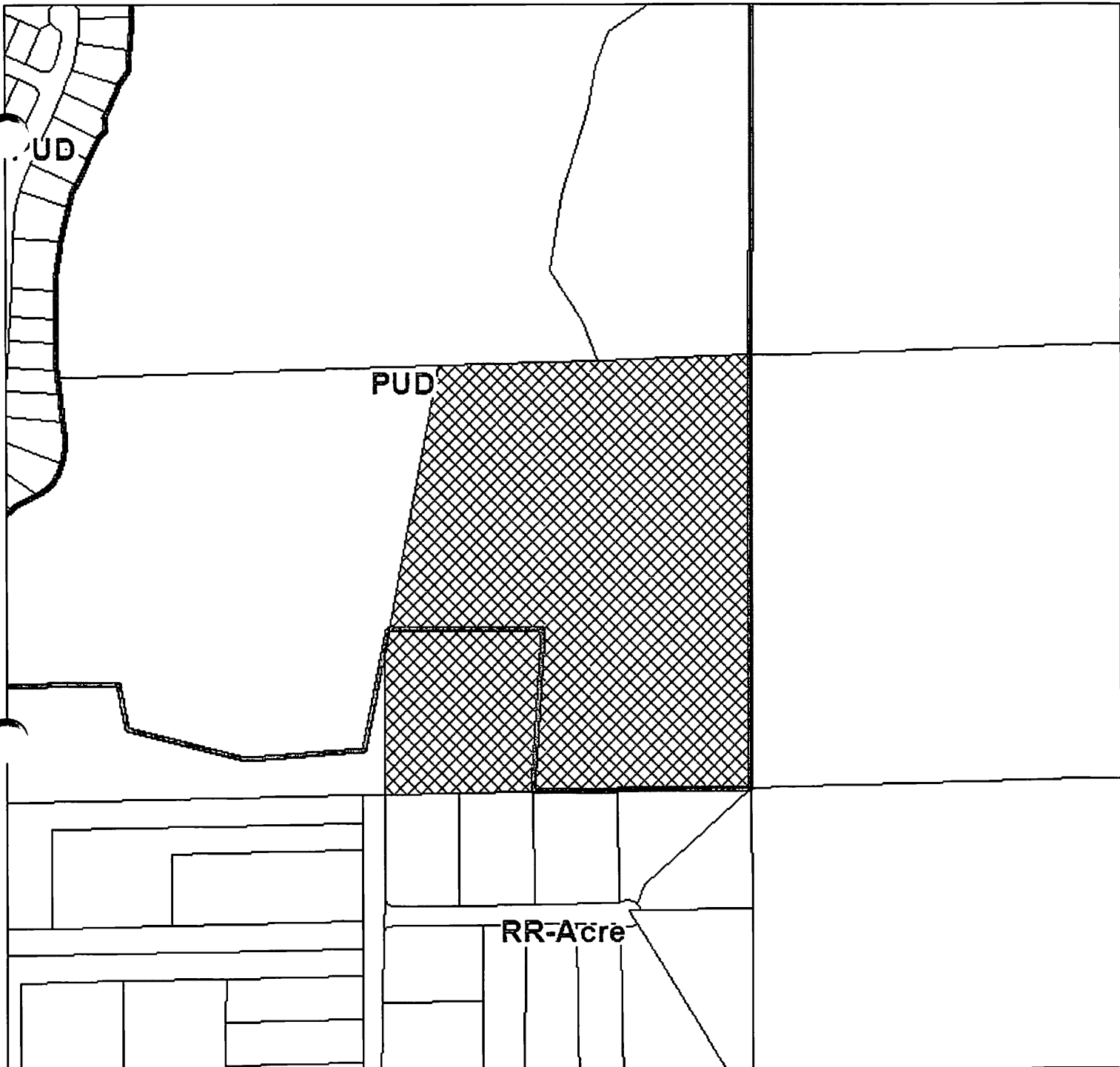
I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest by my signature that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information.

Agreed to and submitted

**Filing Fee Information**

- 1) Rezoning Application's General Base Fee: \$2,000.00
- 2) Plus Cost Per Acre or Portion Thereof  
29.39 Acres @ \$10.00 /acre: \$300.00
- 3) Plus Notification Costs Per Addressee  
13 Notifications @ \$7.00 /each: \$91.00
- 4) Total Rezoning Application Cost: \$2,391.00

**NOTE: Advertising Costs To Be Billed to Owner/Agent**

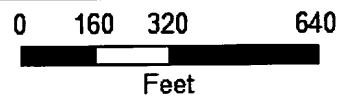
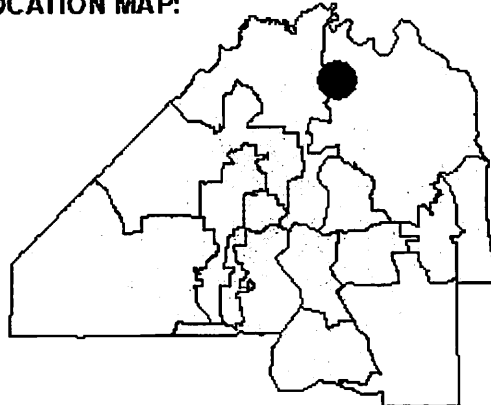


**REQUEST SOUGHT:**

**FROM: PUD & RR-ACRE**

**TO: AGR**

**LOCATION MAP:**



**COUNCIL DISTRICT:**

**2**

**TRACKING NUMBER**

**T-2022-4090**

**EXHIBIT 2  
PAGE 1 OF 1**