

City of Jacksonville, Florida

Lenny Curry, Mayor

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

June 8, 2023

The Honorable Terrance Freeman, 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.: 2023-299**

Dear Honorable Council President Freeman, 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

Alex Moldovan, Chair Aye

Ian Brown, Vice Chair Aye

Jason Porter, Secretary Aye

Marshall Adkison Aye

Daniel Blanchard Aye

Jordan Elsbury Aye

David Hacker 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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Jacksonville, FL 32202
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2023-0299

June 8, 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 **2023-0299**.

Location: 4622 Shelby Avenue

Real Estate Number: 069098-0000

Current Zoning District: Residential Low Density-60 (RLD-60)

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

Current Land Use Category: Residential-Professional-Institutional (RPI)

Planning District: Southwest, District 4

Applicant: Jacqueline Conn
1660 Blanding Boulevard
Jacksonville, FL 32210

Owner: Ulysses Findley
1660 Blanding Boulevard LLC
1660 Blanding Boulevard
Jacksonville, FL 32210

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2023-0299** seeks to rezone approximately 0.26± acres of a property from Residential Low Density-60 (RLD-60) to Residential Medium Density-D (RMD-D) in order to develop the lot with four units. The property is located in the Residential-Professional-Institutional (RPI) land use category within the Urban Area of the Future Land Use Element of the 2045 Comprehensive Plan. RMD-D is a primary zoning district within the RPI Land Use category. The property is currently vacant but appeared to have a dwelling prior to 2013.

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 Planning and Development Department finds that the subject property is located in the Residential-Professional-Institutional (RPI) 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.

The RPI land use category within the Urban Development Area permits mostly low to medium density residential, with a maximum gross density of 30 units/acre, and professional office use. Generally, multi-family dwellings, office, institutional, commercial retail sales and service establishments are permitted in appropriate locations. Plan amendment requests for RPI 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. In the RPI land use category, single use developments are limited to residential or office uses.

Therefore, the proposed zoning change from RLD-60 to RMD-D to allow 4 dwelling units is consistent with the allowable density of residential uses within the RPI land use category in the Urban Development Area.

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.

Future Land Use Element

Goal 3

To achieve a well-balanced and organized combination of residential, non-residential, recreational, and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

The subject property is primarily surrounded by Single Family Dwellings and if approved the proposed residential development would allow for a four-unit Multi Family Dwelling. The proposed construction of the new units will protect and preserve the character of the surrounding neighborhood by creating a combination of different residential uses.

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.

As stated above, the proposed multi-family dwelling will provide a variety of residential uses to the area and still be beneficial to the community.

The proposed rezoning has been identified as being related to the following issues identified in the 2045 Comprehensive Plan. Based on this relationship, the rezoning application should be carefully evaluated for consistency or inconsistency with the following issues and related goals, objectives and/or policies:

Airport Environment Zone

The site is located within the 300-foot Height and Hazard Zone for the Naval Air Station Jacksonville (NAS JAX) and 500-foot Height and Hazard Zone for the Herlong Recreational Airport. Zoning will limit development to a maximum height of less than 300 and 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 the 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.

Septic Tank Failure Area

The property is located in an identified septic tank failure area. The City shall continue the effort to phase out septic tanks in defined failure areas in order to comply with Chapter 751, Jacksonville Ordinance Code. See policies of the Infrastructure Element below:

Policy 1.2.4

Existing septic tanks for estimated wastewater flows of 600 or less gallons per day (gpd) shall connect to the collection system of a regional utility company provided that gravity service is available via a facility within a right-of-way or easement, which abuts the property.

Policy 1.2.5

Existing septic tanks for estimated wastewater flows exceeding 600 gallons per day (gpd) shall connect to the collection system of a regional utility company provided that a facility abuts or is within 50 feet of the property.

Policy 1.2.8

The City shall continue the effort to phase out septic tanks in defined failure areas in conformance with Chapter 751, Ordinance Code (Wastewater System Improvement Program).

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 RLD-60 to RMD-D in order to permit the development of a two-story/four-unit dwelling.

SURROUNDING LAND USE AND ZONING

The subject site is located along Shelby Avenue, an unclassified roadway and between Blanding Boulevard and Harkisheimer Avenue. The subject property is surrounded by single family dwellings, with a multi-family dwelling to the south and Commercial properties to the east. Properties to the north and west of the subject property are primarily zoned RLD-60. The property to the east of the subject property is zoned CRO with commercial use. This rezoning request would not be creating a lot out of character for the neighborhood due to surrounding area having a variety of uses already. The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	RLD-60	Single Family Dwellings
South	RPI	CRO	Single and Multi-Family Dwellings
East	RPI	CRO	Medical Office
West	LDR	RLD-60	Single Family Dwellings

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

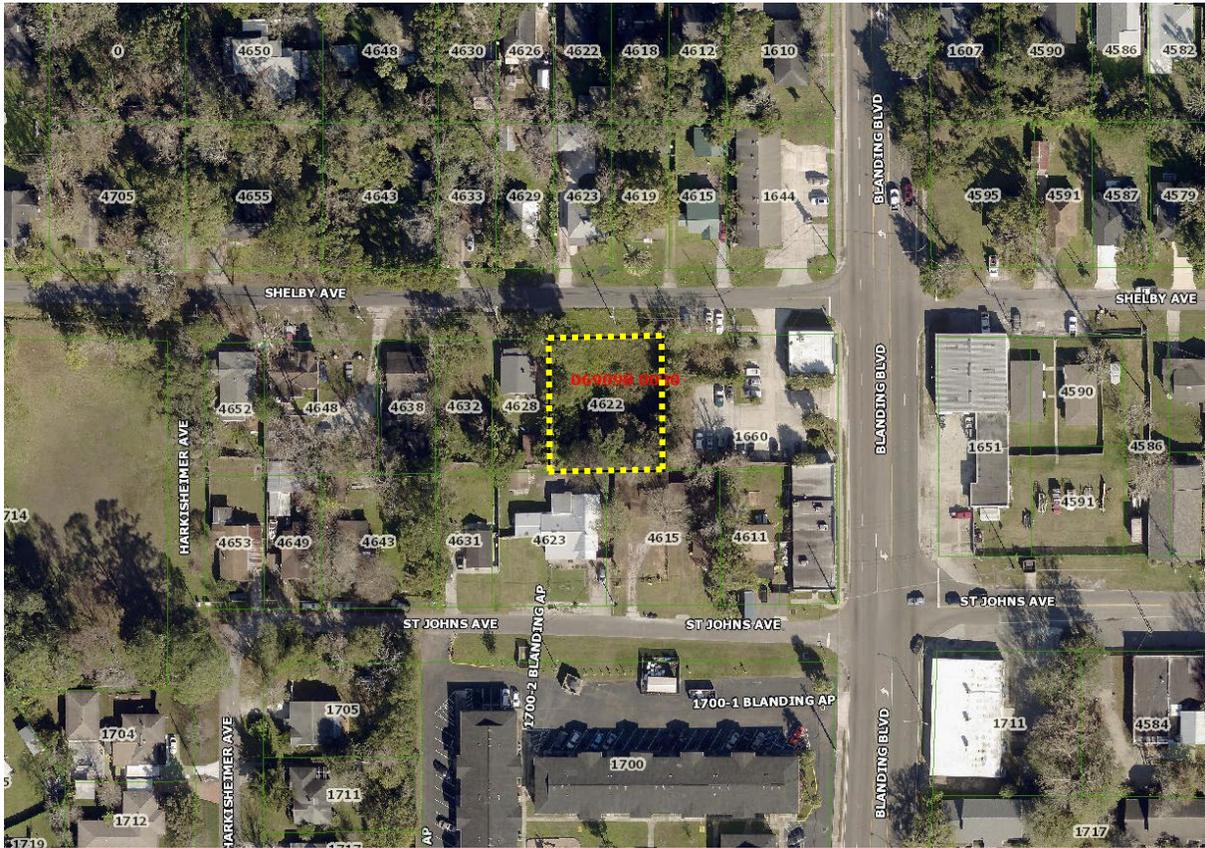
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **May 22, 2023**, by the Planning and Development Department, the required Notice of Public Hearing sign **was** posted.



RECOMMENDATION

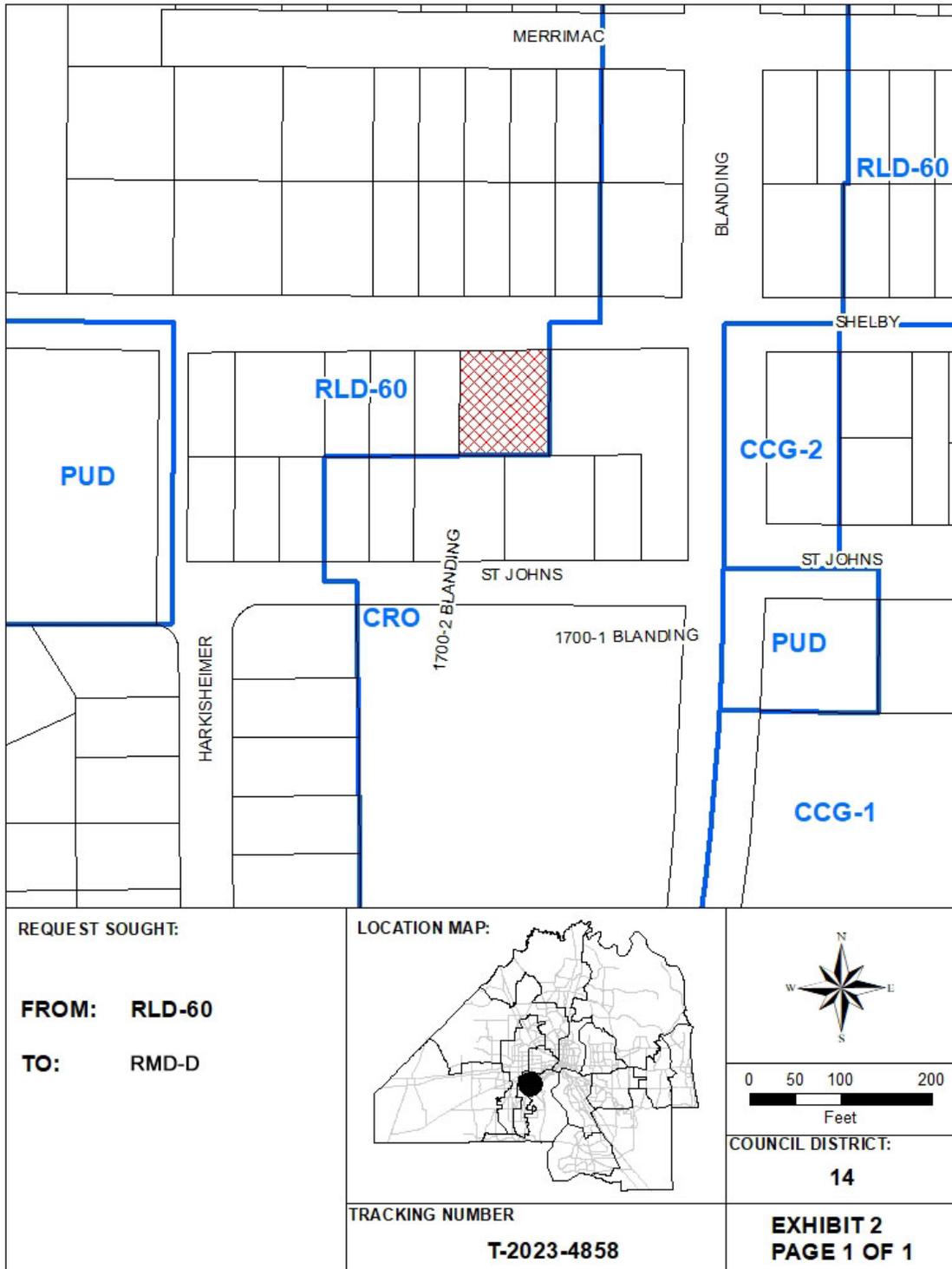
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2023-0299** be **APPROVED**.



Aerial View



View of Subject Property



Legal Map
 Source: JaxGIS Map