

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 32202
(904) 630-CITY
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May 4, 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.: 2023-228**

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: 7-0

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

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
(904) 255-7820
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2023-0228

MAY 4, 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 **2023-0228**.

<i>Location</i>	15719 Yellow Bluff Road, between Yellow Bluff Road and Lake Road
<i>Real Estate Number(s):</i>	106154 0020; 106154 0030; 106151 0000; 106151 0011; 106151 0035; 106151 0018; 106151 0015; 106151 0080; 106151 0012 106151 0016; 106151 0025; 106151 0013; 106151 0022; 106151 0014; 106151 0061
<i>Current Zoning District:</i>	Residential Rural-Acre (RR-Acre)
<i>Proposed Zoning District:</i>	Residential Low Density-100A (RLD-100A)
<i>Current Land Use Category:</i>	Rural Residential (RR)
<i>Proposed Land Use Category:</i>	Low Density Residential (LDR)
<i>Planning District:</i>	6 –North
<i>Owner:</i>	Donaldson Investments, LLC 1500 Jake Road Jacksonville, FL 32226
<i>Agent:</i>	Cyndy Trimmer, Esq. Driver, McAfee, Hawthorne and Diebenow, PLLC 1 Independent Drive, Suite 1200 Jacksonville, FL 32202
<i>Staff Recommendation:</i>	APPROVE

GENERAL INFORMATION

Application for Rezoning Ordinance **2023-0228** seeks to rezone approximately 47± acres of land from Rural Residential-Acre (RR-Acre) to Residential Low Density-100A (RLD-100A). There is a companion small-scale Land Use Amendment, seeking to amend the existing land use from Rural Residential (RR) to Low Density Residential (LDR) under Ordinance **2023-0227/L-5799-23C**.

The subject property currently consists of 17 lots, and is developed with mobile homes. The applicant is seeking the rezoning to modify the existing mobile home sites to half acre lots in conjunction with the requested LDR land use category.

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 district consistent with the functional land use category identified in the 2045 Comprehensive Plan?*

Yes. In accordance with Section 656.129 *Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code*, the Planning and Development Department finds that with the approval of the companion small-scale Land Use Amendment (**2023-0227/L-5799-23C**) the subject property will be located in the LDR functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2045 Comprehensive Plan. According to the Future Land Use Element (FLUE), Low Density Residential (LDR) in the Suburban Development Area is intended to provide for low density residential development. Principal uses include single family and multi-family dwellings. The maximum gross density in the Suburban Development Area shall be 7 units/acre when centralized water and sewer are available. JEA does not have a sewer main available within ¼ mile of this property. The maximum gross density shall be 2 units per acre and the minimum lot size shall be 1/2 of an acre when both centralized potable water and wastewater services are not available. According to the amendment application the applicant will be utilizing well and septic. However, development should connect to JEA water pursuant to the Infrastructure Element policies below.

The proposed amendment was filed as an amendment to the 2030 Comprehensive Plan, staff finds that the review of the amendment under the 2045 Comprehensive Plan would result in the same conclusion.

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

Yes. The proposed rezoning is consistent with the following Goals, Objectives, and Policies of the 2045 Comprehensive Plan, Future Land Use Element:

Objective 1.1
 Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

Though the request is a decrease in lot size requirement from one acre to a half-acre, the increase in density within the LDR land use category is appropriate for the Development Area and compatible with the surrounding properties.

Policy 1.1.10
 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

The proposed decreased lot size, to a half-acre, is consistent with the above policy, and provides a gradual transition of density in the area.

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 will meet the requirements of the RLD-100A zoning district as set forth in the Zoning Code.

SURROUNDING LAND USE AND ZONING

The subject property is located on the eastern side of Yellow Bluff Road and is a mobile home community along Ed Johnson Drive and Jake Road. The site is located in the Rural Area Development Boundary. The proposed RLD-100A zoning district permits development well suited to the contiguous residential development density as a transitional density. The area along Yellow Bluff Road is largely residential in nature and the predominant zoning district found is RR-Acre, however there are multiple lots within the area that are substandard to the RR-Acre zoning district standards. Surrounding land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	MU	RR-Acre	Vacant
East	RR	RR-Acre	Mobile Homes
South	RR	RR-Acre	Mobile Homes
West	RR	RR-Acre	Mobile Homes

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on April 26, 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 2023-0228 be **APPROVED**.



Source: Planning & Development Department, 04/27/2023

Aerial view of the subject property.



Source: Planning & Development Department, 04/26/2023

View of subject property from Ed Johnson Drive.



Source: Planning & Development Department, 04/26/2023

View of subject property from Ed Johnson Drive.



Source: Planning & Development Department, 04/26/2023

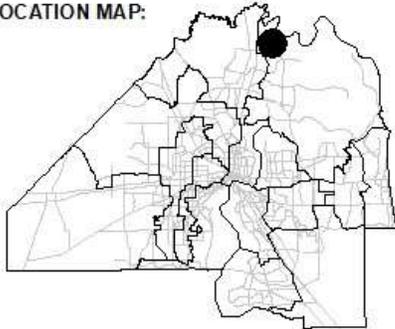
View of subject property from Ed Johnson Drive.



Source: Planning & Development Department, 04/26/2023

View of subject property from Ed Johnson Drive.



<p>REQUEST SOUGHT:</p> <p>FROM: RR-ACRE</p> <p>TO: RLD-100A</p>	<p>LOCATION MAP:</p> 	 <p>0 200 400 800 Feet</p>
<p>ORDINANCE NUMBER ORD-2023-0228</p>	<p>TRACKING NUMBER T-2023-4738</p>	<p>COUNCIL DISTRICT: 2</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>