

# City of Jacksonville, Florida

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*Donna Deegan, Mayor*

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

July 20, 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.: 2023-366**

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 was one speaker in opposition who indicated there is already increased traffic on Monroe Smith Road and the roads should be improved before development. The Commissioners felt the area already has the density of the proposed zoning district.

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

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

Sincerely,



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  
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**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2023-0366**

**July 20, 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 **2023-0366**.

***Location:*** 5726, 5735, 5749 Monroe Smith Road

***Real Estate Number:*** 015341-0000; 015254-0100; 015255-0000

***Current Zoning District:*** Residential Rural-Acre (RR-Acre) and Residential Medium Density-MH (RMD-MH)

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

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

***Planning District:*** Southwest, District 4

***Applicant:*** Billy Gause  
BGRP Engineering Group  
654 SE FT Island Trail  
Crystal River, Florida 34429

***Owner:*** Obadiah Dorsey  
Freedom Development Group LLC  
1980 Greenwood Avenue  
Jacksonville, Florida 32205

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

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2023-0366** seeks to rezone approximately 12.61± acres of a property from Rural Residential-Acre (RR-Acre) and Residential Medium Density-MH (RMD-MH) to Residential Medium Density-A (RMD-A). The property is located in the Low Density Residential (LDR) and Medium Density Residential (MDR) land use categories within the Suburban Area of the Future Land Use Element of the 2045 Comprehensive Plan. Both Zoning district properties currently have mobile homes. The RMD-MH property has two mobile homes, while the RR-Acre property has one mobile home. This development pattern is consistent with the surrounding neighborhoods in the area.

## **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 2030 Comprehensive Plan?***

Yes. The subject site consisting of 3 parcels with a total of 12.61 acres is located at 5735 Monroe Smith Road and has road frontage on Chirping Way and Monroe Smith Road. According to the City's Functional Highways Classification Map both roads are unclassified. The site is also located in the Low Density Residential (LDR) and Medium Density Residential (MDR) land use categories, Planning District 4, Council District 12, and in the Suburban Development Area. The applicant seeks to rezone the property from Residential Rural-Acre (RR-Acre) and Residential Medium Density-Mobile Home (RMD-MH) to Residential Low Density-A (RMD-A).

According to the Category Descriptions of the Future Land Use Element (FLUE), Low Density Residential (LDR) in the Suburban Development Area is intended to provide for low-density residential development. Generally, single-family detached housing should be the predominant development typology in this category. Mixed use developments utilizing the Traditional Neighborhood Development (TND) concept, which is predominantly residential but includes a broad mixture of secondary recreational, commercial, public facilities and services, may also be permitted. Residential development is permitted at up to seven (7) dwelling units per acre where centralized water and sewer are available.

Medium Density Residential (MDR) in the Suburban Area is 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. Residential development is permitted at up to twenty (20) dwelling units per acre where centralized water and sewer are available.

The proposed zoning change from RR-Acre and RMD-MH to RMD-A is permitted as a primary zoning district in the MDR land use category and permitted as a secondary zoning district in the LDR land use category.

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 2045 Comprehensive Plan.

**Future Land Use Element**

**Policy 1.1.21**

Rezoning and amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business with the intent that this balance of uses shall:

- A. Fosters vibrant, viable communities and economic development opportunities;
- B. Addresses outdated development patterns;
- C. Provides sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.

The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.

*The subject property is surrounded by single-family dwellings and mobile homes and if approved the proposed residential development would allow for RMD-A uses. This requested rezoning to RMD-A is to join the northern parcel on 5726 Monroe Smith Road, so the zoning is consistently RMD-A in that immediate area. This potentially rezoning would follow Policy 1.1.21 by fostering the community and providing economic development opportunities.*

**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.

*If approved, this rezoning will provide new housing opportunities for the area. Currently, there are single family dwellings and mobile homes on larger lots. This rezoning would permit more single-family dwellings on smaller lots, while still*

*staying true to Objective 3.1 which protects areas and ensures new development meets the requirements for the Development Areas.*

### **Airport Environment Zone**

The site is located within the 300-foot Height and Hazard Zone for Cecil Field and Herlong Recreational Airport. Zoning will limit development to a maximum height of less than 300 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**

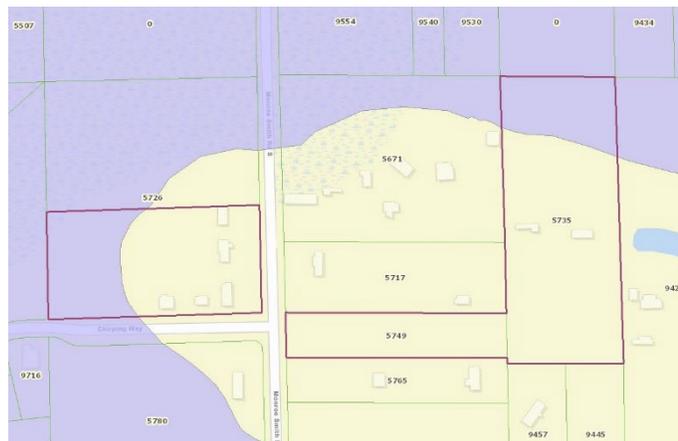
Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

### **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.

### **Flood Zones**

Approximately 2.98 acres is located within the AO Flood zone located in the western and northeast portion application site. Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). FEMA defines the various flooding characteristics of different lands based on a 100-year storm. The 100-year storm or Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. This does not mean that a storm of this type will happen every 100 years. There is a 1-percent chance that a storm of this magnitude will occur in any given year.



The AO Flood Zone are areas of relatively shallow flooding within the 100-year floodplain or SFHA. Flood insurance is mandatory within the AO flood zone.

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 and RMD-MH to RMD-A to have the RMD-A zoning districts connected via the roadway.

**SURROUNDING LAND USE AND ZONING**

The subject sites are located along Monroe Smith Road, a local roadway. The subject properties are surrounded by mobile homes and single-family dwellings with all lots at least an acre. North of the property are vacant governmental and county properties. The properties to the south and east of the subject sites have mobile homes, while properties to the east and west have single family dwellings. The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	MDR	RMD-D	Vacant Governmental
South	LDR	RR-Acre	Mobile Homes
East	LDR	RR-Acre	Single Family Dwelling, Mobile Home
West	MDR	RLD-60	Single Family Dwellings

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

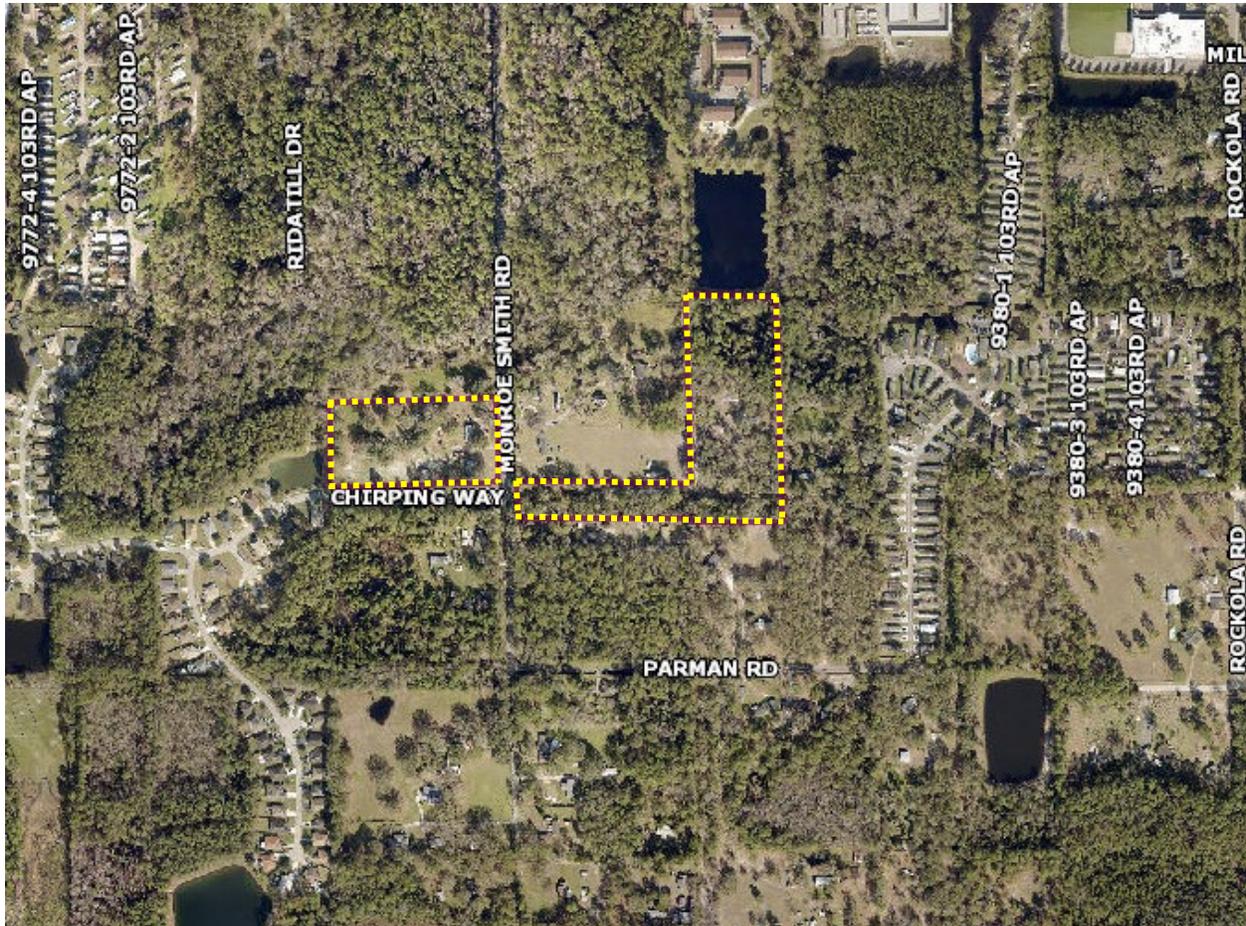
**SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on **July 5<sup>th</sup>, 2023**, by the Planning and Development Department, 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 **2023-0366** be **APPROVED**.



Aerial View

Source: JaxGIS Map

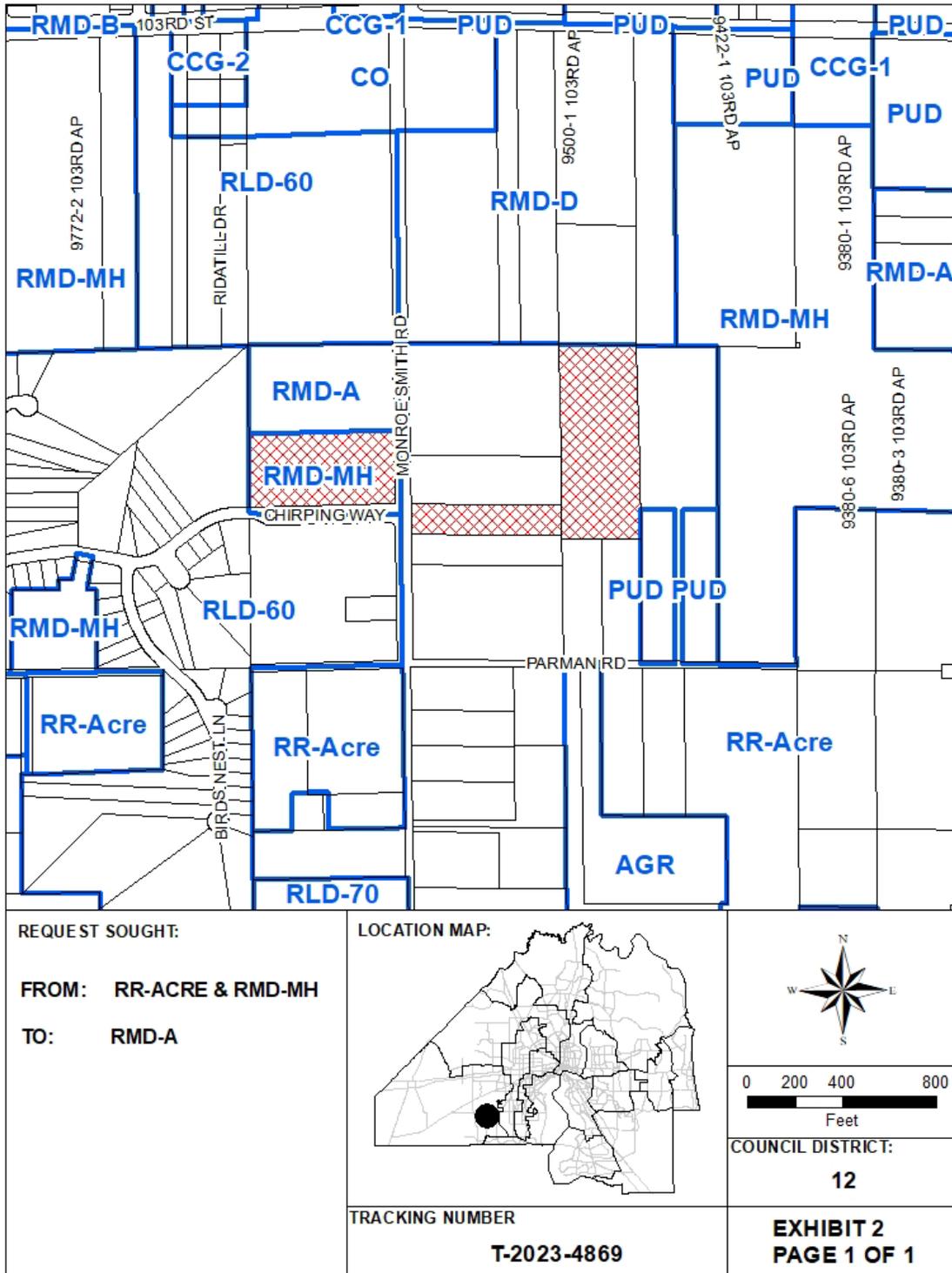


**View of the Subject Property facing 5749 Monroe Smith Road.**



**View of the Subject Property facing 5726 Monroe Smith Road.**

Source: GoogleMaps



**Legal Map**  
 Source: JaxGIS Map