

City of Jacksonville, Florida

Donna Deegan, Mayor

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

August 17, 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.: 2023-397**

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: **Deny**

Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote:	5-0
Alex Moldovan, Chair	Aye
Ian Brown, Vice Chair	Aye
Jason Porter, Secretary	Absent
Marshall Adkison	Absent
Daniel Blanchard	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
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7820
blewis@coj.net

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2023-0397

AUGUST 3, 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 **2023-0397**.

Location 3025 Percy Road, between Percy Creek Drive and Willard Lane

Real Estate Number(s): 019462 0002; 019459 0000; 019458 0000; 019535 0100; 019453 0200; 019453 0002

Current Zoning District: Residential Rural-Acre (RR-Acre) and Agriculture (AGR)

Proposed Zoning District: Residential Low Density-40 (RLD-40)

Current Land Use Category: Low Density Residential (LDR)

Planning District: 6 –North

Owner:

Larry Harrold
0 Percy Road
Jacksonville, FL 32218

Andrew Harrold
0 Percy Road
Jacksonville, FL 32218

Nora Miller
3111 Percy Road
Jacksonville, FL 32218

George Paul
3101 Percy Road
Jacksonville, FL 32218

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

Staff Recommendation: **DENY**

GENERAL INFORMATION

Application for Rezoning Ordinance **2023-0397** seeks to rezone approximately 46.67± acres of land from Rural Residential-Acre (RR-Acre) to Residential Low Density-40 (RLD-40).

The subject property currently consists of 6 properties and is not developed. The applicant is seeking rezoning for residential development.

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. The 46.67 acre subject site is located along the north side of Percy Road, an unclassified roadway, between Percy Creek Drive and Willard Lane. The site is in Planning District 6, Council District 8, and is in the Suburban Development Area. The site is in the LDR land use category. The applicant seeks to rezone the property from RR-Acre/AGR to RLD-40 for 206 single-family homes according to the applicant's JEA Availability Letter.

Low Density Residential (LDR) is a category intended to provide for low density residential development. Generally, single-family detached housing should be the predominant development typology in this category. The maximum gross density in the Suburban Area shall be 7 units/acre when centralized potable water and wastewater services are available to the site and there shall be no minimum density. The maximum gross density shall be 2 units/acre and the minimum lot size shall be half an acre when both centralized potable water and wastewater are not available. The maximum gross density shall be 4 units/acre and the minimum lot size shall be ¼ of an acre if either one of centralized potable water or wastewater services are not available. JEA does have a sewer main available within ¼ mile of this property at Percy Creek Drive.

Additionally, there are Category II wetlands on site. All uses proposed for this area of the site must provide consistency with Conservation Coastal Management Element (CCME) Policy 4.1.5.

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:

Goal 1

To ensure that the character and location of land uses optimize the combined potentials for economic benefit, enjoyment, wellness 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 purpose of this rezoning application from RR-Acre/ AGR zoning districts to RLD-40 zoning district is for the development of single-family homes, which the Planning and Development Department approves.

Objective 1.6

The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

Although the Planning and Development Department does support “facilitating new infill development and redevelopment on vacant” land, the department feels rezoning these properties from RR-Acre/AGR to RLD-40 to build 206 single family homes, as stated in the applicant’s JEA Availability Letter, is premature/not right for the area for that sized lots with that many single-family homes.

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-40 zoning district as set forth in the Zoning Code.

SURROUNDING LAND USE AND ZONING

The subject property is located on the northern side of Percy Road. The site is located in the Rural Area Development Boundary. The area along Yellow Bluff Road is largely residential in nature and the predominant zoning district found is RR-Acre. The majority of surrounding residential properties are more than 1 acre per single-family home, the zoning district Residential Low Density-40 (RLD-40) does not fit the area. Surrounding land uses and zoning districts are as follows:

<u>Adjacent Property</u>	<u>Land Use Category</u>	<u>Zoning District</u>	<u>Current Use(s)</u>
North	LDR/PBF-3	RR-Acre, PBF	Single-Family Dwellings
East	LDR	RR-Acre	Single-Family Dwellings
South	LDR	RR-Acre	Timber
West	LDR	RR-Acre, PUD	Timber, Vacant Residential

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on July 17, 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 2023-0397 be **DENIED**.

Aerial view of the subject property



Source: *Planning & Development Department, 07/17/2023*
View of subject property from Percy Road



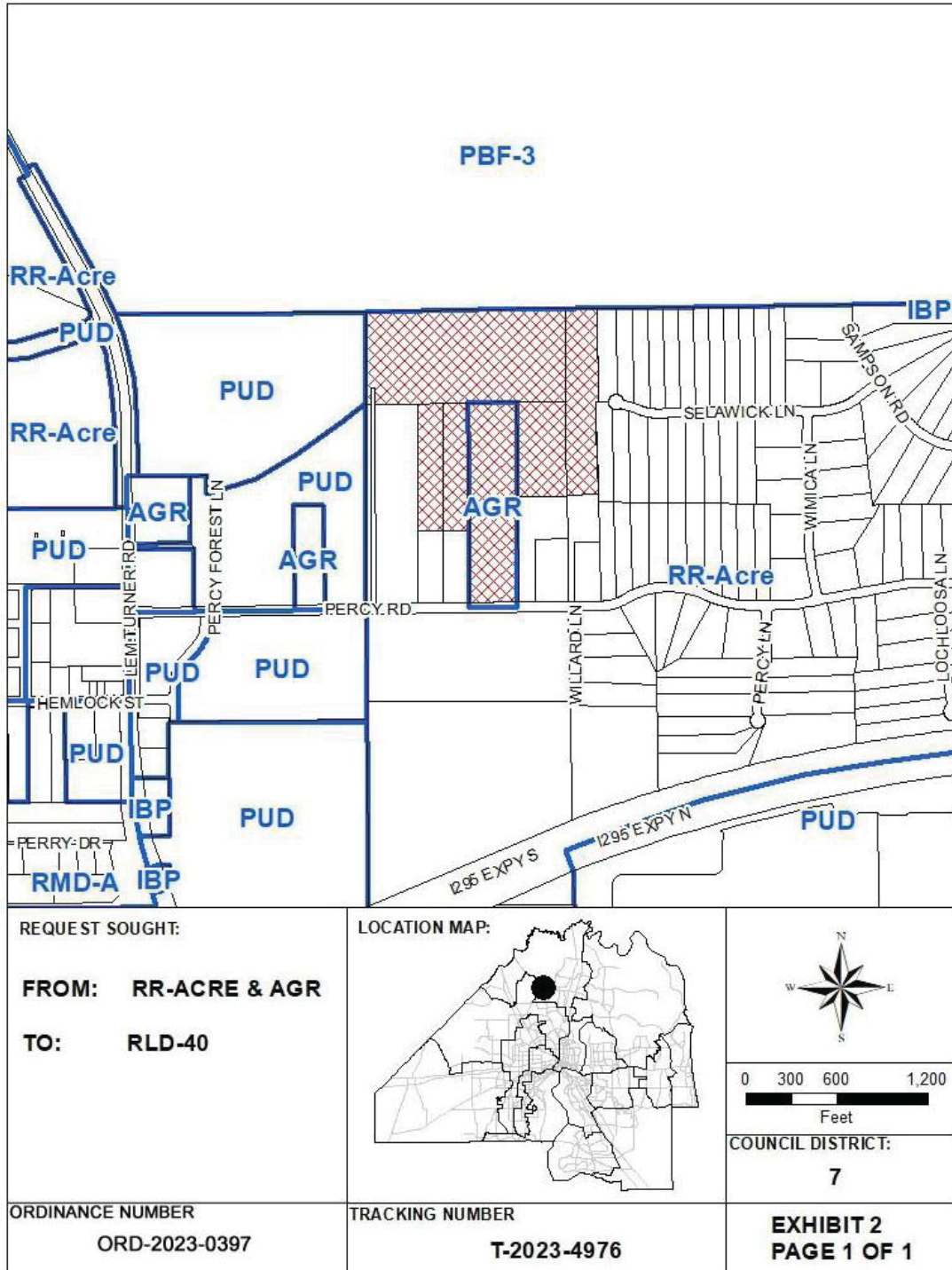
Source: *Planning & Development Department, 07/17/2023*

View of subject property from Percy Road



Source: *Planning & Development Department, 07/17/2023*

Legal Map



Source: Planning & Development Department, 06/26/2023