

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2019-0544

SEPTEMBER 5, 2019

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 **2019-0544**.

Location: 0 Forest Trail Road, 15252 Forest Trail Road and 15312 Forest Trail Road; Between Normandy Boulevard (SR 228) and Long Branch Road

Real Estate Number: 001010-6160, 001010-6200 and 001010-6300

Current Zoning District: Planned Unit Development-Satellite Community (PUD-SC) / Ordinance 2004-0318-E

Proposed Zoning District: Agriculture (AGR)

Current Land Use Category: Agriculture-IV (AGR-IV)

Planning District: District 4—Southwest

Applicant/Agent: William C. Knauf, III
15252 Forest Trail Road
Jacksonville, FL 32234

Owners: William C. Knauf, III
15252 Forest Trail Road
Jacksonville, FL 32234

Jay Gardner and Shanna Gardner / Clark Burton
15216 Forest Trail Road
Jacksonville, FL 32234

Brian K. Santos and Maria Santos
15312 Forest Trail Road
Jacksonville, FL 32234

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2019-0544** seeks to rezone 20.11± acres of land from Planned Unit Development-Satellite Community (PUD-SC)/**Ordinance 2004-0318-E** to Agriculture (AGR). The request is being sought to allow for agricultural uses (i.e., private horseback riding) on the subject property.

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. 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 the subject property to be located in the Agriculture-IV (AGR-IV) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan.

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. The request is for a rezoning from PUD-SC to AGR to ensure the property can be used for agricultural purposes as the owners intended. The PUD- Satellite Community that includes this property was originally approved with 1,748 acres as the Trails Rural Village with Ordinance 2004-318-E and is located south of Normandy Boulevard, just east of the US 301. The Rural Village allowed for a mix of uses including residential, a village center, a neighborhood center and an industrial park. While some portions of the Rural Village have been developed in accordance with the PUD-SC, some property within the original PUD-SC has been re-zoned and removed from the boundaries of the Rural Village. The original land use of the subject property, AGR-IV, did not change with the adoption of the PUD-

SC. The proposed request would revert the zoning back to its previous zoning category before the adoption of the PUD-SC.

According to the Future Land Use Element (FLUE), the Agriculture (AGR) functional land use categories accommodate primarily agriculture activities with some single family dwellings and are intended to preserve the existing rural character of outlying areas of the City. Agriculture-IV (AGR-IV) in the Rural Area allows one residential dwelling unit for every 2.5 acres. The subject property is comprised of three separate real estate numbers, each with a different owner. Each separate property within the proposed rezoning meets the acreage density requirement to allow at least one residential dwelling unit on each property.

To ensure compliance with the provisions of the Comprehensive Plan, the proposed zoning application will be reviewed in relation to the following goals, objectives, polices or text of the 2030 Comprehensive Plan:

Future Land Use Element:

Policy 1.1.20

Development uses and densities shall be determined by the Development Areas described in the Operational Provisions for the Central Business District (CBD); Urban Priority Area (UPA); the Urban Area (UA); the Suburban Area (SA); and the Rural Area (RA) as identified in the 2030 Comprehensive Plan, in order to prevent urban sprawl, protect agricultural lands, conserve natural open space, and to minimize the cost of public facilities and services

The proposed rezoning would permit for agricultural uses within the Rural Development Area, which would conserve natural space and prevent urban sprawl, considering no new residential structures are anticipated.

Policy 3.1.22

The City shall limit residential development in the Agricultural Land Use categories to the densities pursuant to the Rural Development Area as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions; and to locations most suitable for development, avoiding wetlands, natural habitat and other significant natural resources. Large contiguous parcels under common ownership, in the Agricultural Land Use Category which are suitable for agriculture use, shall be left intact through proper site design, and such other methods as clustering, etc.

The proposed rezoning at the subject site is being requested solely for agricultural uses only—with no additional residential development planned. Staff should also note the presence of category II wetlands on the subject property, which Staff contends should be avoided for any agricultural use.

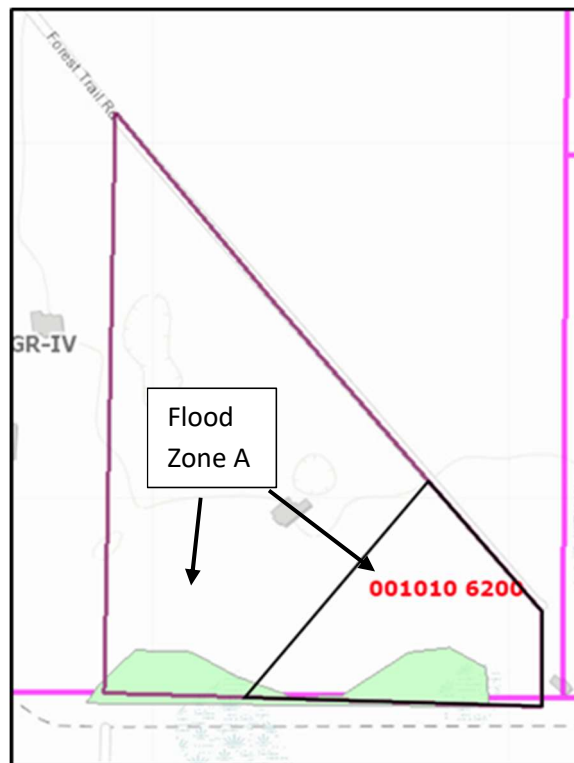
3. *Does the proposed rezoning conflict with any portion of the City's land use regulations?*

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 PUD-SC to AGR in order to allow for agricultural uses—all while adhering to local, state, and federal regulations:

Flood Zones:

Approximately 1.75 acres of the subject site is located within the A flood zone. 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 of Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. The A flood zone is defined as areas within the 100-year floodplain. Flood insurance is mandatory within the A flood zone. In result, any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

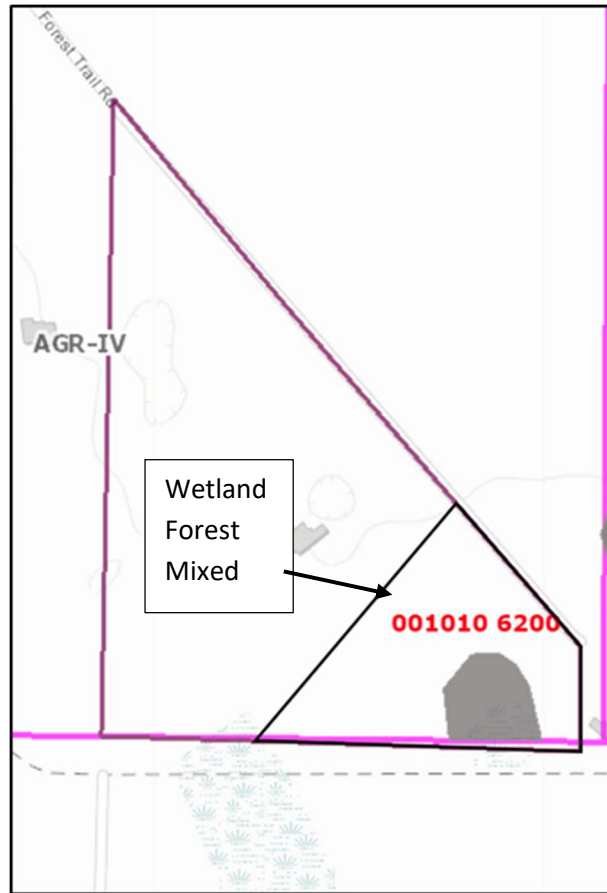


Flood Zone Map

For more information regarding flood zones, please see the attached memo from Community Planning Division.

Wetlands:

Approximately 0.75 acres of land in the southwest corner of the site subject site is located within category II wetlands. Agricultural uses are permitted within category III wetlands to compliance with the performance standards provided in Conservation/Coastal Management Element (CCME) **Policies 4.1.3** and **4.1.6** of the 2030 Comprehensive Plan.



Wetlands Map

For more information regarding wetlands, please see the attached memo from Community Planning Division.

SURROUNDING LAND USE AND ZONING

The subject property is located south of Normandy Boulevard at the Duval County/Clay County line and just north of Jennings State Forest in the Southwest Planning District. Primary frontage is along Forest Trail Road. The rezoning request to the AGR Zoning District will allow for the property owners to use their land for agricultural purposes (i.e., private horseback riding) as they intended. Nonetheless, adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	AGR-IV	PUD-SC	Undeveloped
East	AGR-IV	AGR	Single-Family Dwellings
South	N/A (Clay County)	N/A (Clay County)	Undeveloped/Agricultural/Residential
West	AGR-IV	AGR	Single-Family Dwelling

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

Upon visual inspection of the subject property on **August 22, 2019** by the Planning and Development Department, the required Notice of Public Hearing sign were posted.



RECOMMENDATION

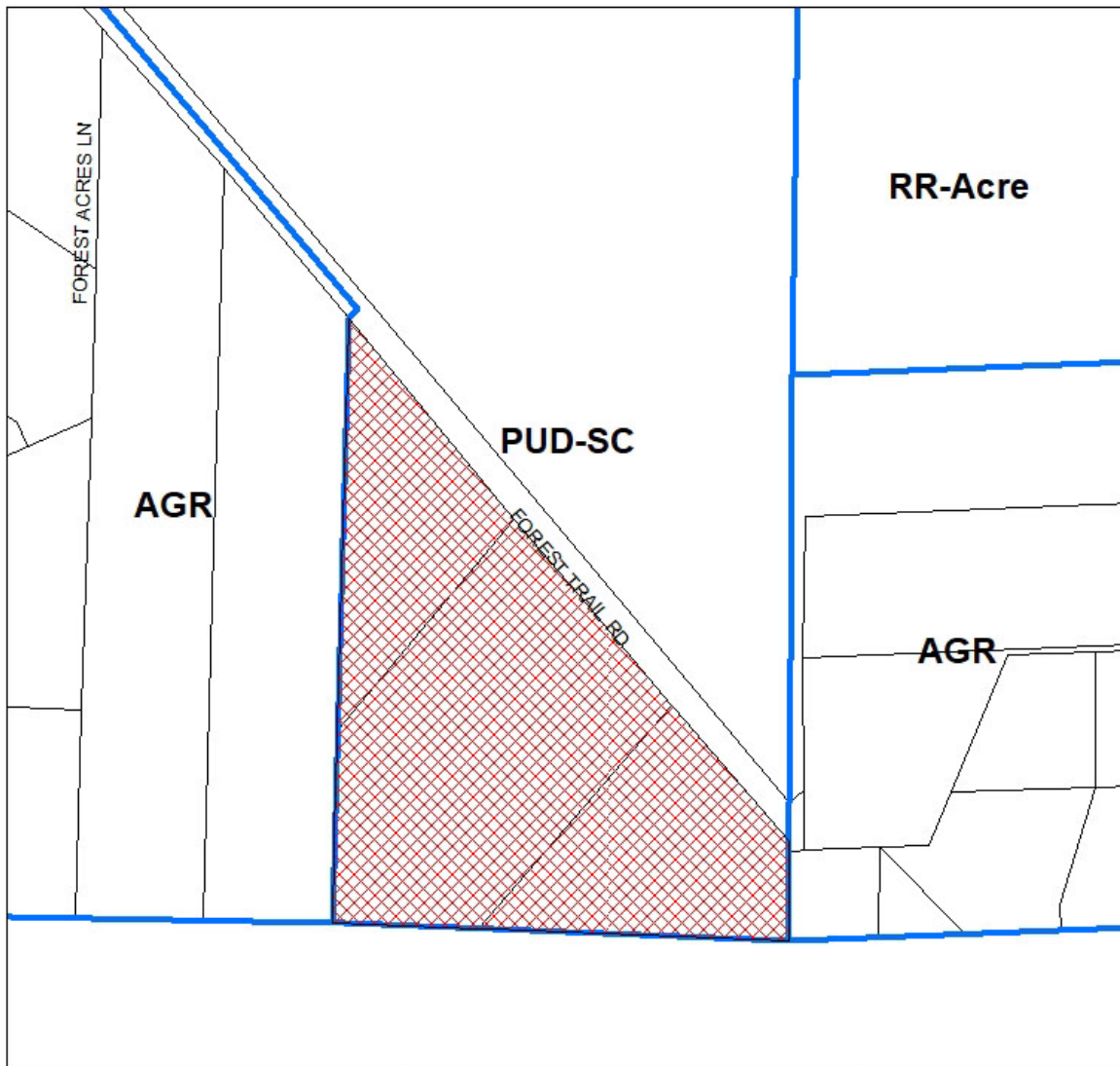
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2019-0544** be **APPROVED**.

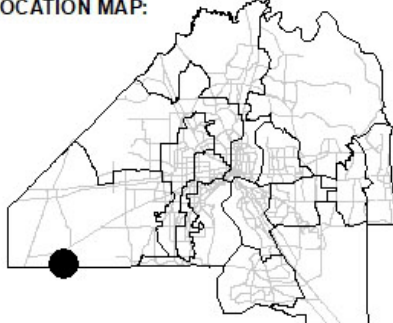

Figure A:



Source: Planning & Development Dept, 7/11/19

Aerial view of the subject site and parcel, facing north.



<p>REQUEST SOUGHT:</p> <p>FROM: PUD-SC TO: AGR</p>	<p>LOCATION MAP:</p> 	 <p>0 130 260 520 Feet</p> <p>COUNCIL DISTRICT: 12</p>
<p>ORDINANCE NUMBER ORD-2019-0544</p>	<p>TRACKING NUMBER T-2018-1918</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>