

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2020-0163

April 9, 2020

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 2020-0163.

Location: 0 Solcumb Avenue
North of Philips Highway (US 1) and east of
9B

Real Estate Number(s): 167779-0040; 167888-0000; 167889-0000;
167890-0000; 168162-0000; 168177-0110

Current Zoning District(s): Agriculture (AGR)

Proposed Zoning District: RR-Acre (RR-Acre)

Current Land Use Category: Agriculture-I (AGR-I)
Agriculture-II (AGR-II)
Agriculture-III (AGR-III)

Proposed Land Use Category: Low Density Residential (LDR)

Planning District: Southeast, District 3

Owner: Jed Davis
Estuary, LLC
4310 Pablo Oaks Court
Jacksonville, Florida. 32224

Applicant: Paul M. Harden
Law Office of Paul M. Harden
501 Riverside Avenue, Suite 901
Jacksonville, Florida. 32202

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2020-0163** seeks to rezone approximately 2795.50 +/- acres of land from Agriculture (AGR) to Residential Rural- Acre (RR-Acre). The rezoning is being

sought to allow for the future development of the land at a higher density than allowed in the Agriculture Zoning District. There is a companion Large-Scale Land Use Amendment Ord. **2020-0162** to change the existing Land Use of Agriculture I (AGR I), Agriculture II (AGR II) and Agriculture (III) to Low Density Residential (LDR).

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. The 2795.50 +/- acre subject property is located on the north side of Philips Highway (US-1), east of 9B. The undeveloped subject site has Agriculture-I (AGR-I), Agriculture-II (AGR-II), Agriculture-III (AGR-III) land use designations. The applicant is proposing a rezoning from AGR to RR-Acre to allow for future residential development. Single-family residential is considered a principal use and multi-family residential is considered a secondary use within the LDR land use category. Residential development is limited to a density of 7 units/acre when the site is served by full urban services. Currently, the site is completely undeveloped. However the applicant has indicated that the proposed development will not occur immediately and that the proposed amendment to RR-Acre is a placeholder until such proposed development is ready to move forward.

The proposed rezoning to RR-Acre shall limit the allowed density until such time as a long term master plan for the area is completed pursuant to the site-specific policy recommendation in the Land Use Amendment Staff Report.

2. Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?

Yes. This proposed rezoning to RR-Acre is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

Future Land Use Element:

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 rezoning will continue with the increase in density totals. The applicant has indicated that the proposed development will not occur immediately. The proposed rezoning to RR-Acre is a placeholder until such proposed development is determined with varying densities.

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 applicant has indicated that the proposed development will not occur immediately. The proposed increase in density will help with the possibility of a future master planned development and indicate the location of further growth in The City.

SURROUNDING LAND USE AND ZONING

The immediate area surrounding the subject parcels are undeveloped as and fall under the LDR or various AGR Land Use Categories. The surrounding uses, land use category and zoning are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	AGR II	AGR	Vacant Timber / Wasteland Proposed Rezoning Ord. 2020-165 and companion LUA Ord. 2020-164
South	CSV	PUD Ord 2015-282-E	Conservation for Nocatee
East	AGR-II/ AGR-III	AGR	Vacant Timber
West	LDR	RR-Acre/ PUD Ord 2017-622-E	Vacant Timber/Single Family Dwellings

SUPPLEMENTAL INFORMATION

According to the sign posting affidavit, as of January 30, 2020 the required Notice of Public Hearing signs were posted.

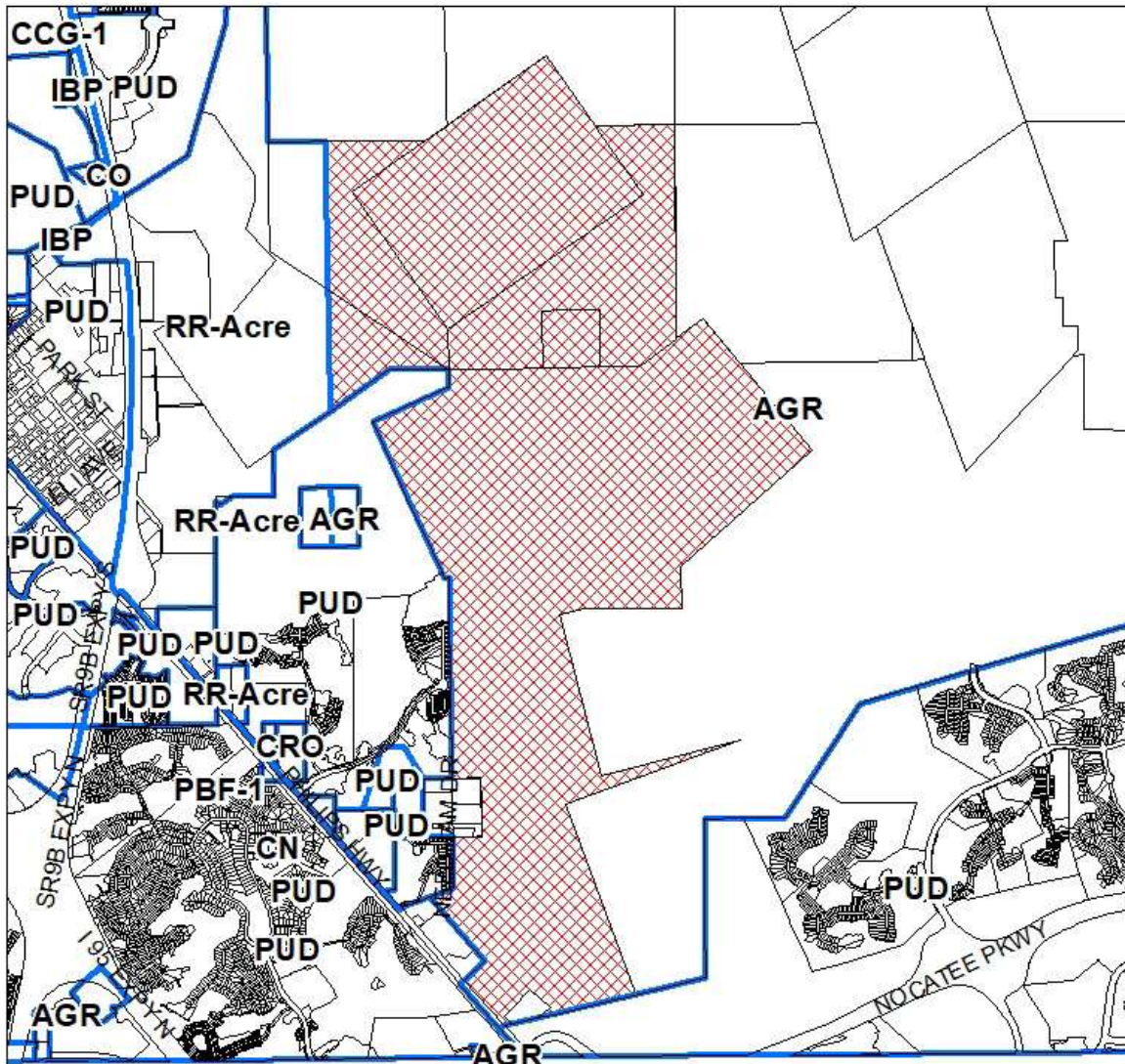


RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2020-0163 be **APPROVED**.



Aerial



<p>REQUEST SOUGHT:</p> <p>FROM: AGR</p> <p>TO: RR-ACRE</p>	<p>LOCATION MAP:</p>	<p>0 1,200 2,400 4,800 Feet</p> <p>COUNCIL DISTRICT: 11</p>
<p>ORDINANCE NUMBER ORD-2020-0163</p>	<p>TRACKING NUMBER T-2019-2637</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>

2020-0163
CMQ