

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2015-0687

NOVEMBER 5, 2015

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 2015-0687**.

Locations: 2836, 2778 and 2792 Orange Picker Road,
between San Jose Boulevard and Flynn Road

Real Estate Numbers: 158164-0040, 158166-0000 & 158164-0020

Current Zoning District: Rural Residential Acre (RR-Acre)

Proposed Zoning District: Residential Low Density – 60 (RLD-60)

Current Land Use Category: Low Density Residential (LDR)

Planning District: Southeast, District 3

Planning Commissioner: Daniel Blanchard

City Council District: The Honorable Matt Schellenberg, District 6

Applicant/Agent: Paul M. Harden, Esq.
501 Riverside Avenue,
Jacksonville, FL 32202

Owner: Rick Henderson C/O
Rick Henderson Revocable Trust,
10399 Spotted Fawn Lane
Jacksonville, FL 32257

Marilyn J. Tweedell C/O
Marilyn J. Tweedell Living Trust
2778 Orange Picker Road
Jacksonville, FL 32223

Michael R. Myers
2792 Orange Picker Road
Jacksonville, FL 32223

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2015-0687** seeks to rezone 11.20 acres from Rural Residential Acre (RR-Acre) to Residential Low Density-60 (RLD-60). The proposed development is single family homes, on 60 foot wide lots. The site is within the LDR functional land use category as defined by the Future Land Use Map series (FLUMs) contained in the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. The property has frontage on Orange Picker Road, a Collector Street as classified by the Functional Highway Classification Map of the 2030 Comprehensive Plan. The area is a mix of many different Zoning Districts, which range in configuration from single family subdivisions with 50 to 100 foot wide lots and apartment complexes, to undeveloped Rural Residential-Acre lands. The proposed zoning would allow for 60 foot wide lots, with a minimum size of 6,000 square feet. The maximum number of homes would be 7 units per the acre, or 78 dwellings. The property is located with 750 feet of an existing well head.

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 Planning and Development Department finds that the subject property is located in the Low Density Residential (LDR) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan. The LDR land use category is generally defined as a category that provides for low density residential development, up to 7 units per acre. Single-family detached housing should be the predominate development typology in this category. Density, location and mix of uses shall be pursuant to the Development Areas as set forth in the 2030 Comprehensive Plan. The proposed RLD-60 category single family detached dwellings is with the surrounding Zoning Districts that are all contained within either the LDR or MDR land use destinations.

Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 *Comprehensive planning for future development* of the Ordinance Code.

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

Yes. The proposed amendment is consistent with the following policies of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan:

FLUE Policy 1.1.22 “*Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, and maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provision.*” The proposed rezoning would be located adjacent to Orange Picker Road. Orange Picker Road is listed as a Collector Street, as noted on the Functional Highway Classification Map of the 2030 Comprehensive Plan. The RLD-60 Zoning District would allow for a transition of lot sizes, from the established RLD-100 & RLD-90 lots adjacent to the west and north respectively, to the RMD-A single family 50 foot wide lots to the east, while also implementing the above referenced objective of the comprehensive plan, that of locating higher density projects adjacent to major roads, to allow for a more efficient use of land, and reduce the effects of further sprawling influences along this corridor.

Objective 6.3: *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.* This application for rezoning will help to provide infill into previously developed neighborhood. Currently there are only a few un-subdivided parcels along this stretch of Orange Picker Road.

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

No. The proposed change in Zoning District is consistent with the Low Density Residential future land use category as defined in the Future Land Use Element of the 2030 Comprehensive Plan. The LDR category allows for densities of up to 7 units per acre, with full urban services, as this site will be able to utilize. The proposed zoning designation of RLD-60 would provide a consistent density with the LDR land use category, while allowing for a transition between the existing RLD-100 Zoning district to the west & RLD-90 Zoning District to the North, to the RMD-A Zoning District (platted with 50 foot wide lots) to the east. The proposed rezoning does not appear to be in conflict with any portion of the City's land use regulations. The proposed lot size of 60 feet in width is generally compatible, and provides a gradual transition between the surrounding 50 to 100 foot wide parcels.

SURROUNDING LAND USE AND ZONING

The subject property is located on Orange Picker Road. The surrounding uses, land use category and zoning are as follows:

Adjacent Properties	Land Use Category	Zoning District	Current Use
North	LDR	RLD-90	Single Family
East	MDR/RPI	RMD-A/PUD	Single Family / Vacant
South	LDR	PUD	Single Family
West	LDR	RLD-100/PBF-1	Single Family / Park

The requested RLD-60 District is consistent with the LDR land use, and is complimentary to the surrounding Zoning Districts.

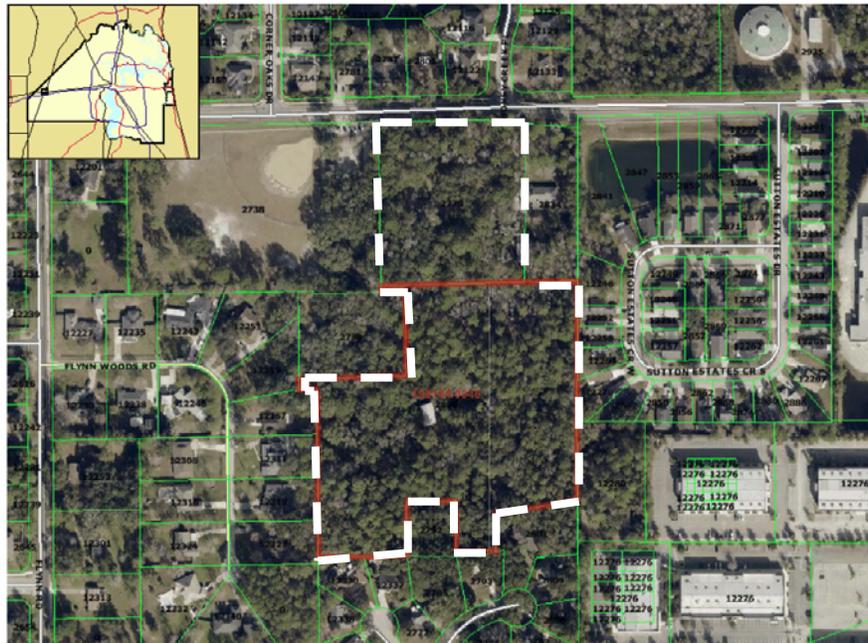
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on October 19, 2015, the required Notice of Public Hearing sign **was** posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2015-0687** be **APPROVED**.



Aerial

*Source: City of Jacksonville Planning and Development Department
Date: October 19, 2015*



Subject Property

*Source: City of Jacksonville Planning and Development Department
Date: October 19, 2015*



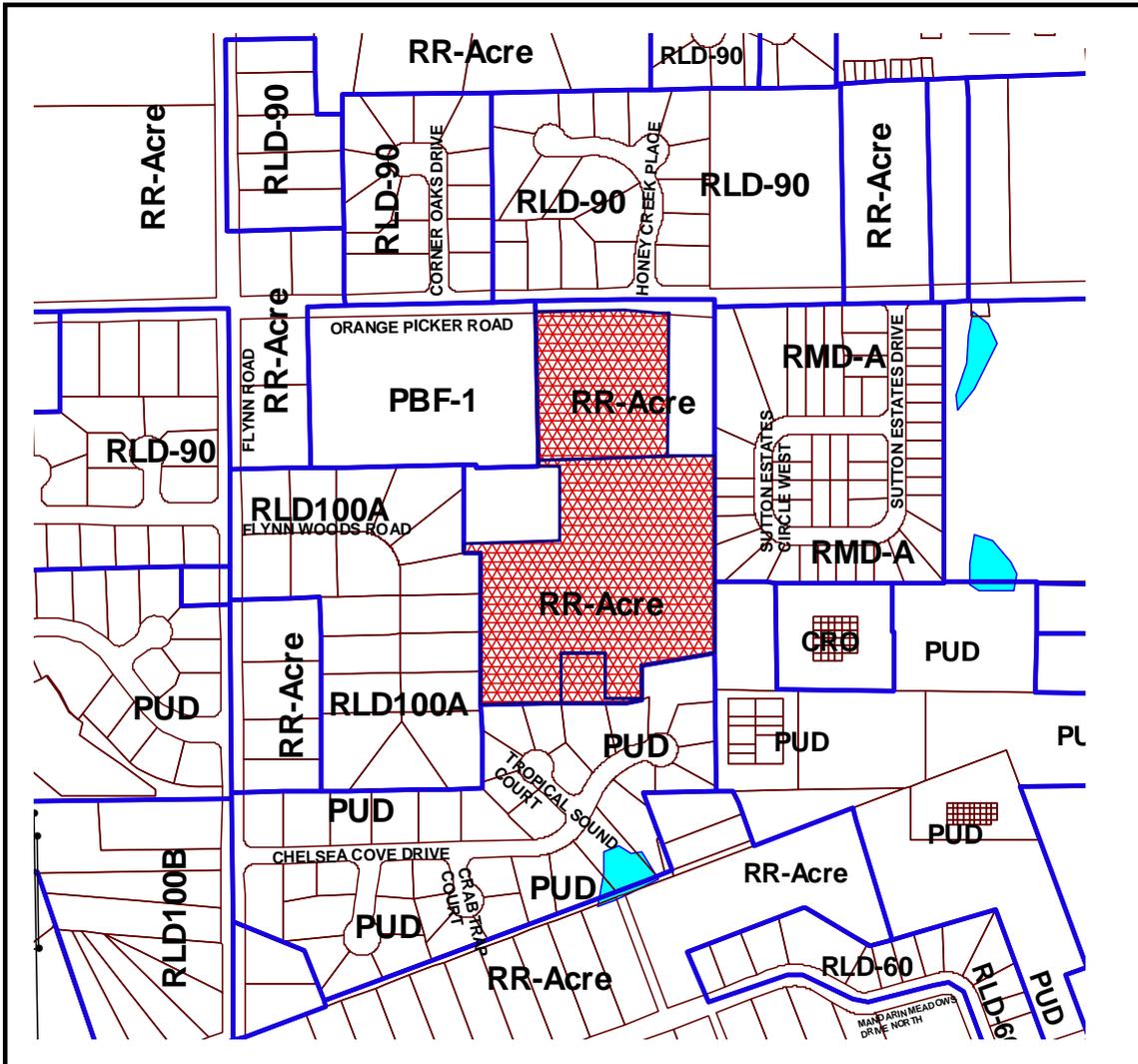
Adjacent City Park to the west

*Source: City of Jacksonville Planning and Development Department
Date: October 19, 2015*



Residential homes to the north, across Orange Picker Road

*Source: City of Jacksonville Planning and Development Department
Date: October 19, 2015*



<p>REQUEST SOUGHT:</p> <p>FROM: RR-Acre</p> <p>TO: RLD-60</p>		<p>0 100 Feet</p> <p>COUNCIL DISTRICT: 6</p>
<p>ORDINANCE NUMBER: ORD-2015-0687</p>	<p>TRACKING NUMBER: T-2015-0941</p>	<p>Exhibit 2</p>