

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2016-0393

JULY 21, 2016

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 **2016-0393**.

Location: 12462 Hood Landing Road,
between Tar Kiln Road & Green Acres Lane

Real Estate Numbers: 158200-0100

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

Proposed Zoning District: Residential Low Density-90 (RLD-90)

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

Owner / Applicant: Earnest Jerome Bethel
12462 Hood Landing Road
Jacksonville, FL 32258

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2016-0391** seeks to rezone 1.59 acres from Rural Residential-Acre (RR-Acre) to Residential Low Density-90 (RLD-90) for the purpose of dividing the property into two lots, and building two single family homes. The site has frontage on Hood Landing Road, and is a mix of buildable land, and some wetland property to the rear. The site is not currently served by JEA water and sewer service. The site is served by JEA electrical. The subject property is located in the suburban development area. The applicant recently inherited the property, and seeks to rezone the property so it can be divided equally between the applicant and his sister, for the purpose of each building a single family home. Though the properties adjacent to the north and south are both located in the RR-Acre Zoning District, the immediate area is developed with RLD-90 lots, across Hood Landing Road, to the

east, and PUD zoned lots to the west, which are similar in density to RLD-90, or even denser in some cases. The proposed lot size is consistent with the surrounding 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 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 that the subject property is located in the LDR functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan. The LDR category, in the Suburban Development Area, permits low density residential development up to 7 DU's per acre. The proposed use is permitted in the LDR land use category of which single-family development is the predominant use. The rezoning request is compatible with the existing LU category of LDR.

The proposed Rezoning request is consistent with the following Goals, Policies and Objectives of the Future Land Use Element (FLUE) as set forth in the 2030 Comprehensive Plan:

Goal 1: *To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.*

Policy 1.1.22: *Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, 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 Provisions.*

Objective 3.1: *Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements*

described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.

3.1.6: The City shall provide 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.

Additionally

Additionally, the application may be consistent with the listed Goals, Policies and Objectives of the Conservation Coastal Management Element (CCME) and the Sanitary Sewer Sub-Element, if certain steps are taken at the time of development to ensure specific conditions are met.

Conservation Coastal Management Element (CCME)

GOAL 4: To achieve no further net loss of the natural functions of the City's remaining wetlands, improve the quality of the City's wetlands resources over the long-term and improve the water quality and fish and wildlife values of wetlands.

Sanitary Sewer Sub-Element

1.2.6: Within the Suburban Boundary Map as defined in the Future Land Use and Capital Improvements Elements, new septic tanks will be forbidden pursuant to the Septic Environmental Protection Board – Rule 3; however, they may be permitted as interim facilities, provided the following requirements are satisfied:

The subject property's rear half is located in wetlands with a soil classification of surrency loamy fine sand, 0 to 2 percent slopes. Development of the property could have an impact on the site's wetlands and their functional values. The developer may need to mitigate in order to satisfy Goal 4 of the Conservation and Coastal Management Element (CCME) of the Comprehensive Plan to achieve no net loss of the natural functions of the City's remaining wetlands if the wetlands are found to be valuable.

According to the JEA shape file/GIS coverage, water and sewer lines come up to the subject property, however, this shape file does not tell if service capacity is available. A JEA Service Availability letter is attached, and JEA currently does not serve this property with water or sewer. For the property to develop, it should either connect to the water and sewer lines, or request a permit for an onsite treatment system, in order to be consistent with Sanitary Sewer Sub-Element 1.2.6.

The property is completely surrounded by LDR land use. The proposed rezoning to RLD-90 promotes a pattern of compatible uses consistent with FLUE Policy 1.1.22 and facilitates the stability and viability of existing residential development. The rezoning provides additional housing opportunities for the area consistent with Objective 3.1 and Policies 3.1.6 of the FLUE. The proposed amendment protects the character of the nearby residential area and optimizes the combined potentials for economic benefit as required by FLUE Goal 1. The rezoning is consistent with the LDR Land Use Category Description. The rezoning should demonstrate full

consistency with the other identified Policies as described above in order to be deemed consistent with the general intent of the Comprehensive Plan.

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

Yes. The proposed amendment is consistent with the listed objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan: The proposed rezoning is below the maximum density of 7 units per acre, and will result in the potential development of the property into two lots for single family homes. The proposed rezoning will allow the property to be developed in a lot pattern that is similar to the surrounding area. Additionally, the portion of the property that is located in the potential wetland area will require protection or mitigation to be consistent with the Comprehensive Plan. The proposed rezoning will allow for compact residential development of two new lots, and increase the available housing stock in the area. New residential homes built on the subject site would be considered infill residential development, located in a pocket of Rural Residential-Acre, surrounded by more compact and denser residential lots.

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 be rezoned from RR-Acre to RLD-90 Zoning District as set forth in Section 656.313 of the Zoning Code.

SURROUNDING LAND USE AND ZONING

The subject property is located on the west side of Hood Landing Road. The surrounding uses, land use category and zoning are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LDR	RR-Acre	Single Family
East	LDR	RLD-90	Single Family
South	LDR	RR-Acre	Single Family
West	LDR	PUD	Single Family

The property is a single parcel of land, located adjacent to two large lots to the north and south, both developed as single family. The property to the east and west is also developed as single family homes, but at a smaller lot size, consistent with the RLD-90 or below lot requirements for size, dimensions and setbacks.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on June 27, 2016, 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 Ordinance **2016-0393** be **APPROVED**.



Aerial

Source: Staff, Planning and Development Department

Date: June 27, 2016



Subject property

Source: Staff, Planning and Development Department

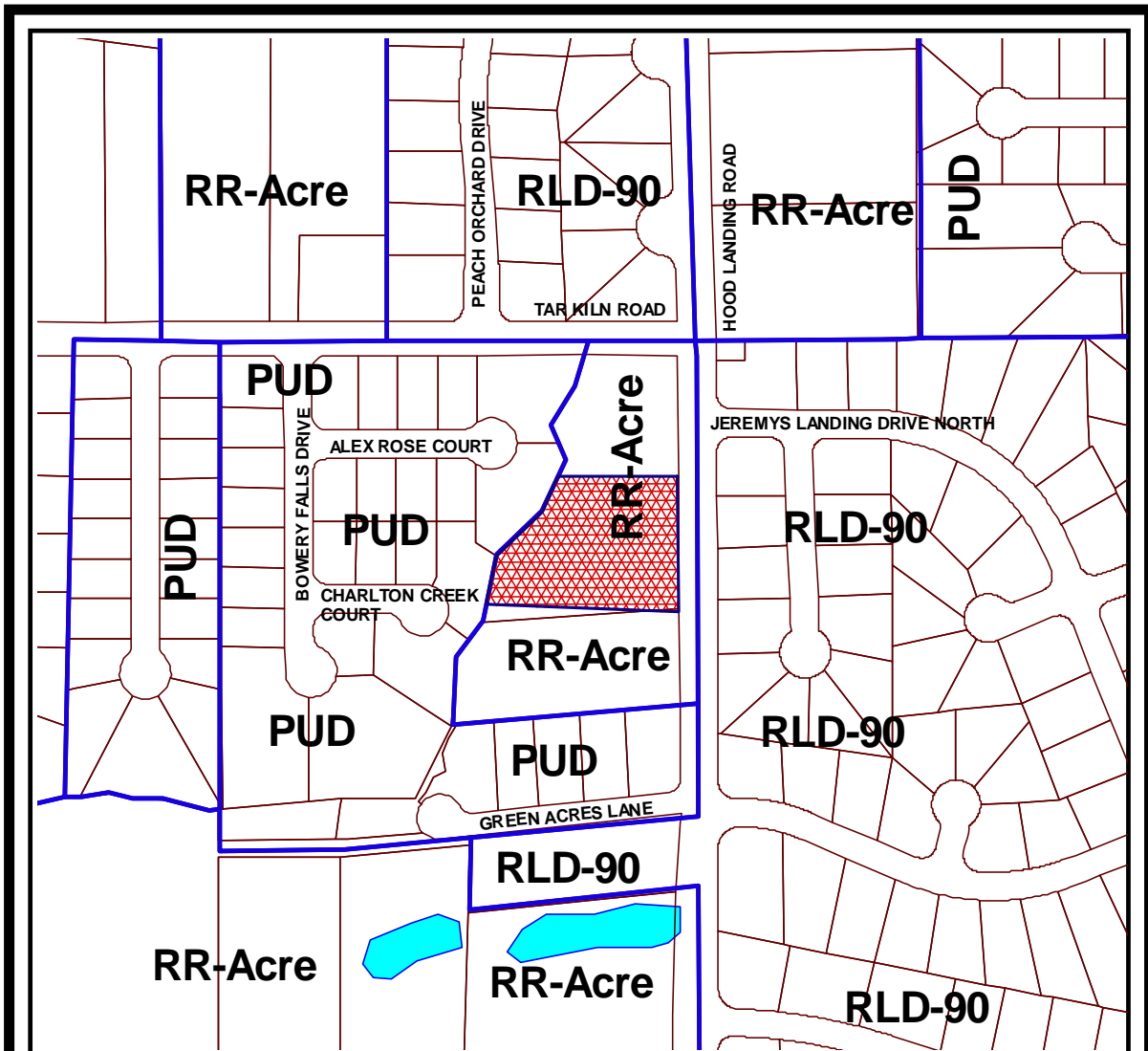
Date: June 27, 2016



Fenced, residential subdivision located across Hood Landing Road, to the east

Source: Staff, Planning and Development Department

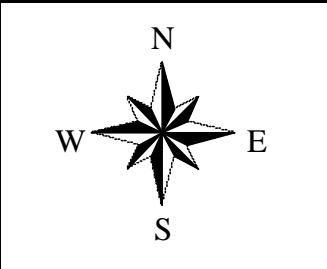
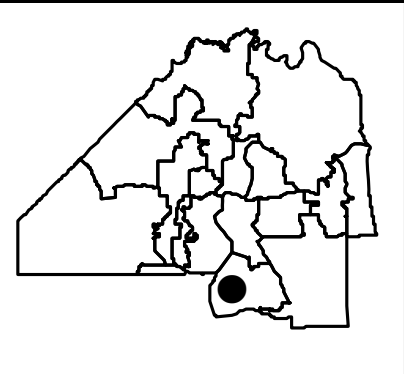
Date: June 27, 2016



REQUEST:

FROM: RR-Acre

TO: RLD-90



COUNCIL DISTRICT:
6

ORDINANCE NUMBER:
ORD-2016-0393

TRACKING NUMBER:
T-2015-1116

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