

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FO**APPLICATION FOR REZONING ORDINANCE 2019-0119****MARCH 21, 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 **2019-0119**.

Location: 18610 Maxville Macclenny Highway; 18640 & 18648 Macclenny Road

Real Estate Number: 001156-0000; 001175-0010; 001175-0000

Current Zoning District: Commercial Community/ General-1 (CCG-1)

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

Current Land Use Category: Community/ General Commercial (CGC)

Proposed Land Use Category: Rural Residential (RR)

Planning District: District 4—Southwest

Owner/Applicant: Mary Waters
18610 Maxville Macclenny Hwy.
Jacksonville, FL 32234

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2019-0119** seeks to rezone 4.37± acres of a property from Commercial Community/ General-1 (CCG-1) to Residential Rural -Acre (RR-Acre). The property is located in the Community/General Commercial (CGC) land use category within the Rural Area of the Future Land Use Element of the 2030 Comprehensive Plan. Land-Use Companion application **L-5352-19C** is requesting Land-Use change from Community/General Commercial (CGC) to Rural Residential (RR). The request is being sought in order to allow for residential uses.

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 Residential Rural (RR) 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. RR in the Rural Area is intended to provide rural estate residential opportunities in the Suburban and Rural Areas of the City. Principal uses include Single family dwellings. The maximum gross density in the Suburban Area and Rural Area shall be 2 units/acre when both centralized potable water and wastewater are available to the site; and the maximum gross density shall be 1 unit/acre when served with on-site potable water and wastewater; and there shall be no minimum density.

Future Land Use Element:

Objective 1.1

Ensure that the type, rate and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages the proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

The proposed rezoning of RR-Acre will allow the applicant to continue current uses of the property and will be more other uses already existing within the area and

will not contribute to urban sprawl by allowing uses not already in existence within the surrounding area. The proposed use will be in compliance with Objective 1.1.

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 companion land use amendment application, if approved, will result in the establishment of a transitional land use between the existing CGC land use along US 301 Hwy S, and the existing RR land use to the north and west of the subject site. The proposed rezoning would match this proposed land use amendment, and is therefore consistent with the above policy.

Policy 3.1.3

Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

Infrastructure Element (IE): Sanitary Sewer Sub-Element

Policy 1.2.9

Septic tanks shall be permitted in Rural Areas, provided they meet the requirements of Chapter 64E-6, F.A.C., and that all lots created after shall have a minimum of 1 acre of unsubmerged property.

The subject property is located in development characteristic of Rural Area and will be connected to Septic. Applicant will need to comply with all requirements of Chapter 64E-6, Florida Administrative Code for Single family development in order to be in compliance with Policy 1.2.9.

Airport Environment Zone:

The site is located within the 500 foot Height and Hazard Zone for Cecil Airport. Zoning will limit development to a maximum height of less than 500 feet, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

Objective 2.5

Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's

other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

The subject property will have to meet the height requirements of the RR-Acre Zoning District, which will be below the 500 maximum height requirements of Cecil Field Airport restrictions on the property.

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 CCG-1 to RR-Acre in order to for the current uses.

SURROUNDING LAND USE AND ZONING

The subject sites are located on Maxville Macclenny Highway and Macclenny Road; between US 301 and Griffis Road. The companion land use application seeks to amend the Future Land Use Map series (FLUMs) from CGC to RR, and if approved, the RR-Acre zoning district would be consistent with the RR land use category. According to the Future Land Use Element (FLUE), RR is a category intended to provide rural estate residential opportunities in the Suburban and Rural Areas of the City. The principle use listed is single family dwellings.

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	RR	RR-Acre	Single Family Dwelling
East	CGC	CCG-2	Undeveloped
South	CGC	CCG-2	Undeveloped
West	RR	RR-Acre	Single-Family Dwellings

It is the opinion of the Planning and Development Department that the requested rezoning to RR-Acre will be consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on February 28, 2019 by the Planning and Development Department, 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 2019-0119 be **APPROVED**.



Aerial View

Source: JaxGIS Map



Subject Site: 18610 Maxville Macclenny Hwy
Source: Planning & Development Department 02/21/2019



Subject Site: 18648 Macclenny Rd.
Source: Planning & Development Department 02/28/2019



View of Properties looking East: 18610 Maxville Macclenny Hwy & 18640 Macclenny Rd
Source: Planning & Development Department 02/28/2019

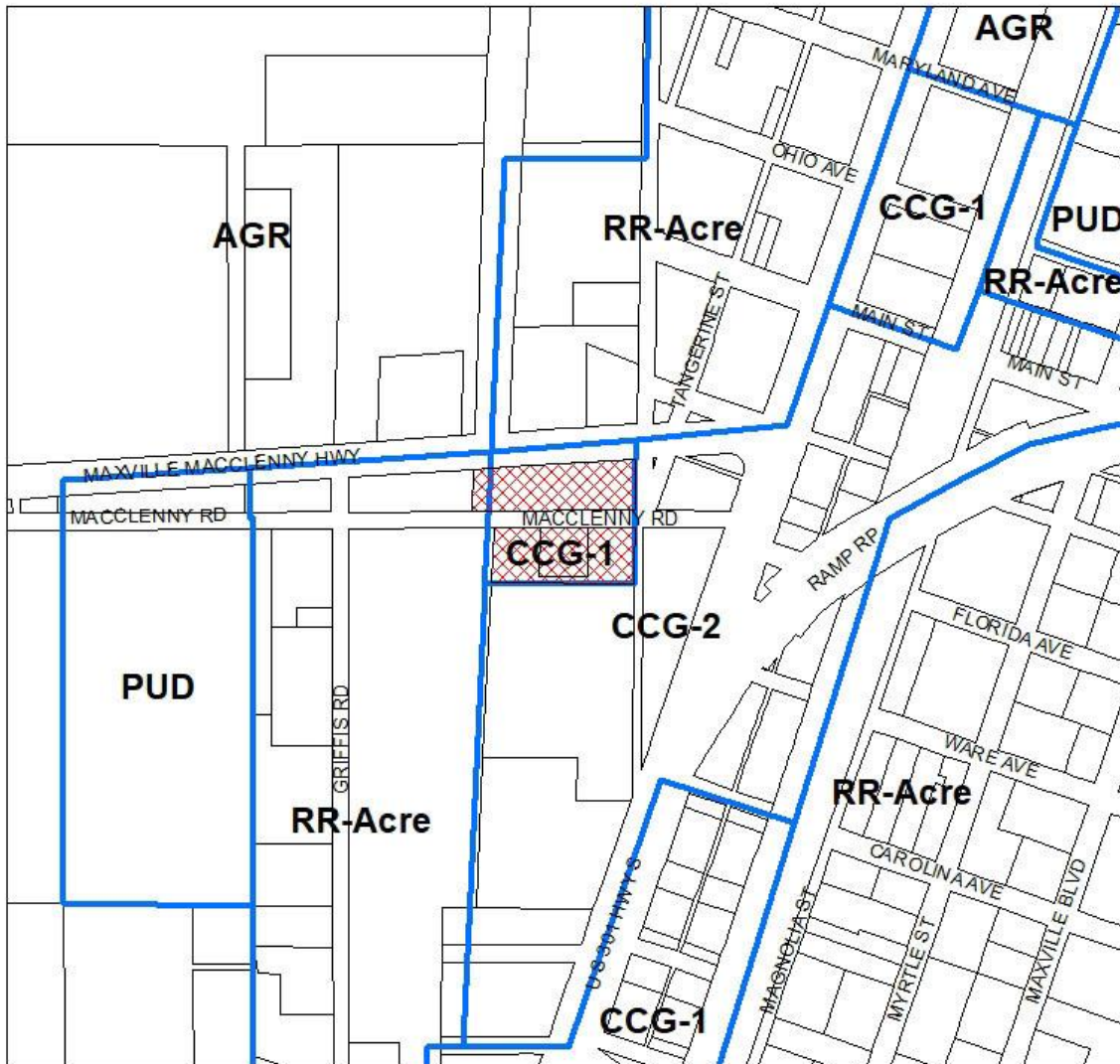


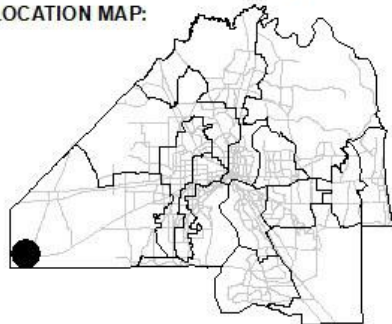

Property to the West: 18680 Maxville Macclenny Hwy
Source: Google Maps



Property to the South: 0 US 301 Hwy S

Source: Google Maps



<p>REQUEST SOUGHT:</p> <p>FROM: CCG-1</p> <p>TO: RR-ACRE</p>	<p>LOCATION MAP:</p> 	 <p>0 195 390 780</p> <p>Feet</p> <p>COUNCIL DISTRICT:</p> <p>12</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2019-0119</p>	<p>TRACKING NUMBER</p> <p>T-2019-2170</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Legal Map
 Source: JaxGIS Map