

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2019-161

MARCH 4, 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 **2019-161**.

Location: North and south side of Heckscher Drive (SR 105)
between Browns Creek and Blount Island
Boulevard

Real Estate Numbers: 159984-0000, 159977-0000, 159976-0000,
159975-0010, 159975-0000, 159974-0100

Current Zoning District: Industrial Water (IW)

Proposed Zoning District: Residential Low Density-90 (RLD-90)
South side of Heckscher Drive (SR 105)
RE# 159977-0000, 159976-0000 159975-0010,
159975-0000, 159974-0100

Residential Low Density-100A (RLD-100A)
North side of Heckscher Drive (SR 105)
RE# 159984-0000

Current Land Use Category: Water Dependent/Water Related (WD/WR)

Proposed Land Use Category: Low Density Residential (LDR)

Planning District: North, District 6

Applicant/Agent: City of Jacksonville
117 West Duval Street
Jacksonville, Florida 32202

Owners: James M. Norton
Merrilou O'Brien
Clovis A. Wood, Jr.
Barbara J. Wood, Jr.
Ninda B. Duke

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2019-161** seeks to rezone 1.09 acres of land from the Industrial Water (IW) Zoning District to the RLD-90 and RLD-100A Zoning Districts. The properties currently have one single family dwelling on each parcel.

RE# 159984-0000 - dwelling constructed in 1958

RE# 159977-0000 - dwelling constructed in 1960

RE# 159976-0000 - dwelling constructed in 1962

RE# 159975-0010 - dwelling constructed in 1979

RE# 159975-0000 - dwelling constructed in 1953

RE# 159974-0100 - dwelling constructed in 1988

The area was zoned RS-D in 1969 and later rezoned IW in 1991.

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 properties are located along Heckscher Drive (SR 105) with a WD/WR functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan. The WD-WR Future Land Use Category is primarily intended for land uses that require deep water access to the St. Johns River. The primary purpose of the category is to protect, support and permit orderly expansion of the Port of Jacksonville. Principal uses include Ports; Harbors; Industrial docks; Facilities for construction; Maintenance and repair of vessels; Ship supply establishments and facilities; Freight, trucking, shipping or other transportation terminals; Non-manufacturing; Storage; Processing; Transportation; Dredge; and Disposal.

The LDR Future Land Use Category in the Suburban Area is intended to provide for low-density residential development. Principal uses include Single family and Multi-family dwellings.

Prior to the adoption of the 2010 Comprehensive Plan in 1991, the property was zoned residential (RS-D) which allowed for single-family residential uses. The 2010 Comprehensive Plan changed the land use and zoning in this area to WD-WR and IW, respectively. The proposed amendment is intended to bring the properties into conformance with their actual and historic use and to protect and preserve the character of the existing residential area, balancing the residential and non-residential uses of this area consistent with the intent of Goal 3, Objective 3.1 and Policy 3.1.2.

Designation of this area as future WD-WR when the Comprehensive Plan was adopted was premature. The area was presumed to be appropriate for WD-WR industrial uses. Since the adoption of the 2010 Comprehensive Plan, almost 30 years ago, the area has stayed predominately residential due to the small size of these lots, the environmental sensitivity of the area and the lack of railway and public facilities. The conversion of other parcels in the area from industrial to residential demonstrates that these properties are not crucial to the long-term economic well-being of the City of Jacksonville nor the Port of Jacksonville. WD-WR is not consistent with the character of the area. The industrial requirement for the availability of public services and the market demand for industrial uses since the adoption of the 2010 Comprehensive Plan has not been established therefore, the land use category of WD-WR is inconsistent with FLUE Policy 3.2.7.

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

FLUE 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.

FLUE 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.

FLUE 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.

FLUE Policy 3.1.2 The City shall eliminate incompatible land uses or blighting influences from potentially stable, viable residential neighborhoods through active code enforcement and other regulatory measures.

FLUE Policy 3.2.7 The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the areas served, availability of public facilities, and market demands.

CCME Objective 7.4 Limit development density and intensity within the Coastal High Hazard Area (CHHA) and direct it outside of the CHHA, and mitigate the impact of natural hazards in the area.

The land use amendment and companion rezoning will not increase the existing density of the area.

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

No. It is the opinion of the Planning and Development Department that the proposed rezoning does not appear to be in conflict with any portion of the City's land use regulations. The proposed rezoning will allow a continuance of residential/multi-family development in the area and provide a greater variety of housing types and services.

The North Jacksonville Shared Vision and Master Plan calls for the creation of the Heckscher Scenic Parkway, which came out of the Heckscher Drive (SR 105) Visioning Project. The Heckscher Islands Visioning Project is a component of the larger North Jacksonville Vision Plan and is intended to identify some of the cultural elements of the community that should be enhanced and to provide a vision that will guide future development and growth management decisions. A goal of the proposed Scenic Parkway is to limit the intensity of development along certain portions of the Heckscher Drive (SR 105) Corridor and to preserve the predominantly residential character of the area. The proposed amendment conforms to these goals and is therefore consistent with the Vision Plan.

SURROUNDING LAND USE AND ZONING

The subject property is located on San Juan Avenue with the surrounding uses, land use categories and zoning as follows:

Adjacent Properties	Land Use Category	Zoning District	Current Use
North			Browns Creek
East	LDR WD/WR	RLD-100A IW	Single family dwellings Browns Creek Fish Camp
South			St. Johns River
West	WD/WR CSV	IW CSV	Undeveloped, single family dwelling Marshland

The proposed rezoning to RLD-90 And RLD-100A will be consistent and compatible with the surrounding residential uses in the area.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on September 3, 2015, the required Notice of Public Hearing sign was posted:



RECOMMENDATION

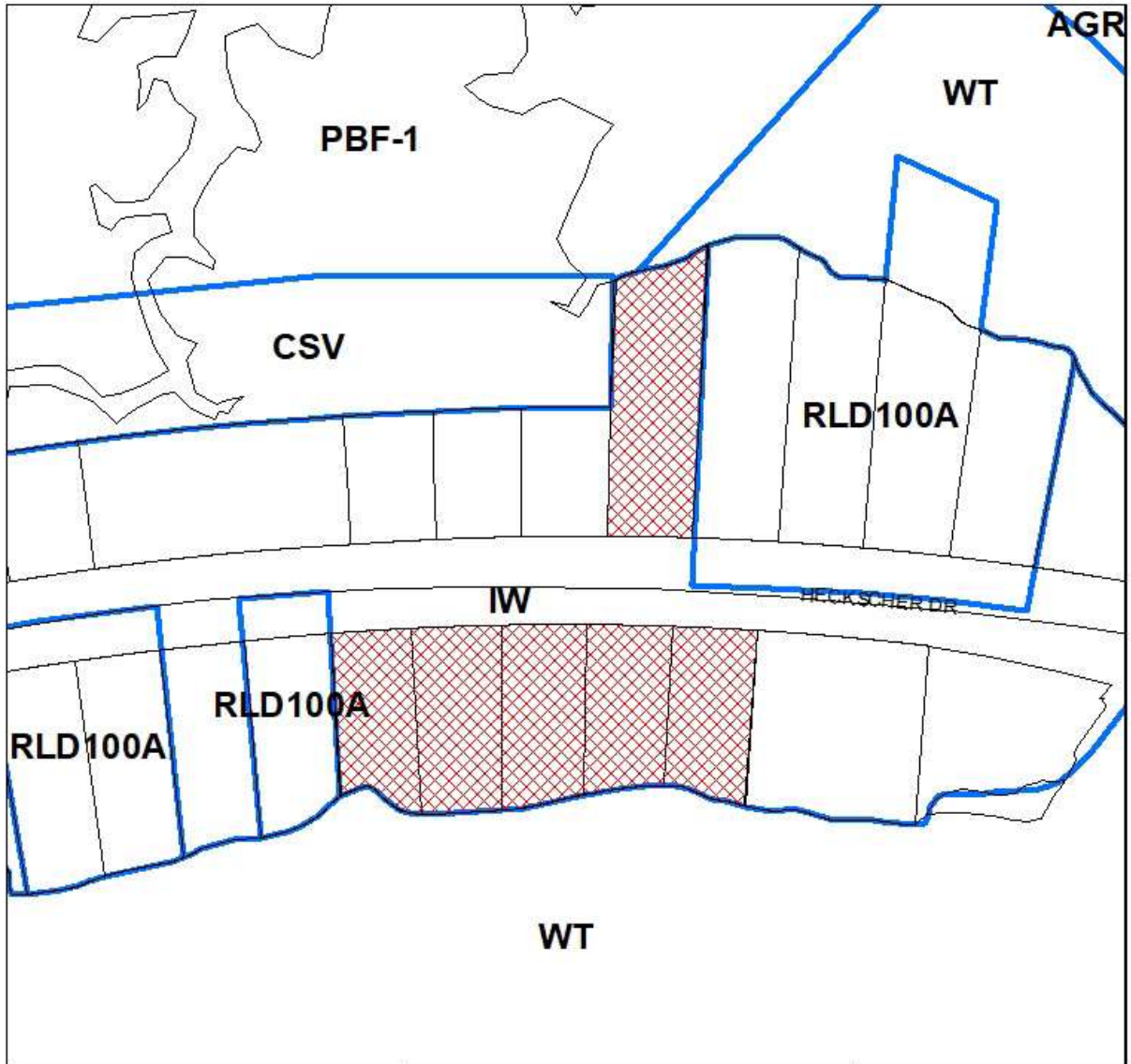
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance 2019-161 be APPROVED.



View along Heckscher Drive (SR 105)



One of the subject properties



<p>REQUEST SOUGHT:</p> <p>FROM: IW</p> <p>TO: RLD-90 & RLD-100A</p>	<p>LOCATION MAP:</p>	<p>0 65 130 260 Feet</p> <p>COUNCIL DISTRICT:</p> <p>2</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2019-0161</p>	<p>TRACKING NUMBER</p> <p>T-2019-2278</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>