

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2019-367**

**JUNE 20, 2019**

The Planning and Development Department hereby forwards to the Land Use and Zoning Committee and City Council its comments and recommendation regarding Application for Rezoning Ordinance **2019-367**.

***Location:*** 12017 Branan Field Road  
East of Cecil Field

***Real Estate Number:*** 002334-5400

***Current Zoning District:*** Agricultural (AGR)

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

***Current Land Use Category:*** Rural Residential (RR)

***Planning District:*** Southwest, District 4

***Owner/Agent:*** Duane M Roberts  
4656 Twelve Oaks Court  
Jacksonville, Florida 32210

***Staff Recommendation:*** **DENY**

**GENERAL INFORMATION**

Application for Rezoning **Ordinance 2019-367** seeks to rezone approximately 3.14 acres of land from AGR to RR-Acre. The subject property is within the Rural Residential (RR) functional land use category as defined by the Future Land Use Map (FLUM) series contained in the Future Land Use Element (FLUE) as adopted as part of the 2030 Comprehensive Plan and within the Suburban Development Area. The property is located on the east side of Branan Field Road and east of Cecil Field. The property is currently undeveloped but has had the land cleared for the development of single-family dwellings. The Applicant intends to develop the property with two single-family dwellings.

Comments from Jacksonville Aviation Authority are as follows, the proposed residential development is within the 65 DNL for Cecil Airport. By FAA's definition, residential development within this defined noise zone is considered incompatible, and airports are tasked with protecting themselves from incompatible adjacent development. While JAA

encourages compatible adjacent uses such as industrial and commercial activities, the proposed 2019-367 rezoning is strongly opposed.

### **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 subject site is located on the east side of Brannan Field Road and is classified as a local road according to the City's Roadway Classification Map. The applicant seeks to rezone the property from AGR to RR-Acre in order to develop single-family homes on the site. The application site is located in the RR land use category within the Suburban Development Area as identified in the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. The site is also located in Planning District 4 and Council District 12.

According to the Future Land Use Element (FLUE), RR in the Suburban Area is intended to provide rural estate residential opportunities in the Suburban and Rural Areas of the City. Plan amendment requests for new RR designations are preferred in locations which are supplied with full urban services. 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.

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

No. This rezoning does not further the Goals, Objectives and Policies of the 2030 Comprehensive Plan, including the following:

**Future Land Use Element:**

***Policy 1.2.9***

Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

The site will not be serviced by JEA central water or sewer as it appears on the infrastructure maps that no services are readily available to the site. The site is large enough for the use of a well and septic system but these would be an addition to the property not already on site.

**Airport Environment Zone**

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 site is located within the 150 foot Height and Hazard Zone for the Cecil Airport. Zoning will limit development to a maximum height of less than 150 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). By allowing the density increase with the requested rezoning this would entitle the property to create more homes in an area very close to the runways of Cecil Field. The property not only is restricted for the height of buildings but also has increased standards for sound proofing the home(s). The subject property is within the 65 dB area for noise and Civilian Notice Zone. Staff does not support the increase in homes in an area that has potential for airplane/airport interference on health and safety of citizens. JAA is also opposed to the proposed rezoning.

The proposed rezoning to RR-Acre does not support the intent of the Suburban Development Area in the RR Land Use Category and the other characters unique to this property including the surrounding properties and the airport environment created by the proximity to Cecil Field.

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

No. The proposed rezoning does not conflict with any portions of the City's land use regulations. If approved, the subject property will be permitted to be developed with two single family dwellings which is would held to standards of the City's land use regulations but is not consistent with the surrounding uses and does not support the Goals, Objectives and Policies of the 2030 Comprehensive Plan.

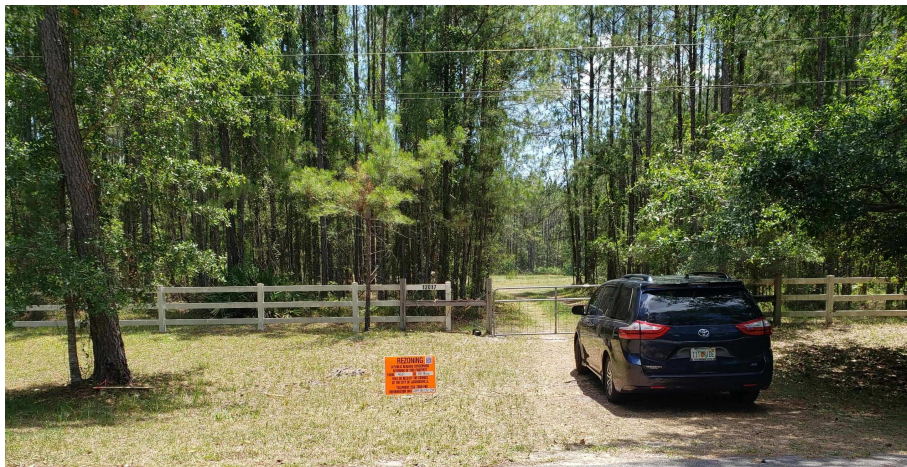
### **SURROUNDING LAND USE AND ZONING**

The surrounding uses, land use category and zoning are as follows:

<b><u>Adjacent Property</u></b>	<b><u>Land Use Category</u></b>	<b><u>Zoning District</u></b>	<b><u>Current Use(s)</u></b>
North	RR	AGR	Single-family
East	RR	AGR	Single-family
South	RR	AGR	Single-family
West	MU	PUD 1997-1064-E	Airport

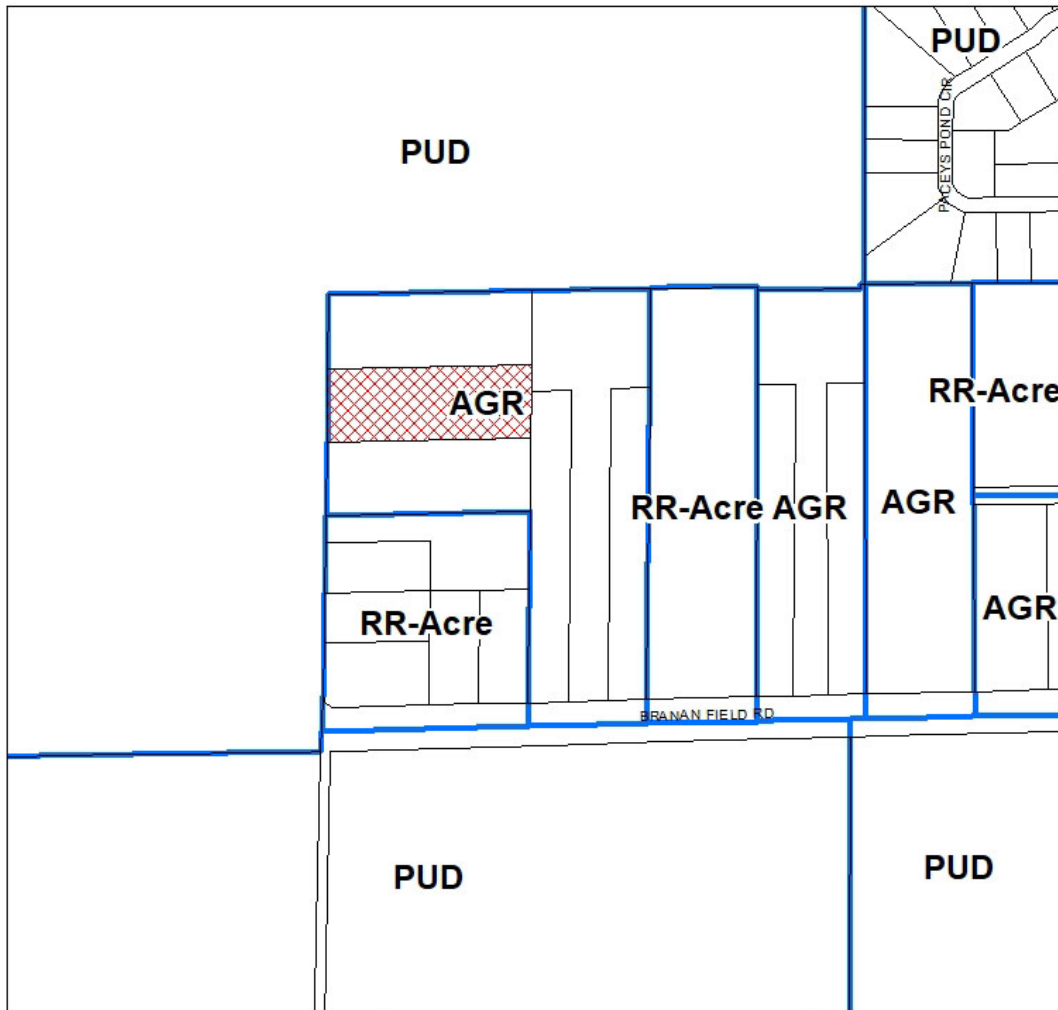
### **SUPPLEMENTARY INFORMATION**

The applicant provided evidence of the required Notice of Public Hearing sign posted on the subject property on **May 21, 2019**:



### **RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2019-367** be **DENIED**.



<p><b>REQUEST SOUGHT:</b></p> <p>FROM: AGR          TO: RR-ACRE</p>	<p><b>LOCATION MAP:</b></p>	<p>0 155 310 620          Feet</p> <p><b>COUNCIL DISTRICT:</b>          12</p>
<p><b>ORDINANCE NUMBER</b>          ORD-2019-0367</p>	<p><b>TRACKING NUMBER</b>          T-2019-2328</p>	<p><b>EXHIBIT 2</b>  <b>PAGE 1 OF 1</b></p>