



APPLICATION FOR SMALL- SCALE AMENDMENT TO THE FUTURE LAND USE MAP

APPLICATION & SURROUNDING AREA INFORMATION

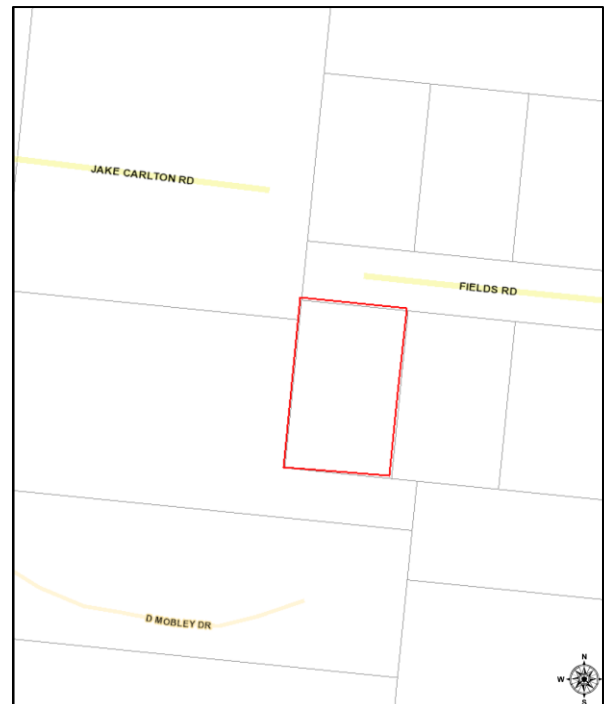
OWNER/APPLICANT:	Set Free Nassau, Inc.			
AGENT:	Mark Souter			
REQUESTED ACTION:	Small-scale FLUM amendment of appx. 0.42 acre from Commercial (COM) to Med. Density Residential (MDR)			
LOCATION:	On the South side of Fields Road, between US Hwy 17 and Winona Bayview Road			
CURRENT LAND USE + ZONING:	Commercial (COM)+ Residential Single Family-2 (RS-2)			
PROPOSED LAND USE + ZONING:	Med. Density Residential (MDR) + Residential Single Family-2 (RS-2)			
EXISTING USES ON SITE:	Vacant			
PROPERTY SIZE + PARCEL ID:	0.42 ac + Parcel ID #s 42-2N-27-4440-0004-0000			
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Zoning</u>	<u>FLUM</u>
	North	Residential MH	RS-2	MDR
	South	Church	CI/RS-2	COM
	East	Vacant/SF Residential	RS-2	COM
	West	Church	CI	COM

*** All required application materials have been received. All fees have been paid. All required notices have been made. All copies of required materials are part of the official record and have been made available on the County's website and at the Planning + Economic Opportunity Department Office. ***

SUMMARY OF REQUEST AND BACKGROUND INFORMATION

The proposed amendment to the Future Land Use Map (FLUM) of the Comprehensive Plan is of one parcel comprising 0.42 acre. The property is current vacant but formerly contained a mobile home. The request is to amend the Future Land Use Map (FLUM) designation from Commercial (COM) to Medium Density Residential (MDR). Pursuant to Sec. 163.3187, F.S., FLUM amendments containing 10 acres or less are considered "Small Scale" and do not require prior transmittal for inter-agency review.

The property, in its entirety, is presently zoned Residential Single Family-2 (RS-2). The applicant is seeking to place a mobile home on the site. A mobile home is a conditional use in the RS-2 zoning district and the applicant has applied for a conditional use on this property (CU19-017). In order for the conditional use to be granted the FLUM must be changed to conform with the residential use of the site.





CONSISTENCY WITH THE COMPREHENSIVE PLAN

Applicable Policy Reference	Determination of Consistency
FL.01.04(A-G)	✓
FL.08.01	✓
CI.02.01	✓

Policy FL.01.04

Pursuant to Ch. 163, F.S. and Policy FL.01.04 of the Comprehensive Plan, all amendments to the Future Land Use Map (FLUM) shall provide justification for the need for the proposed amendment. In evaluating proposed amendments, the County shall consider each of the following:

(A) *Demonstrate the extent to which the proposed amendment discourages urban sprawl per F.S. 163.3177(6)(a)(9), of which indicators are:*

- 1) *Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.*

The proposed amendment will not significantly alter a substantial area of the jurisdiction to develop as low-intensity, low-density, or single-use development. The parcel is currently shown as Commercial (COM) on the FLUM. It is currently zoned RS-2 and appears to have been zoned for residential use at least as far back as the adoption of the Comprehensive Plan. Mobile homes or Single family residences have already been constructed on many of the surrounding parcels. It will not adversely alter development patterns in the area.

- 2) *Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*

A mobile home was previously located on the parcel as shown on recent aerials. The proposed amendment will support the continued historical use of the parcel as residential. It will not result in significant amounts of urban development occurring in an inappropriate area.

- 3) *Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.*

The proposed amendment will not expand commercial or other intensive land uses in radial strip, isolated or ribbon pattern from existing urban development. The amendment will allow continued historical use of the parcel as single family residential.



- 4) *Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.*

No significant wetlands or environmentally sensitive areas are located on the site. The amendment should not have an adverse impact on any identified environmentally sensitive lands or designated conservation areas.

- 5) *Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.*

The proposed amendment will not adversely impact any known agricultural or silviculture activities.

- 6) *Fails to maximize use of existing public facilities and services.*

A mobile home was previously located on the parcel as shown on recent aerials. Single family residences or mobile homes have already been constructed on several of the surrounding parcels. It will have a minimal impact on demand for school facilities or parks, and will not likely increase demand for potable water, sanitary sewer, and other public facilities and services. (See Attachment A).

- 7) *Fails to maximize use of future public facilities and services.*

A mobile home was previously located on the parcel as shown on recent aerials. Single family residences or mobile homes have already been constructed on several of the surrounding parcels. It will have a minimal impact on demand for school facilities or parks, and will not likely increase demand for potable water, sanitary sewer, and other public facilities and services. (See Attachment A).

- 8) *Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.*

The proposed amendment will support the continued historical use of the parcel as residential. the proposed amendment would have a minimal impact on demand for school facilities or parks, would reduce the projected number of pm peak hour trips generated on roadways, and will not likely increase demand for potable water, sanitary sewer, and other public facilities and services and will not, according to staff's analysis result in the reduction of any adopted levels of service as specified in Capital Improvements Policy CI.02.01 (See Attachment A). It will not significantly alter development patterns.



9) *Fails to provide a clear separation between rural and urban uses.*

The proposed amendment is being considered only to correct a likely misinterpretation of the FLUM on this property. It will not result in an adverse development pattern that will fail to provide a clear separation between urban and rural.

10) *Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.*

The proposed amendment will support the continued historical use of the parcel as residential. It will not adversely impact development patterns in the area or discourage infill or redevelopment of surrounding properties.

11) *Fails to encourage a functional mix of uses.*

The proposed amendment will support the continued historical use of the parcel as residential. It does not discourage a functional mix of uses.

12) *Results in poor accessibility among linked or related land uses.*

The proposed amendment will support the continued historical use of the parcel as residential. There will likely be no more than one additional single-family unit (or mobile home_ added on the presently vacant lot. The amendment will not result in poor or reduced accessibility among surrounding uses.

13) *Results in the loss of significant amounts of functional open space.*

The amendment should not have an adverse impact on any identified environmentally sensitive lands or designated conservation areas. It will not result in the loss of a significant amount of functional open space.

(B) *Demonstrate the extent to which the proposed amendment is contiguous to an existing urban or urban transitioning area served by public infrastructure;*

The parcel in question appear, from its configuration, to have been intended for residential use and have been zoned for residential use at least as far back as the adoption of the Comprehensive Plan. The current and/or historical use of the property appears to be for residential use. There is no evidence of historical commercial use on any of these properties. The proposed amendment will not result in an adverse development pattern and should not overly burden existing or proposed public infrastructure.



- (C) Demonstrate the extent to which population growth and development trends warrant an amendment, including an analysis of vested and approved but unbuilt development;*

The proposed amendment will support the continued historical use of the parcel as residential. There will be no more than one additional single-family (or mobile home) unit added on the presently vacant lot. The proposed amendment is being sponsored by the County to correct a likely misinterpretation of the FLUM and it will not result in an adverse development pattern and should not overly burden existing or proposed public infrastructure. Population growth is not a factor in its approval.

- (D) Demonstrate the extent to which adequate infrastructure to accommodate the proposed amendment exists, or is programmed and funded through an adopted Capital Improvement Schedule, such as the County's Capital Improvement Plan, the Florida Department of Transportation Five-Year Work Program, the North Florida Transportation Planning Organization (TPO) Transportation Improvement Program, or privately financed through a binding executed agreement, or will otherwise be provided at the time of development impacts as required by law;*

The proposed amendment will support the continued historical use of the parcel as residential. There will be no more than one additional single-family (or mobile home) unit added on the presently vacant lot. It will have minimal impact on demand for school facilities or parks, and will not likely increase demand for potable water, sanitary sewer, and other public facilities and services. (See Attachment A). Future development on the site will be subject to fees assessed as part of the County's adopted Mobility Plan. It will not alter development patterns significantly to the degree that would require improvements funded through the County's Capital Improvement Plan, the Florida Department of Transportation Five-Year Work Program, the North Florida Transportation Planning Organization (TPO) Transportation Improvement Program.

- (E) Demonstrate the extent to which the amendment will result in a fiscally and environmentally sustainable development pattern through a balance of land uses that is internally interrelated; demonstrates a context sensitive use of land; ensures compatible development adjacent to agriculture and environmentally sensitive lands; protects environmental and cultural assets and resources; provides interconnectivity of roadways; supports the use of non-automobile modes of transportation; and appropriately addresses the infrastructure needs of the community.*

The proposed amendment will not significantly alter a substantial area of the jurisdiction to develop as low-intensity, low-density, or single-use development. The proposed amendment will support the continued historical use of the parcel as residential. There will be no more than one additional single-family (or mobile home) unit added on the presently vacant lot. It will have minimal impact on demand for school facilities or parks and will likely have no impact on demand for other public facilities and services. (See Attachment A) It will not result in an adverse development pattern and should not overly burden existing or proposed public infrastructure.



(F) Demonstrate the extent to which the amendment results in a compact development form that fosters emergence of vibrant, walkable communities; makes active, healthier lifestyles easier to enjoy; conserves land; supports transportation alternatives; reduces automobile traffic congestion; lowers infrastructure costs; reduce vehicular miles traveled and costs related to household transportation and energy; and puts destinations in closer proximity. Successful compact development is illustrated through the use of:

- 1. Clustered population and/or employment centers;*
- 2. Medium to high densities appropriate to context;*
- 3. A mix of land uses;*
- 4. Interconnected street networks;*
- 5. Innovative and flexible approaches to parking;*
- 6. Multi-modal transportation design including pedestrian, bicycle, and transit-friendly options;*
- 7. And proximity to transit.*

The parcel in question appear, from its configuration, to have been intended for residential use and have been zoned for residential use at least as far back as the adoption of the Comprehensive Plan. The current and/or historical use of the property appears to be for residential use. There is no evidence of historical commercial use on any of these properties.

Examination of previously approved and dated FLUM maps appear to be inconclusive as to the designation of this property, and therefore possibility exists that previous FLUM maps were incorrectly interpreted, leading to this parcel and adjacent parcels being designated as COM on the FLUM, despite being zoned for residential use and having no history of commercial use. The proposed amendment will not result in an adverse development pattern and should not overly burden existing or proposed public infrastructure.

It is the responsibility of the County to ensure, through the application of the site plan review process, that any use proposed in this designation is compatible with the above goals, the Goals, Objectives and Policies of the Comprehensive Plan, and the requirements of the Land Development Code.

(G) Demonstrate the extent to which the amendment does not propose environmental impacts that would significantly alter the natural landscape and topography such that it would exacerbate or lead to increased drainage, flooding, and stormwater issues.

No significant wetlands or environmentally sensitive areas are located on the site. The amendment should not have an adverse impact on any identified environmentally sensitive lands or designated conservation areas.



Policy FL.08.01 & CI.02.01

Policy FL.08.01 & CI.02.01 require the County to ensure that development orders are conditioned upon the provision of adequate public facilities and services as identified in this plan. The County may not issue a development order or permit that results in a reduction in the level of service (LOS) for the affected public facilities below the minimum level of services established in this plan. Public facilities and services must meet or exceed the level of service standards established in this plan and must be available when needed for the development as specified in this plan.

A brief analysis of potential impacts based on adopted levels of service is included in Attachment A to this report. Analysis was done for maximum commercial uses vs. the proposed residential use (max. 1 unit).

Based on this analysis, the proposed amendment would have a minimal impact on demand for school facilities or parks, would reduce the projected number of pm peak hour trips generated on roadways, and will not likely increase demand for potable water, sanitary sewer, and other public facilities and services and will not, according to staff's analysis result in the reduction of any adopted levels of service as specified in Capital Improvements Policy CI.02.01 (See Attachment A). Future development on the site will be subject to fees assessed as part of the County's adopted Mobility Plan.

CONSISTENCY WITH THE LAND DEVELOPMENT CODE

ARTICLE 9. - RESIDENTIAL, SINGLE-FAMILY (RS-1 and RS-2)

Section 9.01. - Permitted uses and structures.

No rezoning application has been filed for this site. The site would maintain its current RS-2 zoning. Single family homes are a permitted use in this zoning district.

ARTICLE 28. - SUPPLEMENTARY REGULATIONS

Section 28.14. - Supplementary regulations for certain conditional uses.

Mobile homes are a permissible as a conditional use in the RS-2 zoning district per Sec. 28.14(I).



CONCLUSION

- Staff finds that the parcel in question appear, from its configuration, to have been intended for residential use and has zoned for residential use at least as far back as the adoption of the Comprehensive Plan. The historical use of the the parcel and several surrounding parcels appears to be for residential use. There is no evidence of historical commercial use on any of these properties.
- Staff finds that the possibility exists that previous FLUM maps were incorrectly interpreted, leading to these parcels being designated as MDR on the FLUM, despite being zoned for commercial use and having no history of residential use. The proposed amendment will not result in an adverse development pattern and should not overly burden existing or proposed public infrastructure.
- Staff finds the requested action to be consistent with the Comprehensive Plan, in particular the adopted criteria for approval of a FLUM amendment in Policy FL.01.04 (A-G) as described above.
- Staff finds that, consistent with Comprehensive Plan Policies FL.08.01 and CI.02.01, the proposed amendment will not result in a reduction in the level of service (LOS) for affected public facilities below the minimum level of services established in the Comprehensive Plan.
- Staff finds the requested action is also consistent with the current Residential, Single-Family-2 (RS-2) zoning district and the applicable provisions of the Land Development Code as described above.

Based on these findings, staff recommends APPROVAL of application CPA19-011.

Submitted by:

A handwritten signature in blue ink, appearing to read "Doug McDowell".

Doug McDowell, AICP
Principal Planner

ATTACHMENT A

Impact Analysis Summary

Application: CPA19-011

Area: 0.42 acre

From: Commercial (COM)

To: Medium Density Residential (MDR)

	Current (COM)	Proposed (MDR)
Maximum Development Potential ¹	7,318 sq. ft. retail commercial	1 residential dwelling unit
ITE Code ²	820	210

	Current (COM)	Proposed (MDR)	Net Impact
Population Projection- persons ³	0	3	3 persons
Transportation Impacts			
Trip Generation- PM peak hour(pmph) ²	25	1	(25) pmph
Public Facilities Impacts			
Water (JEA)- gallons per day (gpd) ⁴	1,098	330	(768) gpd
Sewer (JEA)- gallons per day (gpd) ⁴	1,098	330	(768) gpd
Solid Waste Disposal- tons per year (tpy) ⁴	13.4	3.0	(10.4) tpy
Recreation & Parks- acres (ac) ⁴	0	0	0.04 ac
Public Schools- students ⁵	0	0	1 students

¹ Policy FL.01.02(A-E), 2030 Comprehensive Plan

² ITE Trip Generation Report, 8th ed.

³ BEBR, Univ. of Florida, 2019

⁴ JEA, 2018; Policy CI.02.01, 2030 Comprehensive Plan

⁵ Nassau County School District, 2017