



APPLICATION FOR REZONING

APPLICATION & SURROUNDING AREA INFORMATION:

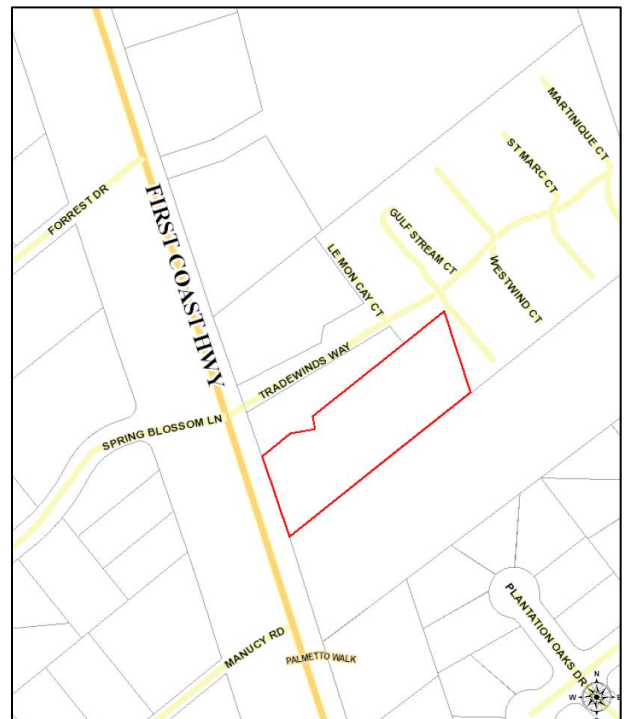
OWNER/APPLICANT:	James E. Aberson and Amy A. Beverly			
AGENT:	Oglethorpe Development LLC			
REQUESTED ACTION:	Rezoning of appx. 1.67 acres from Residential Single-Family 1 (RS-1) to Residential General 1 (RG-1)			
LOCATION:	On the east side of First Coast Hwy., between Tradewinds Way and Plantation Oaks Lane			
CURRENT LAND USE + ZONING:	High Density Residential (HDR) + Residential Single-Family 1 (RS-1)			
PROPOSED LAND USE + ZONING:	High Density Residential (HDR) + Residential General 1 (RG-1).			
EXISTING USES ON SITE:	Single Family Detached Residence			
PROPERTY SIZE + PARCEL ID:	1.67 ac + Parcel ID # 00-00-30-0760-0006-0020			
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Zoning</u>	<u>FLUM</u>
	Property	Single Family Dwelling	RS-1	HDR
	North	Multi Family Residential (Condos)	RG-1	HDR
	South	Commercial (Office/Retail)	CG	COM
	East	Multi Family Residential	RG-1	HDR
	West	Vacant/SF Residential	PUD/RS-1	MDR

*** 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 rezoning request is from Residential Single-Family 1 (RS-1) to Residential General 1 (RG-1). The RG-1 zoning district is one of several districts allowed in the HDR Future Land Use Map (FLUM) category, which allows residential density between three and 10 units per acre. Other HDR-compatible zoning districts are RS-1 & 2 (Residential Single Family), (RT (Residential Townhome) and RM (Residential Mixed) and Residential General 2 (RG-2). RG-1 typically allows 8-10 units per acre, RS-1 allows up to four units per acre, and the other districts mentioned above allow up to five units per acre. RG-2 allows up to the maximum permitted by the Comprehensive Plan, typically 10 units per acre. While the Applicant has requested a more intense zoning category in the HDR category, the County does not have to approve the request, based on whether the request meets applicable criteria, and can decide to only accept one of the lower-density districts.

According to Article 12 of the LDC, the Residential General-1 (RG-1) zoning district proposed for this site is intended to provide for a variety of housing types, including single family detached, single-family attached (townhomes) or multi-family dwellings.





CONSISTENCY WITH THE COMPREHENSIVE PLAN
Policy FL.01.02(B)

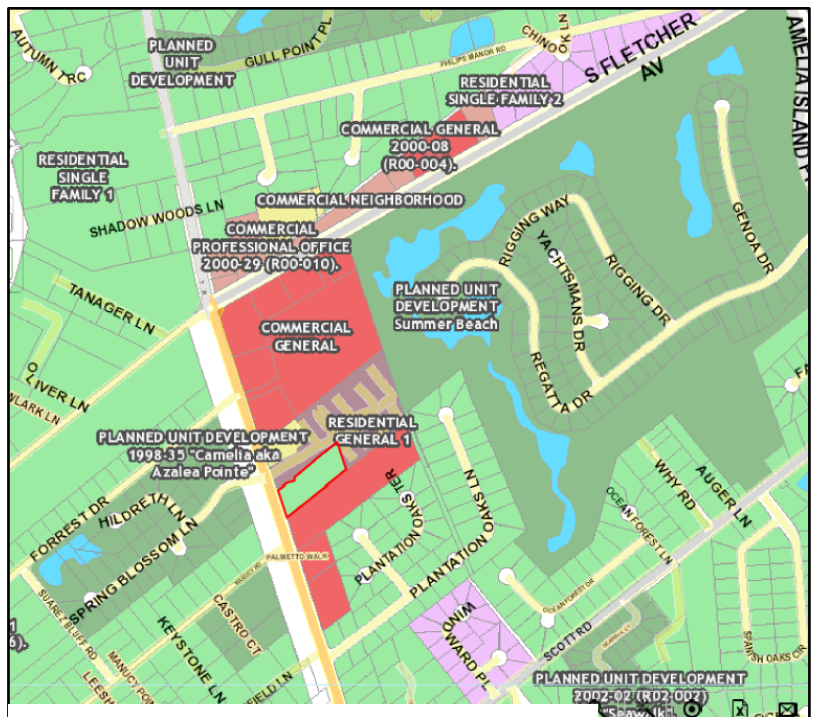
This policy sets forth use and density limitations for residential future land use map designations. As stated, the HDR land use category provides for residential densities between three and 10 units per acre and allows a variety of housing types including single-family detached, single-family attached, duplex, and multi-family housing. Policy FL.01.03 of the Comprehensive Plan may authorize, through a separate development agreement, a density bonus for qualifying affordable housing projects up to 150% of the typical maximum density allowed by the FLUM category. In HDR this would be a maximum of 15 units per acre. The HDR category allows for community/public facilities approved pursuant to an exception or conditional use permit, such as water and wastewater facilities, electric power substation and transmission facilities, emergency medical, fire protection and police facilities, parks and schools. Parcels of land designated for HDR land use are intended to be used predominately for housing and shall require buffering from intrusion of land uses that are incompatible with residential uses.



Vicinity Future Land Use Map

The proposed RG-1 zoning district would be consistent with uses permitted in the HDR category. The property is adjacent to other properties designated HDR which currently contain single family attached and multi-family residential uses.

The proposed rezoning would allow for an infill project located within the commercial and high density node located east of 1st Coast Highway and south of Fletcher Avenue, approximately ½ mile south of Fernandina Beach city limits. Higher intensity uses in this node include a grocery store-anchored shopping center and 60-unit condominium complex to the north, and a seven-unit retail center to the south. The surrounding area has developed over time with a mix of low- to moderately intense commercial uses, multi-family and single-family residential uses. The parcel is enclosed on three sides (north, south and east) by existing commercial or multi-family uses and FLUM designations on



Vicinity Zoning



surrounding parcels. The Colony townhome complex to the north and east contains 60 units with a density of 10 units per acre.

CONSISTENCY WITH THE LAND DEVELOPMENT CODE

ARTICLE 5. – PROCEDURES

Section 5.02. - Rezoning.

Pursuant to Section 5.02 (C) and (D), staff shall review all rezoning applications for consistency with the Nassau County Comprehensive Plan and provide a recommendation to the Planning and Zoning Board regarding the merits of the request based upon the goals, objectives and policies of the adopted comprehensive plan (see above).

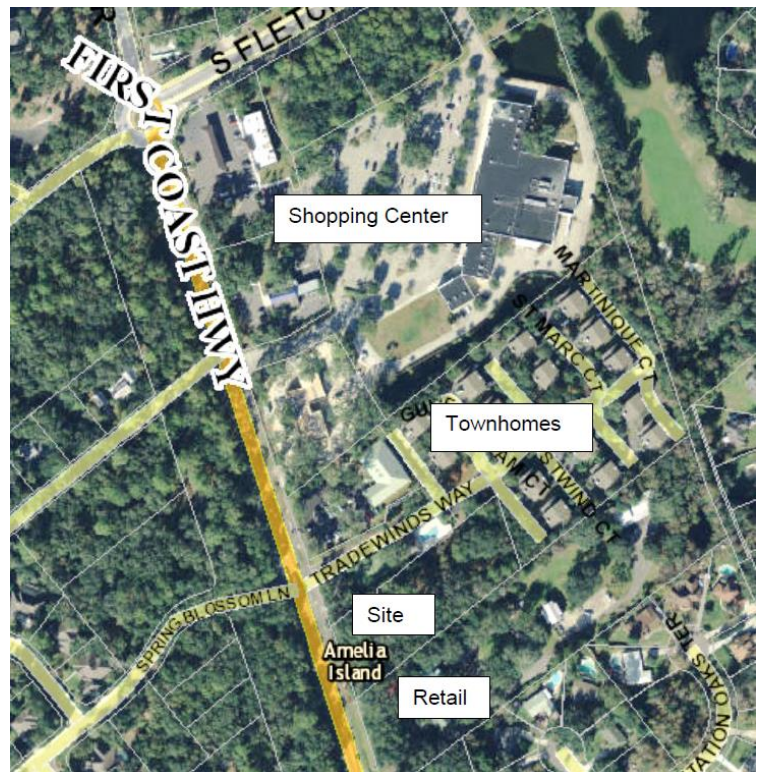
The Planning and Zoning Board's recommendation to the Board of County Commissioners shall show that the planning and zoning board studied and considered:

- 1) The need and justification for the change; and
- 2) The relationship of the proposed rezoning to the County's general planning program.

A justification for the request is the similar RG-1 zoning to the north and the adjacent higher density residential and commercial developments. The proposed rezoning is not contrary with the County's general planning program. The subject property meets the minimum lot size and width for the RG-1 zoning district found in Section 16.05. (minimum lot width is 100 feet, and minimum lot area is 20,000 square feet). The maximum building height for all types of residential structures is 35 feet. The subject property has access to First Coast Highway (SR A1A), which is classified as a principal arterial roadway by the Functional Highway Classification Map (Future Transportation Map series FTMS-3) adopted in the Comprehensive Plan.

Applications are also evaluated with the following rezoning criteria.

a. *Explain how the proposed change relates to the established land use pattern.* The change would apply the same RG-1 zoning found to the north to the property. The fact that properties on three sides are either higher density residential or commercial supports the application.





b. Identify isolated district(s) that would be created by the proposed change.

The change would not create an isolated zoning district, in fact it would supplement the current RG-1 isolated district to the north.

c. Explain how the proposed change would impact public facilities such as schools, utilities, streets and traffic.

Future development on the property must meet school, park, and other applicable concurrency requirements. A 2018 traffic study by FDOT determined that there was not a need for a traffic light at 1st Coast Highway and Julia Street.

The adopted Interlocal Agreement between the County and the Nassau County School Board requires that school concurrency requirement be satisfied before a rezoning that increases residential density can be adopted. If the School Board has made finding of deficiency of school capacity, the applicant must enter into an agreement with School Board to address its proportionate share of impacts to public school facilities. It is the responsibility of the applicant to negotiate this agreement with the School Board and that it be in place prior to the adoption of the ordinance. The applicant has been made aware of this responsibility.

d. Describe the existing and proposed conditions for the subject property and surrounding properties.

The property now hosts a single-family detached dwelling and is proposed for multi-family uses. The Applicant has stated the intent to target the workforce and affordable housing market. As stated previously, the Comprehensive Plan may authorize density bonus for qualifying affordable housing projects up to 150% of the typical maximum density allowed by the FLUM category. This is subject to a separate development agreement to be entered into by the County and the developer and is not automatically granted to the property.

e. Identify Comprehensive Plan policies that support the proposed change, especially long range land use plans.

The proposed change is supported by Future Land Use Element Policy FL.08.05, which states that the County shall direct commercial and multi-family residential uses into clustered or nodal development patterns that eliminate or reduce strip or ribbon development following major County or state roads.

Future Land Use Element OBJECTIVE FL.06 and its policies, which discourage FLUM amendments that increase density and increase hurricane evacuation time, is not applicable to rezonings.

f. Explain how changed or changing conditions make the approval of this proposed rezoning desirable.

The single-family house on the property is a vestige of past development patterns when this part of Amelia Island was semi-rural, with houses on large lots. Conditions have changed since those past times and commercial and higher-density residential development have surrounding the property.

g. Explain how the proposed change will not adversely affect living conditions in the adjacent neighborhoods.

The change will not adversely affect conditions in adjacent neighborhoods due to the relatively small size of the parcel and the similar higher intensity/density uses of surrounding properties.

h. State that the proposed change will comply with all Federal, State and local drainage requirements.

This is an application requirement.

i. Explain how the proposed change will encourage the improvement or development of adjacent property in accordance with existing regulations.

Not applicable as adjacent properties are already developed.



j. Explain why the property cannot be used with existing zoning.

The property can be developed with four or five single-family detached homes with the existing RS-1 zoning (up to 13 units would be allowed with RG-1).

k. Describe the scale of the proposed project according to the needs of the neighborhood and the needs of Nassau County.

The scale of the proposed project is appropriate for the location within a commercial and multi-family node. Additional residences will help to support the nearby commercial uses without requiring automobile travel.

l. Are there other sites in this general location with similar zoning?

Yes, the property to the north is also zoned RG-1.

CONCLUSION

While the County is not obliged to approve the a more intense zoning district in the HDR category, in this case it may be appropriate to do so, given the presence of similar zoning to the north, and the similarly intense higher density residential and commercial development in the immediate surroundings. Based on the findings of this staff report, the requested action is compliant with the requirements of Sec. 5.02 of the County's Land Development Code and generally meets the rezoning criteria described in this report above.

Staff recommends APPROVAL of application R20-004.

NOTE: Please see response to (c) above. The applicant has been made aware of the need to satisfy school concurrency requirements. Adoption hearings by the Board of County Commissioners may be continued until the applicant has demonstrated compliance with this requirement.