



APPLICATION FOR CONDITIONAL USE PERMIT

APPLICATION

OWNER/APPLICANT:	D&J Motorsports Promotions Inc. (C/O Lisa and David Hicken)			
AGENT:	N/A			
REQUESTED ACTION:	Conditional use permit to allow for a racetrack for vehicles in the Open Rural (OR) zoning district.			
Location:	543455 US Hwy 1, Callahan, FL			
Land Use:	Agricultural (AGR)			
Zoning:	Open Rural (OR)			
Existing Uses on Site:	Race Track			
Property Size + Parcel ID:	57 acres / 17-2N-25-0000-0005-0010			
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Zoning</u>	<u>FLUM</u>
	North	Single-Family Dwelling	OR	AGR
	South	Single-Family Dwelling	OR	AGR
	East	Fairgrounds	GPU	Public Bldgs.
	West	Timberland	OR	AGR
COMMISSION DISTRICT:	5			

*** 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 property is located on the west side of US HWY 1, approximately $\frac{3}{4}$ of a mile north of the Town of Callahan. The surrounding area consists of timberland, agricultural land with scattered single-family development, and the fairground property to the east.

The conditional use permit would allow for a racetrack in the Open Rural (OR) zoning district pursuant to Section 22.03(D) of the Nassau County Land Development Code (LDC). This district applies to areas sparsely developed and includes uses normally found in rural areas.

The requested conditional use permit would allow for a 2-lane dragstrip that would expand on the existing motocross racetrack that presently exists. The applicant is proposing a $\frac{1}{8}$ th of a mile dragstrip with approximately 500' of runoff to allow for safe deceleration.

This conditional use request supplements two other conditional uses approving the property owner's use as a racetrack, which is an active use. Conditional use E12-006 was approved on July 26, 2012 and conditional use CU2019-06 was approved June 27, 2019.

The Comprehensive Plan's Future Land Use Map (FLUM) designation of the parcel is Agricultural (AGR). AGR is intended for agricultural uses including Single Family Residences.



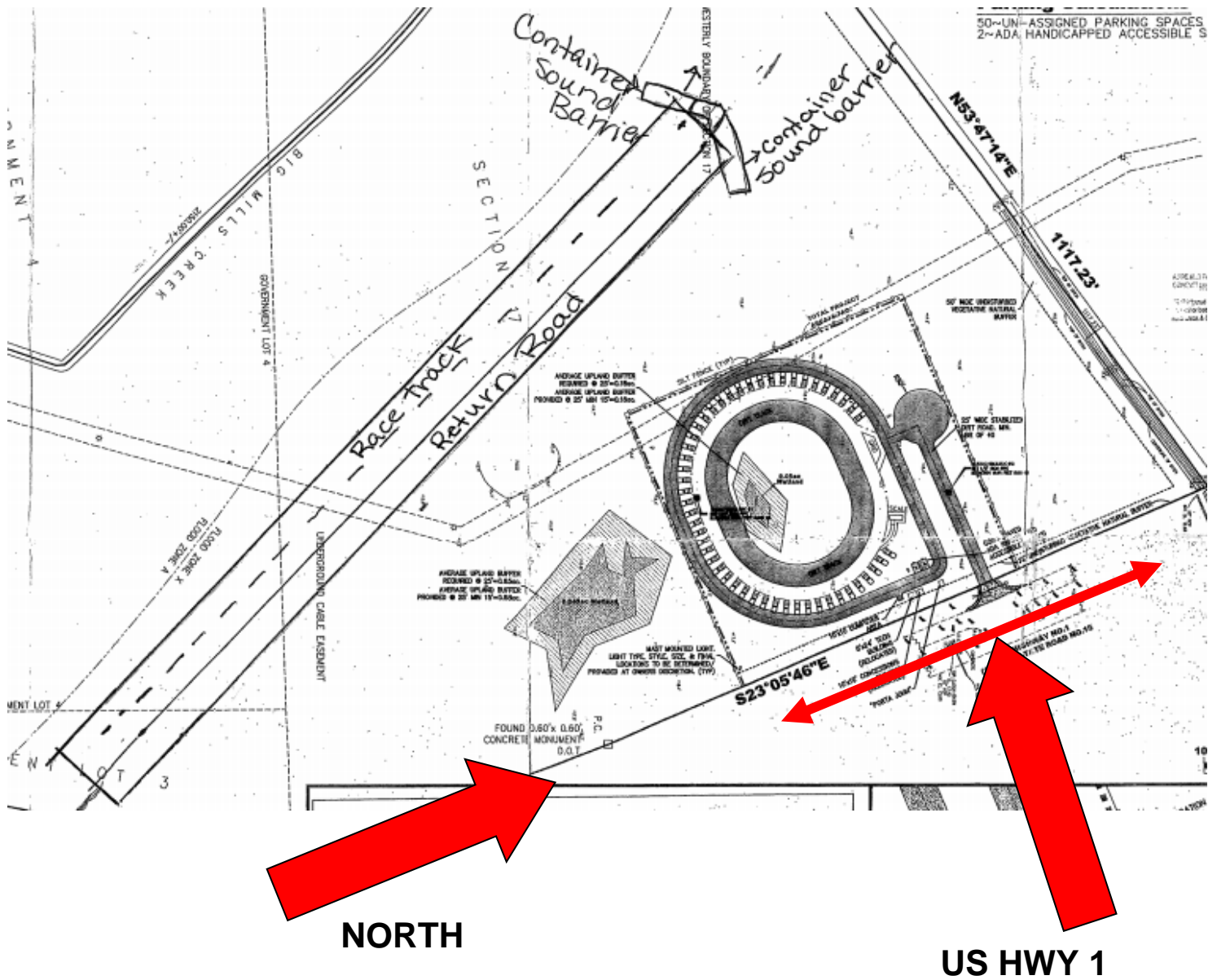
SUMMARY OF REQUEST AND BACKGROUND INFORMATION cont'd

This application will also be bound by the prior noise and muffler restrictions approved previously by the Conditional Use E12-006 and CU2019-06.





Site Plan



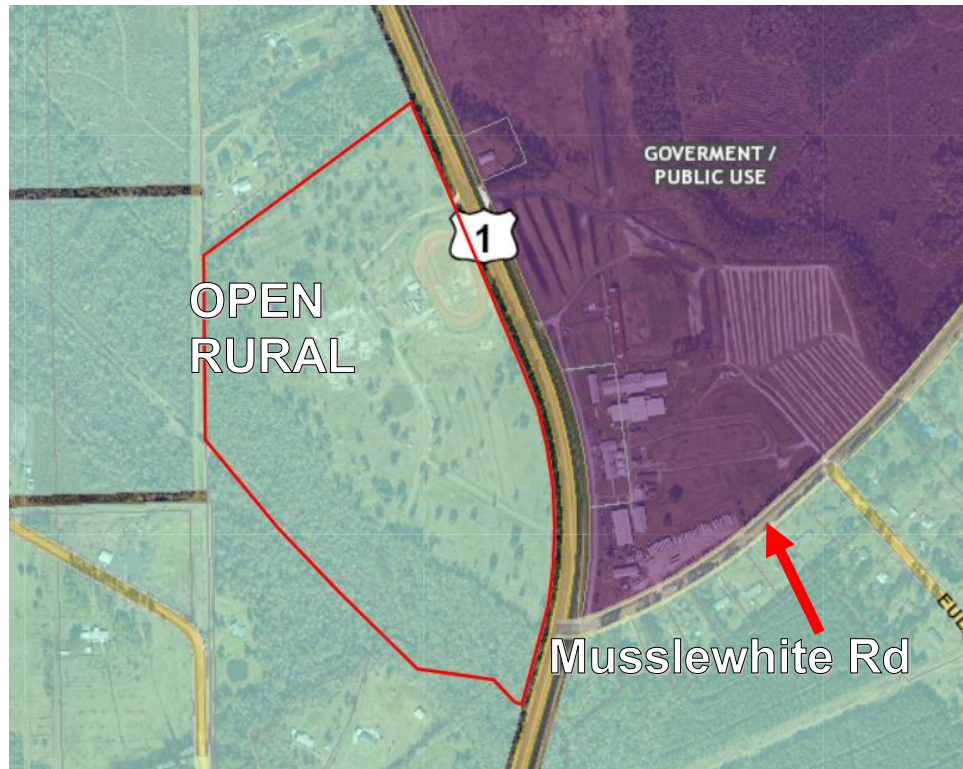


STAFF REPORT
Conditional Use + Variance Board
CU2021-002
January 28, 2020

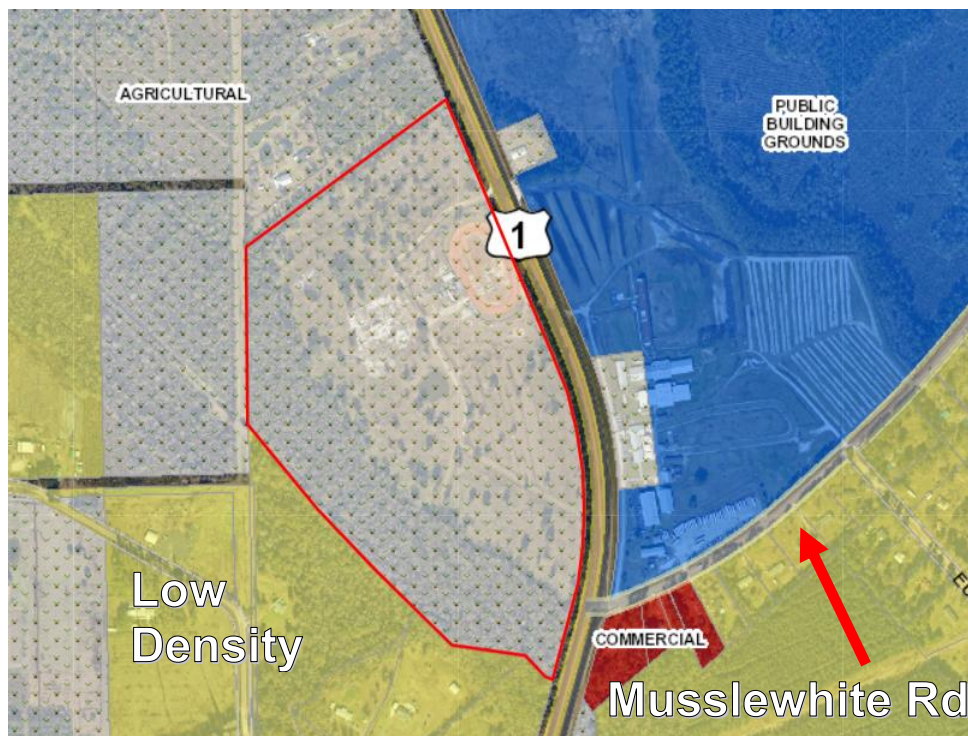
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Zoning Map



Future Land Use Map





CONSISTENCY WITH LDC SECTION 5.04: CONDITIONAL USE REVIEW CRITERIA

When considering conditional use requests, the Conditional Use and Variance board shall make a written finding that the conditional use satisfies the following criteria.

- (A) The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare and is not contrary to established standards, regulations, or ordinances of other governmental agencies.**

STAFF RESPONSE: the racetrack has been active since 2014. Based on staff research regarding noise production and sound attenuation, there are no indications that the proposed conditional use of a drag strip with appropriate conditions will act as a detriment to or endanger the public health, safety, or general welfare. See attached technical document “**EXHIBIT A**” which outlines sound attenuation and estimated noise production expected for a facility of this type. The applicant has affirmed and is committed to ensuring the use of mufflers on all vehicles to use the proposed dragstrip. Staff recommends the continued use of mufflers as delineated in prior approved conditional uses and compliance with noise standards set by Florida Statute. The current hours of operation are by appointment Monday, Tuesday, Wednesday, Friday, and Sunday. They are open from 5:00 pm – 9:00 pm on Thursday, and 9:00 AM – 11:45 pm on Saturday.

This supplements the approved conditional uses that allow for flat-track motorcycle, go-kart, lawnmower, and mini-motorsport racing. [Based on the previous conditional use and the below technical information there is not any indication the automobiles used on the track will be louder than the combined noise created during the ATV & motorcycle racing that the track also hosts due to the reduced amount of vehicles being used.]

Based on Staff research, approximately 15 existing dwelling units are within 1,689 feet of the proposed dragstrip. At 1,689 ft, a noise level of 82 db (measured at 3.3 feet) produced by a single source, whether it be an individual vehicle or cumulative effect of an event, will resonate at 58db at 52 feet. If the noise source is sustained on average during the course of a single event, such as during a drag strip race, the noise level at a distance of 1,689 feet would be less than the sound produced by a bathroom exhaust fan or conversational speech. The same noise production, 82db at 3.3feet, will resonate at 36db at 844.8’ which is less than a clothes dryer.

- (B) Each structure or improvement will be in accordance with Ordinance 2000-26 and will be so designed and constructed that it is not unsightly, undesirable, or obnoxious in appearance to the extent that it will hinder the orderly and harmonious development of Nassau County and the zoning district in which it is proposed.**

STAFF RESPONSE: Because the drag racing is not anticipated to occur simultaneously with the go-kart/motorcycle racing component (uses which are currently allowed), staff does not believe that the proposed conditional use will adversely impact the area. This use is conditionally allowed in this zoning district and any additional improvements will be governed by the Development Review Committee (DRC) for site engineering plans. Any requirements of the DRC will be met.

- (C) The conditional use will not adversely impact the permitted uses in the zoning district nor unduly restrict the enjoyment of other property in the immediate vicinity nor substantially diminish or impair the values within the area.**

STAFF RESPONSE: the addition to allow for a two-lane dragstrip as part of an existing racetrack will not adversely and noticeably impact the permitted uses in the zoning district. Staff does not believe that this use will diminish or



impair the value of adjacent properties or inhibit the enjoyment of neighboring lands due to the owner's commitment curtailing noise pollutions with sound barriers and mufflers

- (D) **The establishment of the conditional use will not impede the orderly development and improvement of the surrounding property for uses permitted in the zoning district.**

STAFF RESPONSE: as per the noise attenuation map provided in the attached technical document the noise produced by the dragstrip will reduce the decibel level to between 40 to 50 db (the level of a hairdryer) when it reaches the closest residence based on the use of proper mufflers and noise barriers.

- (E) **Adequate water supply and sewage disposal facilities will be provided in accordance with state and county health requirements.**

STAFF RESPONSE: the raceway has been active since 2014 and has adequate water supply and sewage disposal facilities for all programmed uses. The dragstrip will not require any additional water and sewer infrastructure since races will be run at different times, attendance at the specific times will not increase.

- (F) **Adequate access roads, on-site parking, on-site loading and unloading berths, and drainage have been or will be provided where required.**

STAFF RESPONSE: the racetrack provides adequate on-site parking, onsite-loading and unloading berths, and drainage to accommodate both the existing uses and proposed dragstrip. Access to the property comes from US Hwy 1 from the existing driveway. Parking is provided from existing stabilized surfaces southwest of the oval dirt-track.

- (G) **Adequate measures have been taken to provide ingress and egress to the property which is designed in a manner to minimize traffic congestion on local streets.**

STAFF RESPONSE: the addition of this dragstrip/racetrack will not result in a substantial increase in traffic on local roadways due to not running events concurrently. The number of vehicles should not exceed the amount generated from the existing uses as a go-kart/motorcycle racetrack. Access to the site will be provided from US Hwy 1. No additional driveway is required as the existing driveway will provide access.

- (H) **Adequate screening and buffering of the conditional use will be provided, if needed.**

STAFF RESPONSE: the applicant has affirmed that there will be increased buffering with berms and barricades to aid in the sound attenuation from the dragstrip. The additional buffering will be reviewed at the time of site plan submittal to the DRC.

- (I) **The conditional use will not require signs or exterior lighting which will cause glare, adversely impact area traffic safety or have a negative economic effect on the area. Any signs or exterior lighting required by conditional use shall be compatible with development in the zoning district.**

STAFF RESPONSE: the submitted application does not propose the use of any additional signage or lighting.

- (J) **The conditional use will conform to all applicable regulations of the zoning district in which it is proposed.**

STAFF RESPONSE: the proposed use of the property submitted by the applicant is consistent with the various regulations of the OR zoning district.



(K) The conditional use will conform to all applicable regulations listed in the adopted comprehensive plan.

STAFF RESPONSE: the proposed conditional use to allow for the addition of a dragstrip does not violate any applicable regulations of the Comprehensive Plan.

CONCLUSION

Staff finds the requested action to be consistent with Section 5.04 of the Land Development Code as follows:

Conditional Use Criteria	Determination of Consistency
LDC 5.04 (A)	✓
LDC 5.04 (B)	✓
LDC 5.04 (C)	✓
LDC 5.04 (D)	✓
LDC 5.04 (E)	✓
LDC 5.04 (F)	✓
LDC 5.04 (G)	✓
LDC 5.04 (H)	✓
LDC 5.04 (I)	✓
LDC 5.04 (J)	✓
LDC 5.04 (K)	✓

This application is also consistent with the requirements of Article 28, Section 28.14(J) of the Land Development Code.

Staff recommends approval subject to the following conditions:

1. The rights entitled shall run with the applicant.
2. Existing noise barriers shall remain.

The Board may also wish to consider conditions addressing:

1. Limit the hours/days of operation for drag strip use (start to end & specific days of the week)
2. Institute decibel output maximums.

Existing conditions to continue:

1. Continued use of the radio speaker option for all races.
2. Continued use of noise abating mufflers on all racing vehicles.
3. Flat track racing is limited to operating Thursday through Sunday, for the hours of 10:00 am to 10:00 pm.