



APPLICATION FOR CONDITIONAL USE

APPLICATION

OWNER/APPLICANT:	Legacy Baptist Church of Nassau County			
AGENT:	Kenny Wilder			
REQUESTED ACTION:	Conditional Use Permit for Church			
LOCATION:	Unaddressed Old Nassauville Rd			
LAND USE:	Low Density Residential (LDR)			
ZONING:	Open Rural (OR)			
EXISTING USES ON SITE:	Undeveloped			
PROPERTY SIZE + PARCEL ID:	7.55ac Parcel ID # 32-2N-28-0000-0001-0030			
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Zoning</u>	<u>FLUM</u>
	North	Undeveloped	PUD	LDR
	South	Undeveloped	OR	LDR
	East	Single-Family Dwelling	OR	LDR
	West	Single Family Dwelling	OR	LDR
COMMISSION DISTRICT:	2			

*** 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 Department Office. ***

SUMMARY OF REQUEST AND BACKGROUND INFORMATION

The subject property is located on the west side of Old Nassauville Rd., approximately 1/4 mile south of the intersection of Amelia Concourse and Old Nassauville Rd. Uses in the vicinity include single-family detached homes, Manufactured homes, and agricultural uses.

The Applicant seeks a conditional use permit pursuant to Section 22.03(K) of the Nassau County Land Development Code to allow for a church in the Open Rural (OR) zoning district. Per Section 22.03(K), Conditional Uses include:

(K) Churches, monasteries, convents, cemeteries, crematories, columbariums, and mausoleums.

A conditional use permit for a church was approved for this parcel on July 23, 2015. The conditional use permit expired on July 23, 2019.

Legacy Baptist Church plans to have a two-phase development plan. Construction of an approximately 14,000 square foot community center is planned first followed up by the development of the church. The Development Review Committee will ensure all development meets the LDC.



SUMMARY OF REQUEST AND BACKGROUND INFORMATION (CONT.)

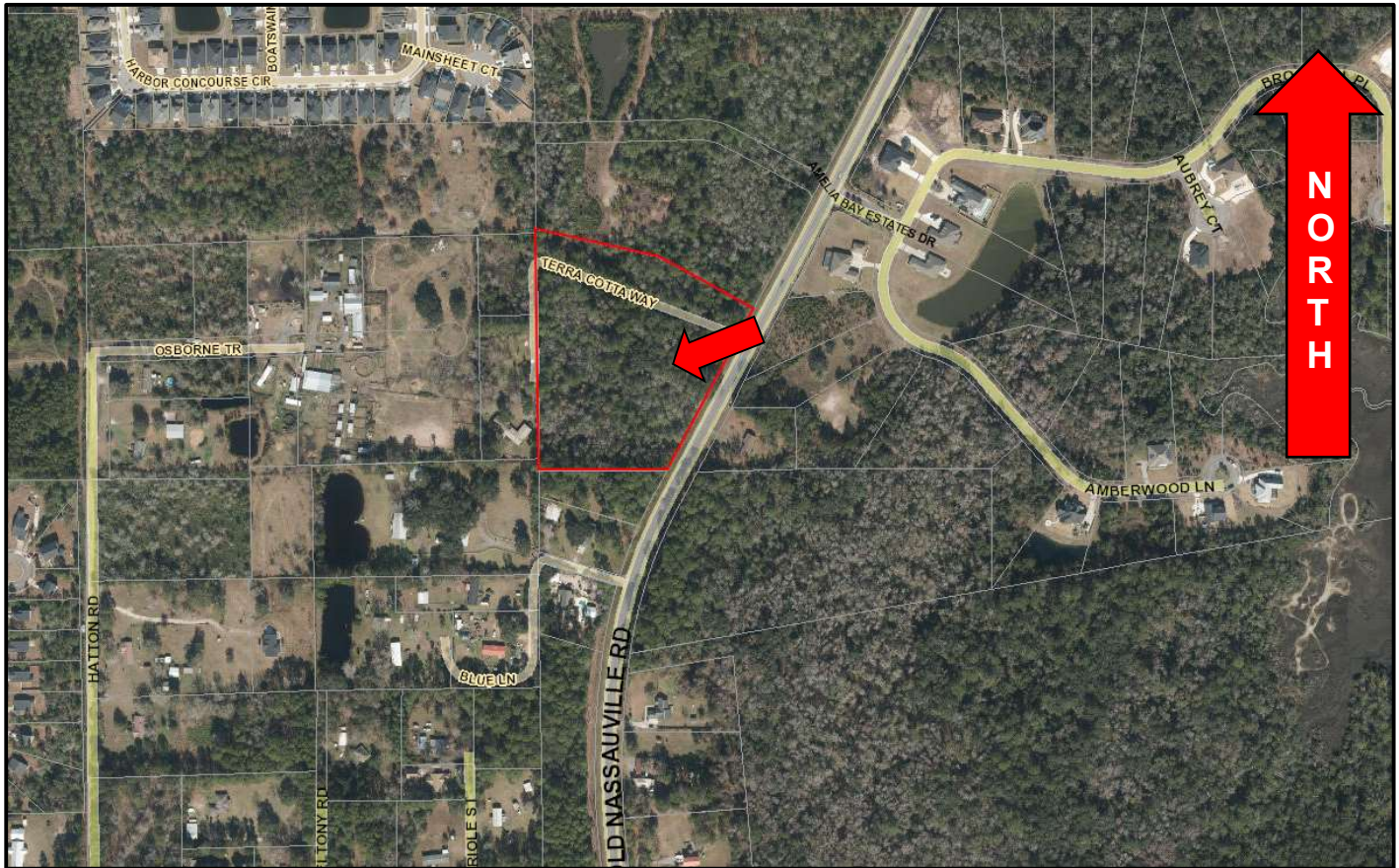


Figure 1: Location Map

The Comprehensive Plan Future Land Use Map (FLUM) designation of the parcel is Low Density Residential (LDR). LDR-designated land allows for the development of residential uses at a maximum of two dwelling units per acre.

The 2030 Comprehensive Plan also so allows for community/public facilities within residential future land use categories pursuant to a conditional use permit.



Figure 2: Future Land Use Map



Figure 3: Zoning map

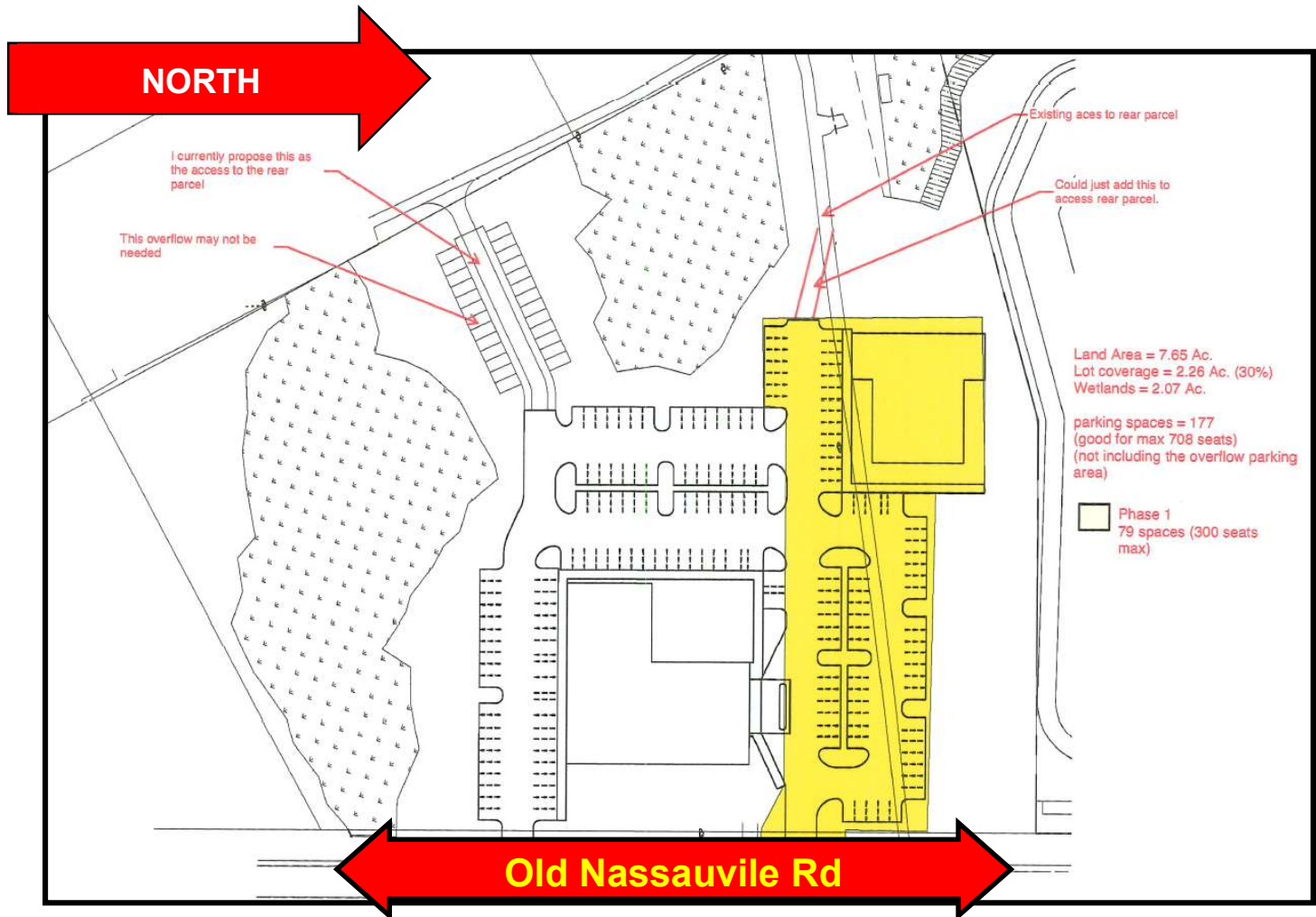


Figure 4: Conceptual site plan -setbacks meet requirements for the Open Rural Zoning District of 35/15/25 (Front/Side/Rear)

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 proposed conditional use conforms to 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.**

Churches and associated uses (such as cemeteries and community centers) are allowed as conditional uses in the OR zoning district per LDC Section 22.03(K). This parcel is surrounded by residential uses on all sides. The proposed use will increase traffic along Old Nassauville road during off-peak hours but impacts to residential uses will be limited due to off-peak times. The property will also be buffered from surrounding residential uses.



- (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.**
The church will be built to current code standards and will meet the requirements of the Land Development Code. The Development Review Committee will review site development plans. As stated, the development will be buffered from current and future residential uses.
- (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 believed the establishment of the church will not adversely adjacent properties for previously stated, reasons specified in the responses (A) and (B).
- (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 believes the proposed church use is not of such an intensive nature that would impede orderly development in the area.
- (E) **Adequate water supply and sewage disposal facilities will be provided in accordance with state and county health requirements.**
If available, JEA will provide water and sewer services. Future development must comply with Florida Department of Health for on-site septic systems and wells.
- (F) **Adequate access roads, on-site parking, on-site loading and unloading berths, and drainage have been or will be provided where required.**
The property is accessed by County-maintained Old Nassauville Rd. Adequate on-site parking will accommodate the use. Per 31.12 of the LDC, churches and funeral homes require one space for each four seats in the sanctuary. Based on the proposed community center and accompanying church the applicant is proposing 177 parking spaces, which would accommodate up to 708 total seats.
- (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.**
The establishment of a church will increase traffic on Old Nassauville Rd., mostly during off-peak times during church services and evening activities. On-site and off-site improvements such as turn lanes may be required by the DRC to accommodate additional traffic generated by this project.
- (H) **Adequate screening and buffering of the conditional use will be provided, if needed.**
Per 37.06 of the LDC, institutional uses must provide a low-density buffer adjacent to single-family uses.
- (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.**



Signage for the proposed church must conform to the State Road 200 Overlay for signage requirements for monument and wall signage. All lighting must be shielded and downcast to prevent light trespass on adjacent residential properties. Internally illuminated signs will not be permitted to prevent light intrusion on residential uses

- (J) The conditional use will conform to all applicable regulations of the zoning district in which it is proposed.**
The proposed church will meet all setback and lot coverage requirements for the Open Rural zoning district.
- (K) The conditional use will conform to all applicable regulations listed in the adopted comprehensive plan.**
The proposed use of a church is consistent with goals, objectives, and policies of the adopted 2030 Comprehensive Plan. A community use like a church or community center in the LDR FLUM is only allowed by conditional use per Policy FL.01.02 (B).

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 22, Section 22.03(K) of the Nassau County Land Development Code.

Staff recommends approval based on meeting the criteria, subject to the following conditions.

1. The project is subject to review and approval of the Development Review Committee.
2. The order is transferable and shall run with the land.
3. The conditional use order is for a church, community center run by the church, and other ancillary uses normally accompanied by a church.
4. The order shall be rendered void if the applicant fails to obtain site plan approval from the County within 24 months of the execution of this order.



PLANNING DEPARTMENT

NASSAU COUNTY, FLORIDA

STAFF REPORT
Conditional Use + Variance Board
CU2021-023
1/27/22

5. Signage is subject to the requirements of article 35 of the LDC, also known as the State Road 200 Access Management Overlay District. Signage shall be illuminated externally only.
6. All lighting shall be shielded and downcast to prevent light trespass to adjacent residential properties.
7. Access requirements are subject to review and approval by Nassau County Engineering Services.
8. A low-density landscape buffer or existing natural vegetative buffer exceeding the requirements found in Land Development Code Section 37.06 is required along the north, west, and southern property lines.
9. A perimeter buffer meeting the requirements of LDC Section 37.05 (D) (2) is required along Old Nassauville Rd.