



APPLICATION FOR REZONING

APPLICATION & SURROUNDING AREA INFORMATION

OWNERS/APPLICANTS:	Richard and Deborah Ann Cannington			
AGENT:	N/A			
REQUESTED ACTION:	Rezoning from Commercial General – American Beach (CG-AB) to Residential Single Family – American Beach (RS-2AB)			
LOCATION:	On the north side of Lewis Street, between Waldron Street and Ocean Boulevard			
CURRENT LAND USE + ZONING:	High Density Residential (HDR) + Commercial General – American Beach (CG-AB)			
PROPOSED LAND USE + ZONING:	High Density Residential (HDR) + Residential Single Family – American Beach (RS-2AB)			
EXISTING USES ON SITE:	Vacant retail			
PROPERTY SIZE + PARCEL ID:	0.18 acre + Parcel ID # 00-00-30-010A-0006-0480			
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Zoning</u>	<u>FLUM</u>
	North	Undeveloped	RS-2AB	HDR
	South	SF Residential	RS-2AB	HDR
	East	SF Residential	CG-AB	HDR
	West	Undeveloped	RS-2AB	HDR

*** 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 applicant is requesting the rezoning of an 0.18-acre parcel from Commercial General – American Beach (CG-AB) to Residential Single Family – American Beach (RS-2AB). It is the owner's intent to rezone the property for the construction of one (1) single-family dwelling unit consistent with the Land Development Code (LDC) and the existing underlying High Density Residential (HDR) Future Land Use Map (FLUM) designation.

The Residential Single Family – American Beach (RS-2AB) zoning district proposed for this site is a high-density residential district intended to provide for the orderly expansion of future single-family development in the American Beach area, while protecting and preserving the unique residential character of American Beach.

As seen in *Figure 2*, properties to the south and the west were rezoned from CG-AB to RS-2AB in 2000 and 2005, respectively. In addition, the property two lots to the west was rezoned from CG-AB to RS-2AB in 2005.



Figure 1: Parcel Map

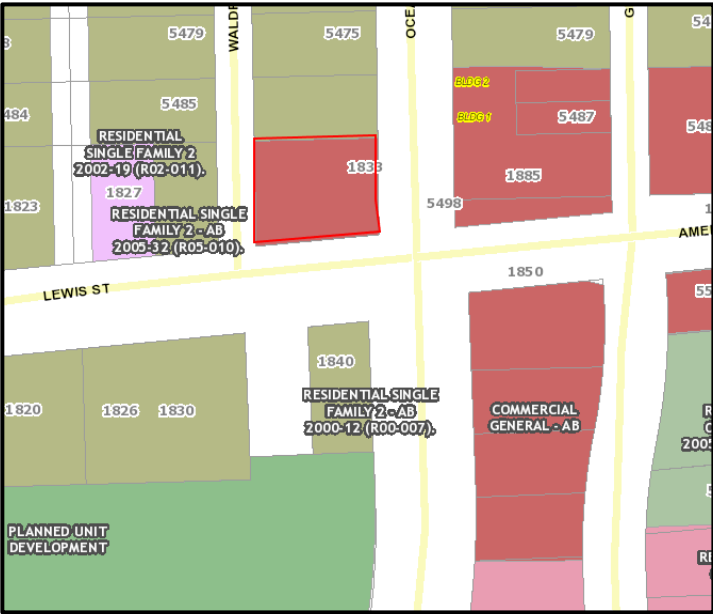


Figure 2: Zoning Map



Figure 3: FLUM Map



Figure 4: Site Photo

American Beach is listed on the National Register of Historic Places and is historically significant as one of the few beach communities that welcomed African-American visitors and residents before desegregation began in the 1960s. Several structures surrounding the subject property are designated as American Beach Historic District contributing structures. Lewis Street is the main east-west access road in American Beach, connecting State Road A1A on the west with the ocean on the east. It is named for Abraham Lincoln Lewis, president and co-founder of the Afro-American Life Insurance Company and the founder of American Beach. Lewis Street, between Ocean Boulevard and Gregg Street, was historically known as “The Crossroads.” This was the historic social hub of American Beach. This beachside commercial district included popular restaurants and clubs like Evans Rendezvous, El Patio, Reynold’s Sandwich Shop, Netty’s Place and the Sweet Tooth, all of which closed decades ago.



Figure 5: American Beach Cultural Heritage Experience Enhancement Initiative (draft report)

CONSISTENCY WITH THE COMPREHENSIVE PLAN

Future Land Use Policy FL.01.02(B) Residential

The Low-, Medium- and High- Density Residential land use categories provide for a variety of densities and housing types including single-family detached, mobile homes, single-family attached, duplex, and multi-family housing. Parcels of land designated for residential 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.

The primary uses in the Low-, Medium- and High- Density Residential land use categories may include residential uses at the applicable density and 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.

The minimum and maximum gross densities permitted in High Density Residential (HDR) land use category: Greater than 3 dwelling units per acre up to 10 dwelling units per gross acre.

The construction of one single-family dwelling unit on 0.18 acres equals a density of 5.56 dwelling units per acre; therefore, the proposed rezoning would be consistent with the existing High Density Residential (HDR) land use designation of the parcel, which allows up to ten units per acre.

Future Land Use Policy FL.08.04

The County shall discourage Urban Sprawl by requiring higher density compact development to occur in areas that are planned to be served by public facilities, providing for sound and cost-efficient public facility planning. It will also require lower density development to occur in areas that are environmentally sensitive or in areas that are not planned to receive a high level of public facilities or services.

Nassau County and the American Beach Community have been working collaboratively through the American Beach Water and Sewer District Advisory Board to bring public water and sewer infrastructure to this high-density residential neighborhood.

CONSISTENCY WITH THE LAND DEVELOPMENT CODE

ARTICLE 5. – PROCEDURES

Section 5.02. - Rezoning.

Pursuant to Section 5.02 (C) and (D), staff shall review rezoning applications for consistency with the 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 Comprehensive Plan.

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.

Need and Justification. The proposed rezoning to RS-2AB would be consistent with the planned development pattern along Lewis Street and the existing land use designation of HDR. There are similar residential developments to the north, west and south of the property.

Relationship to Planning Program. The proposed rezoning is not contrary with the County's general planning program, specifically it is consistent with the American Beach Neighborhood Planning Initiative and draft Master Plan. This is further defined and evaluated in the rezoning criteria found below.

Applications are also evaluated with the following rezoning criteria:

- a. *Explain how the proposed change relates to the established land use pattern.*
Staff comment: according to the draft American Beach Master Plan, the subject property is on the eastern edge of the Central Section of Lewis Street, which spans from Mary Street to Ocean Boulevard. This section is mostly comprised of shady hammock with single-family homes. The rezoning would allow for development of a single-family home.
- b. *Identify isolated district(s) that would be created by the proposed change.*
Staff comment: the RS-2AB zoning district extends westward along the Lewis Street corridor and northward along the Waldron Street and Ocean Boulevard corridors. The proposed RS-2AB zoning district would be contiguous to this and therefore, not be an isolated district.
- c. *Explain how the proposed change would impact public facilities such as schools, utilities, streets and traffic.*
Staff comment: the proposed RS-2AB zoning district would allow for the construction of one (1) dwelling unit and therefore would have a very minimal impact on public facilities. The subject property is served by a private well and septic system.
- d. *Describe the existing and proposed conditions for the subject property and surrounding properties.*
Staff comment: the site is presently occupied by a vacant retail building. There are similar single-family dwelling units constructed or under construction nearby.
- e. *Identify Comprehensive Plan policies that support the proposed change, especially long-range land use plans.*
Staff comment: see section above. The rezoning is supported by the Nassau County 2030 Comprehensive Plan, specifically:
 - Policy FL.01.02(B) sets forth the standards for the HDR FLUM category. The proposed RS-2AB zoning conforms with the existing HDR FLUM designation.
 - Policy FL.08.04 discourages urban sprawl. As described above, the rezoning of this property would not result in urban sprawl but would be part of an existing high-density residential neighborhood and will efficiently utilize existing and planned infrastructure.
- f. *Explain how changed or changing conditions make the approval of this proposed rezoning desirable.*
Staff comment: in the last year, Nassau County experienced a growth in population of nearly 4.21% and in the next fifteen years, will be the seventh fastest growing County in the state. The number of building permits issued in the last two years is the highest in the County's history for any two-year period. The amendment would provide additional homes for the increase in population.
- g. *Explain how the proposed change will not adversely affect living conditions in the adjacent neighborhoods.*
Staff comment: the proposed RS-2AB zoning district allows for residential development that is compatible with surrounding residential development.

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

Staff comment: new development on this property must meet all County, State, and federal standards pertaining to drainage/stormwater management.

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

Staff comment: the proposed change is compatible with existing single-family residential development found on adjacent and surrounding properties.

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

Staff comment: the CG-AB zoning district on the parcel is non-conforming with the underlying High Density Residential (HDR) FLUM designation. It is the owner's intent to rezone the property to redevelop the property consistent with the Land Development Code and the underlying HDR FLUM designation.

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

Staff comment: the proposed RS-2AB zoning district allows for residential development compatible with surrounding residential development as well as the draft American Beach Master Plan.

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

Staff comment: the RS-2AB zoning district extends westward along the Lewis Street corridor and northward along the Waldron Street and Ocean Boulevard corridors.

CONCLUSION AND STAFF RECOMMENDATION

Staff believes that the requested amendment substantively meets the criteria for consideration and is consistent with the draft American Beach Master Plan. Therefore, Staff recommends APPROVAL of application R22-002.

PZB RECOMMENDATION

At their meeting on July 26, 2022, the Planning and Zoning Board voted unanimously to recommend approval of the rezoning application.