



APPLICATION FOR REZONING

APPLICATION & SURROUNDING AREA INFORMATION

OWNER/APPLICANT:	Steven and Kimberly Fahlgren			
AGENT:	Tomasetti & Prince			
REQUESTED ACTION:	Rezoning from Open Rural (OR) and Commercial Intensive (CI) to CI			
LOCATION:	On the east side of US 1, between Pleasant Park Lane and Hallman Road			
CURRENT LAND USE + ZONING:	Commercial (COM) + Open Rural (OR) and Commercial Intensive (CI)			
PROPOSED LAND USE + ZONING:	Commercial (COM) + Commercial Intensive (CI)			
EXISTING USES ON SITE:	Undeveloped (Lot 5); Office building and mobile home (Lot 6)			
PROPERTY SIZE + PARCEL ID:	4.18 acres + Parcel ID # 05-3N-24-2360-0005-0000; 05-3N-24-2360-0006-0000			
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Zoning</u>	<u>FLUM</u>
	North	SF Residential/Hotel	CI/OR	COM/AGR
	South	SF Residential	CI/OR	COM
	East	Pastureland	OR	AGR
	West	SF Residential	CI/RMH	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 Department Office. ***

SUMMARY OF REQUEST AND BACKGROUND INFORMATION

The applicant is requesting the rezoning of the subject property from the split zoning of OR and CI to CI. The northern property, lot 5, is undeveloped. The southern property, lot 6, contains an office building fronting US 1 and a mobile home in the rear of the property.

As stated in the Intent preamble of Article 17 of the Land Development Code (LDC), the CI zoning district designates "areas for the orderly development of these commercial uses which will provide local and regional commercial services and needs. Certain establishments which will provide for the social, cultural, and civic needs of county residents will also be encouraged to develop. Consumer related retail and service establishments, and wholesale, light manufacturing and warehouse uses, will be permitted to develop where appropriate." The intended use of these properties is for the extension of commercial services along US 1, allowed in CI zoning.



Figure 1: Parcel map

The preamble further states that the "Commercial Intensive District shall abut a roadway classified as a collector or higher facility on the adopted functional highway classification map of the adopted comprehensive plan." The properties meet this standard as it fronts on US 1, an arterial roadway.

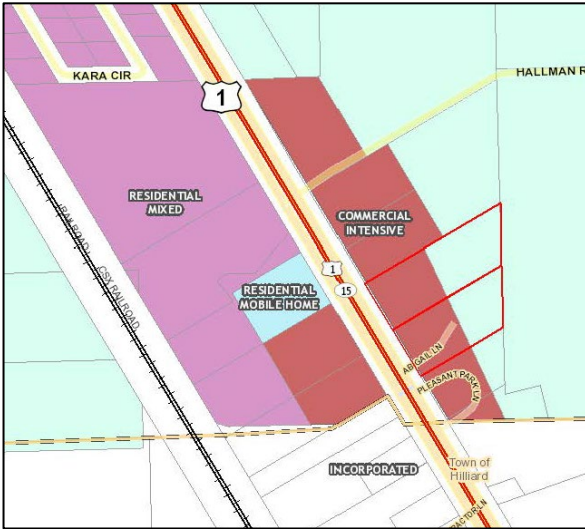


Figure 2: Zoning map

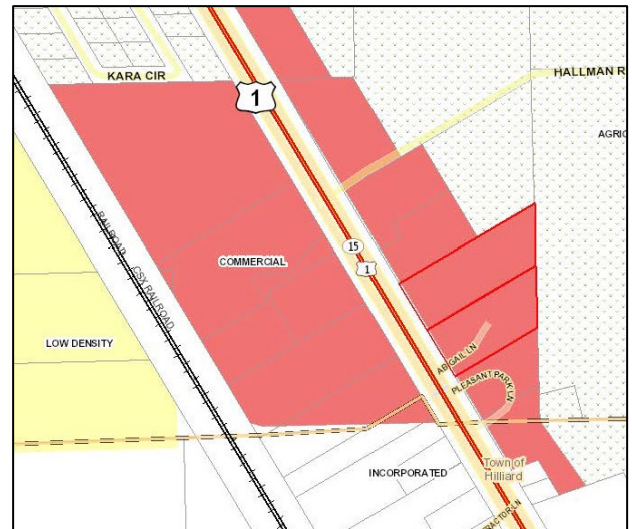


Figure 3: FLUM map

**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 CI for these properties would be consistent with zoning and land use patterns in the area. Adjacent properties include CI zoning and COM land use along a ¼ mile stretch from Pleasant Park Lane to Hallman Road.

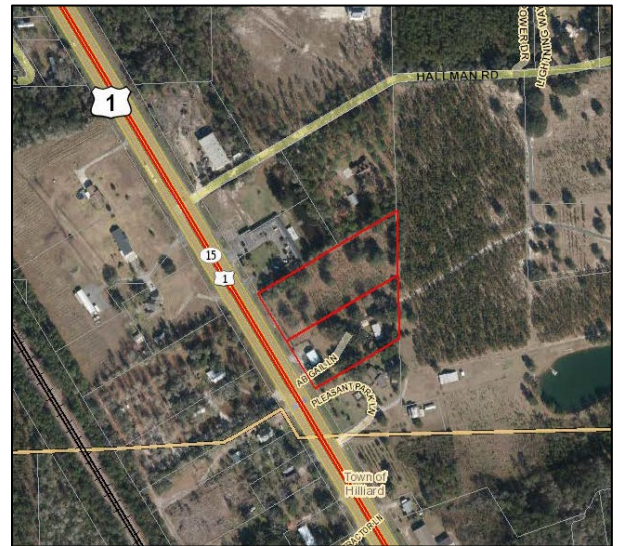


Figure 4: Aerial map

Relationship to Planning Program. The proposed rezoning is not contrary with the County's general planning program. This is further defined and evaluated in the following analysis.



Applications are also evaluated with the following application questions that delve into need and justification:

- a. *Explain how the proposed change relates to the established land use pattern.*

Staff Response: the parcel is located within an existing commercial corridor along US Highway 1. The area includes a mix of commercial uses of varying intensities and large lot single-family residences in the vicinity. The amendment would allow for development that is similar to the surrounding development pattern of CI zoning along US 1.

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

Staff Response: the application would not create an isolated district. CI zoning is present on US 1 to the north and south of the property. Properties to the west, across US 1, also have CI zoning.

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

Staff Response: there is a JEA-operated potable water system in the nearby Town of Hilliard, but the facilities have not extended north of the Town's limits. Minimal impact would be placed on the public utilities if these lines were extended based on the size and proposed land use of the property. The owner is currently utilizing private well and septic. Regarding streets and traffic, the development plan will utilize the existing access drives on US 1, no new access drives are being proposed for this property.

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

Staff Response: Lot 5 is currently undeveloped and lot 6 has a small office building in the front and a mobile home in the rear of the property. A hotel is to the north, pastureland to the east, single-family residences to the west, and a single-family residence to the south.

Lands to the north have been developed for CI uses including a hotel and OR residential uses. Lands east of the property have been developed for OR residential uses at varying densities and lot sizes or remain undeveloped as large pasturelands. Lands south and west of the property (across US 1) remain as single-family residences despite being zoned CI.

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



Figure 5: Lot 5 (undeveloped)



Figure 6: Lot 6 (office building with mobile home behind it)



Staff Response: The rezoning is supported by the Nassau County 2030 Comprehensive Plan, specifically Policy FL.08.06.

Policy FL.01.02(C) The proposed Commercial (COM) FLUM designation of the property is *intended for activities that are predominately associated with the sale, rental, and distribution of products or the performance of service*. The proposed rezoning is in a transitioning commercial area that is characterized by a mix of OR and CI uses along US 1 and residential communities to the southwest towards the Town of Hilliard. The existing uses in the immediate vicinity include commercial services, a RV park, pastureland, and single-family houses. The rezoning of the property to CI would be consistent with development patterns along US 1 and the proposed land use designation of COM which is applied to a 1/4 mile stretch of US 1 from Pleasant Park Lane to Hallman Road.

- Policy FL.08.06 The County shall direct new residential and commercial development in rural and transitioning areas to accomplish the following:
 - (A) *Develop in a pattern providing for compact, mixed use, contiguous development patterns and avoids development indicative of urban sprawl as defined in Policy FL.01.04.*

The proposed development is in an area with projected development patterns for commercial land use. Vicinity properties are currently used for commercial and OR purposes such as shops, offices, and single-family residences.
 - (B) *Develop in clustered or nodal patterns, eliminating or reducing strip-style development along arterial and collector roads.*

The property is located within a strip-style commercial development along US 1.
 - (C) *Develop in a pattern that supports the creation, extension and maximization of central (municipal or regional) water and sewer systems.*

The development is currently served by private well and septic. There is access to existing JEA water to the south that could potentially extend services to properties in the vicinity of this commercial node.
 - (D) *Contribute to a sustainable development pattern of mixed-use communities that provide for integrated residential and employment opportunities; and provide for civic and public facilities including emergency medical, fire protection and police facilities, parks and other recreational facilities, schools, hospitals and other public or institutional uses.*

The proposed development will expand CI zoning in a designated commercial Future Land Use Map area which expands the opportunity for additional commercial services to serve the growing population.
 - (E) *Ensure compatible development adjacent to agriculture lands and minimize the potential impact of urban development on the agricultural productivity of the area.*

There are pasturelands to the east of the property. If the CI property were to develop with more intensive urban uses, there could potentially be an impact on the agricultural productivity in the vicinity from increased traffic along US 1.
 - (F) *Provide for safe and accessible streets, support the interconnectivity of roadways and the use of bicycle, pedestrian and multi-modal transportation facilities.*

Development on the site will be required to follow site development plan review procedures found in Sec.5.07 of the land development code.



(G) Through the use of Planned Unit Developments (PUDs) or similar development orders, use enhanced development standards and design elements for new development to promote community identity and a sense of place. This includes but is not limited to standards for diverse housing types, public spaces, street design, architectural design standards, multi-use trails, stormwater management facilities, landscaping, and signage.

N/A, not a PUD.

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

Staff Response: In the last year, Nassau County experienced a growth in population of nearly 5% and in the next fifteen years, will be the seventh fastest growing County in the state. The amendment would provide for commercial services for the growing population.

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

Staff Response: Increased traffic along US 1 from increased trips generated by commercial services may adversely affect traffic times for daily commuters along US 1.

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

Staff Response: noted.

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

Staff Response: it is unclear how the development of this property will affect adjacent property development.

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

Staff Response: CI related uses can only be used on the front of the parcel, the proposal will expand the CI zoning area to include the entire parcel. OR with COM would limit options.

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

Staff Response: the project is of a small-scale nature.

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

Staff Response: CI zoning is found within a ¼ mile stretch of US 1 between Pleasant Park Lane and Hallman Road.

CONCLUSION AND RECOMMENDATION

Staff believes that the requested amendment substantively meets the criteria for consideration and is consistent with the underlying FLUM. Therefore, Staff recommends APPROVAL of application R22-010.

PZB RECOMMENDATION

At their meeting on September 27, 2022, the Planning and Zoning Board recommended approval of the rezoning application. The motion to recommend approval passed with a vote of 10-0.