



APPLICATION FOR REZONING

APPLICATION & SURROUNDING AREA INFORMATION

OWNER/APPLICANT:	Patriot Ridge LLP			
AGENT:	Greg Matovina			
REQUESTED ACTION:	Rezoning from Open Rural (OR) to Residential Single-Family 2 (RS-2)			
LOCATION:	At the terminus of Hendricks Road, with additional access off Richards Drive, Karen Walk, and Catalina Drive.			
CURRENT LAND USE + ZONING:	Low Density Residential (LDR) + Open Rural (OR)			
PROPOSED LAND USE + ZONING:	Low Density Residential (LDR) + Residential Single-Family 2 (RS-2)			
EXISTING USES ON SITE:	Timberland with a SF residence on parcel 31-2N-28-0000-0002-0010			
PROPERTY SIZE + PARCEL ID:	206.16 acres + Parcel ID # 31-2N-28-0000-0002-0000, 31-2N-28-0000-0002-0010, 31-2N-28-0000-0002-0040, 31-2N-28-0000-0002-0060			
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Zoning</u>	<u>FLUM</u>
	North	SF Residential/Timberlake PUD	RS-2/PUD	MDR
	South	SF Residential/Mobile Homes	OR	LDR
	East	Timberland	OR	LDR
	West	Hampton Lake PUD	PUD	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

This proposed rezoning is comprised of four parcels totaling approximately 206 acres. It is located east of the southern half of the Hampton Lakes PUD in Fernandina Beach. The applicant is requesting to change the existing zoning of Open Rural (OR) to Residential Single Family 2 (RS-2) for the development of a 267 single-family home residential community.

According to LDC Article 9, the RS-2 zoning district is intended to provide for the orderly expansion of low and medium density development in those areas where public services, utilities and transportation facilities are adequate or may be made available; and to exclude uses not compatible with such low and medium density residential development thereby preserving and protecting the characteristics of single-family neighborhoods. The current OR zoning district requires a minimum lot size of one acre and a minimum lot width of 100 feet. RS-2 zoning allows a minimum lot size of 8,700 square feet, roughly 1/4 acre, and a minimum 75-foot lot width.

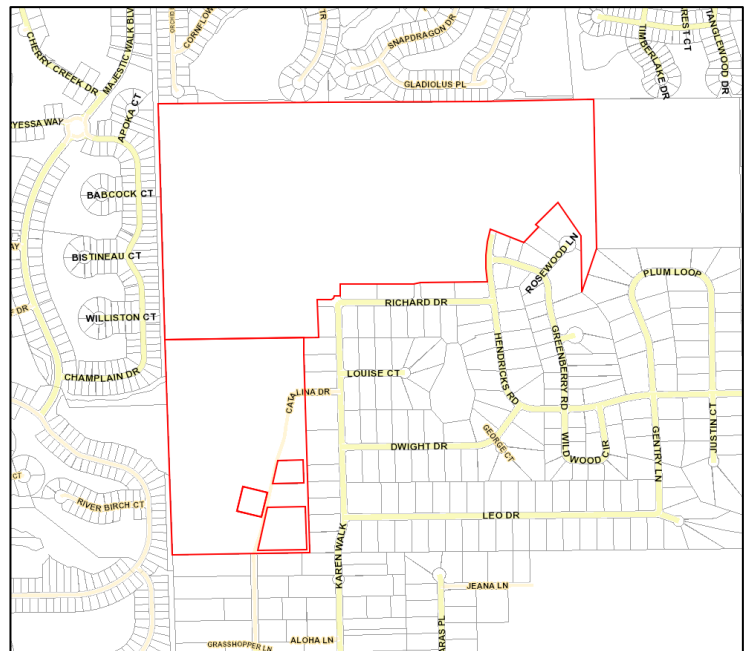


Figure 1: Parcel map

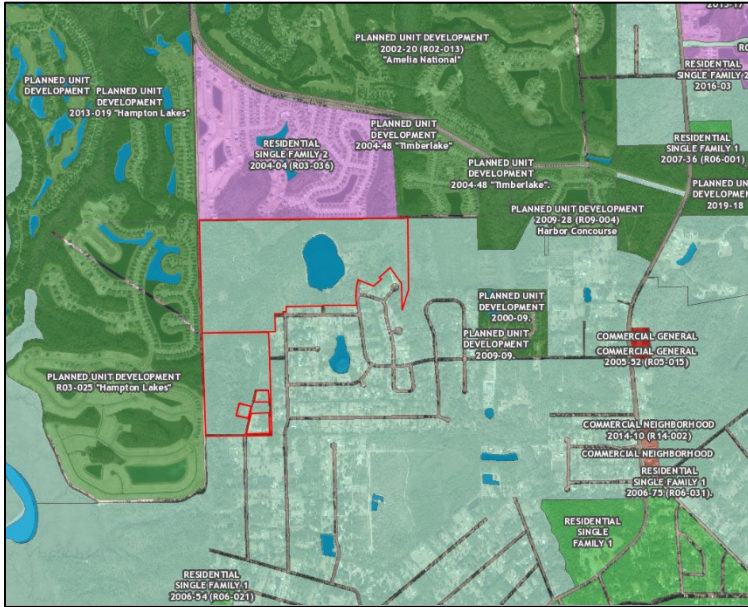


Figure 2: Zoning map

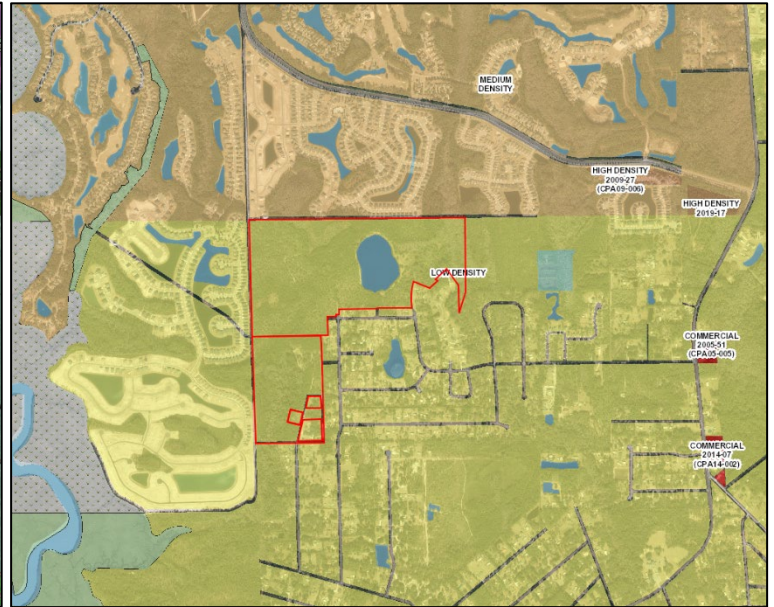


Figure 3: FLUM map

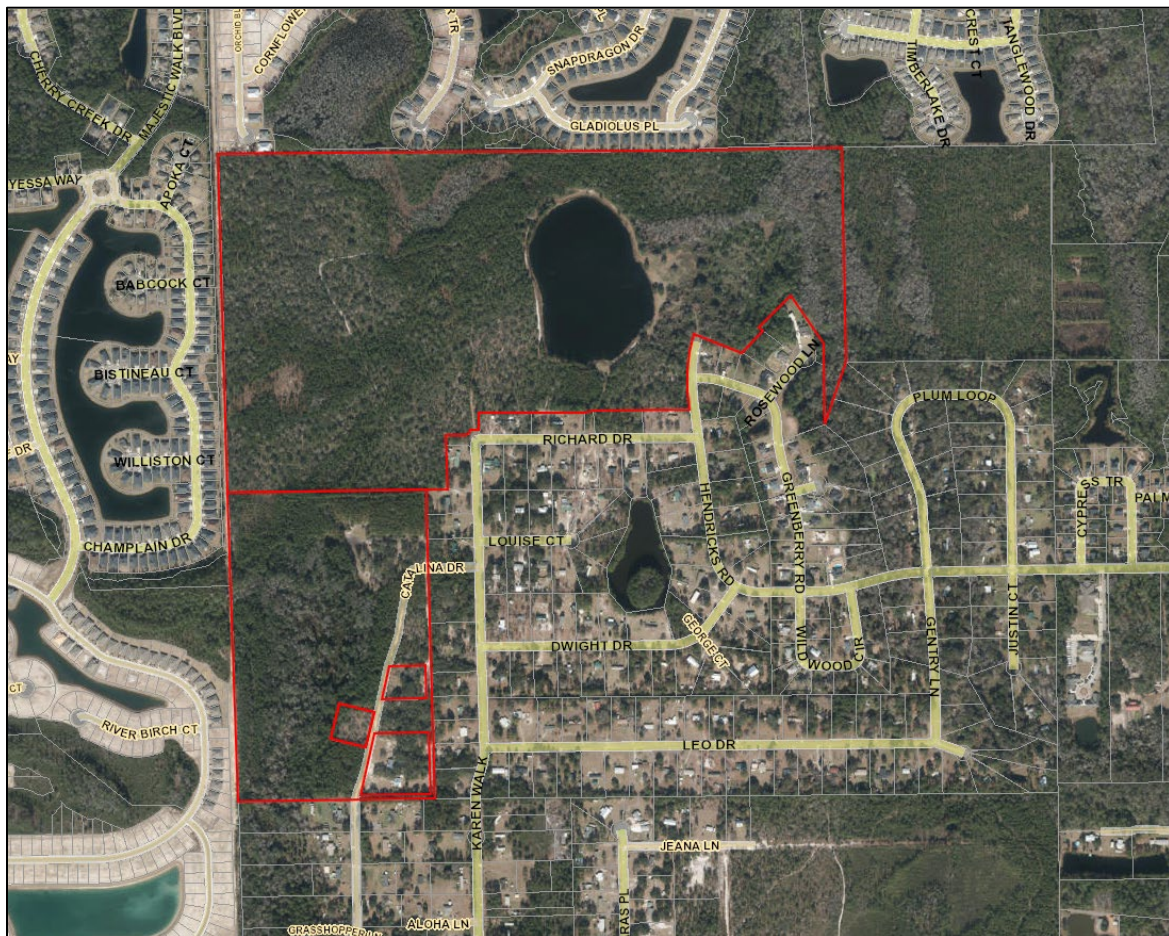


Figure 4: Aerial map



CONSISTENCY WITH THE LAND DEVELOPMENT CODE ARTICLE 5. – PROCEDURES

Section 5.02. - Rezoning.

Pursuant to LDC 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. This review also includes an analysis of the need for, and justification of, the rezoning and whether the rezoning is in keeping with the County's planning program. These broad criteria are addressed through questions on the application, which are evaluated in the following analysis.

(A) *Consistency of the proposed rezoning with the uses, densities and intensities permitted by the underlying Future Land Use Map (FLUM) designation and the goals, objectives, and policies of the adopted Comprehensive Plan.*

Staff Response: the rezoning is supported by the Nassau County 2030 Comprehensive Plan, specifically:

- Policy FL.01.02(B) sets forth the standards for the LDR FLUM category. The residential development standards for the proposed RS-2 zoning conforms with the existing LDR FLUM designation. Density would be capped by the LDR FLUM limit of two units per acre and wetland limit of one unit per five acres of wetlands.
- Policy FL.08.04 discourages urban sprawl. The rezoning of this property would not result in urban sprawl but would be part of a low-density residential area that will extend public infrastructure to a transitioning rural area. Given the location near public infrastructure and services, this rezoning does not conflict with this policy.
- Policy FL.08.06 directs new residential and commercial development in rural and transitioning areas. The areas southward and eastward of the property are rural and the areas to the north transition to suburban character. The RS-2 designation is an appropriate transitional zoning between the PUDs and RS-2 uses to the north and the OR uses to the south and east. This rezoning does not conflict with this policy.

B) *Consistency of the proposed rezoning with the uses, densities and intensities permitted by the adjacent and surrounding zoning districts.*

Staff Response: the areas to the north and west have transitioned over time from rural to a suburban development pattern. As seen in *Figure 2*, RS-2 zoning is found directly north at the Amelia Concourse subdivision and there are several PUDs to the west (Hampton Lakes), north (Amelia National, Timberlake and Harbor Concourse) and east (Cypress Palm) with similar density (1.5 to 2 dwelling unit per acre) and lot requirements to RS-2 and RS-1. To the south and east of the property, the land is still largely rural in character and has not transitioned. The extension of Hendricks Road and the trails required by the Future Transportation Map Series (FTMS) Map 8, link this project back to the suburban development pattern found on Amelia Concourse.

(C) *Consistency of the proposed rezoning with the applicable portions of small area plans, overlay districts or any current County plans or programs.*

Staff Response: there are County plans associated with FTMS Map 8 that indicate a future trail running through the property from west to east and an extension of Hendricks Road connecting back to Amelia Concourse. Residential development is consistent with these plans.

(D) *The rezoning does not result in sprawl development pattern as determined by Chapter 163, Florida Statutes, and will not discourage infilling or more appropriate areas available for development within existing or transitioning areas.*

Staff Response: the approval of the rezoning would be contiguous to the low-density residential zoning that has extended from Amelia Concourse and into Old Nassauville. The RS-2 designation would produce smaller lot sizes and higher density residential development than the existing OR zoning for this site, reducing sprawl. Fire protection, schools, shopping, employment opportunities and other public facilities are accessible via SR 200, approximately four miles to the north. The distance to amenities would be reduced to two miles if additional access is created by the extension of Hendricks Road to Amelia Concourse. A new school site is proposed within ½ mile of the site.



- (E) *The availability of, and potential impact to, public infrastructure and facilities that will serve the site in question including public water and wastewater, public roads, public schools, public parks, police and fire service and other similar items.*

Staff Response: a residential subdivision or maximum 267 single-family home residential community (based on survey/environmental assessment provided), would have an impact on public facilities. The applicant's mitigation is listed below.

- The applicant has executed a Proportionate Share Mitigation Agreement with the County and School District to address school impacts;
- The applicant has indicated plans to extend a JEA-operated water connection to the site but proposed septic for wastewater; and
- Transportation improvements, if required, will be determined at the time of development review.

- (F) *Consistency of the proposed rezoning with any applicable substantive requirements of the Code, including minimum or maximum district size, access, setback, and buffering requirements.*

Staff Response: if approved, all new development will be reviewed for consistency with Code requirements.

- (G) *The nature and degree of potential adverse impacts the proposed rezoning could have upon permitted conforming uses on neighboring lands.*

Staff Response: the requested rezoning would allow permitted dwelling units to increase from 141 to 267 units which would result in additional traffic impacts. Specific traffic impacts and operational improvements will be addressed at the time of site plan review.

- (H) *The nature and degree of potential adverse impacts the proposed rezoning could have upon environmentally sensitive lands or areas of historical or cultural significance.*

Staff Response: there are existing wetlands to the southwest that are contiguous, and they are part of a creek system that leads back to Lofton Creek. Likewise, the wetlands to the northeast are part of a contiguous system that leads back to Nassau River. These wetlands are required to maintain a minimum 25-foot buffer along their perimeter pursuant to Section 37.03 of the LDC. Any wetland mitigation shall comply with local, State, and Federal requirements. The developer is encouraged to preserve the Long-Leaf Pine habitats identified by the environmental assessment. There are no known areas of historical or cultural significance.

- (I) *Substantial changes in the character or development of areas in or near the area under consideration which affect the suitability or unsuitability of the land for its use as presently zoned.*

Staff Response: surrounding uses include residential homes at mixed lot sizes ranging from 1/5 of an acre to 2 acres. The property can be developed under the current OR zoning at a density of one dwelling unit per acre, with a maximum of 141 single family homes (125.73 acres of uplands at 1 du/ac and 80.43 acres of wetlands and other surface waters at 1 du/5 ac). The current OR zoning is compatible with the existing residential development west of Old Nassauville Road. The rezoning to RS-2 will allow for development at a density of two dwelling units per acre (limited by the LDR FLUM designation) for a maximum total of 267 single family homes (125.73 acres of upland at 2 du/ac and 80.43 acres of wetlands and other surface waters at 1 du/5 ac). The proposed RS-2 zoning is compatible with the existing residential development north (Amelia Concourse) and west (Hampton Lakes aka Amelia Walk) of the site.

- (J) *The extent to which land use and development conditions have changed since the effective date of the existing zoning regulations involved which are relevant to the property.*

Staff Response: there have been no substantial changes to land use or development conditions relevant to the



property.

- (K) *Public policies in favor of the rezoning. Examples include identified economic development affordable housing projects, mixed-use development, or sustainable environmental features, which are consistent with specific adopted plans or policies of the Board of County Commissioners.*

Staff Response: the proposed rezoning is in an opportunity zone identified by the State of Florida under Tract 503.03. Opportunity zones were created by the Tax Cuts and Jobs Act of 2017 and are designed to help stimulate investment, economic development, and job creation in economically distressed areas. Development is encouraged in these areas through tax incentives.

- (L) *The extent to which the rezoning will result in a fiscally and environmentally sustainable development pattern through a balance of land uses that is internally interrelated; demonstrates a context sensitive use of land; ensures compatible development adjacent to agriculture and environmentally sensitive lands; protects environmental and cultural assets and resources; provides interconnectivity of roadways; supports the use of non-automobile modes of transportation; and appropriately addresses the infrastructure needs of the community.*

Staff Response: this criterion applies to a larger area that can sustain characteristics of a mixed-use development.

- (M) *The extent to which the rezoning does not propose environmental impacts that would significantly alter the natural landscape and topography such that it would exacerbate or lead to increased drainage, flooding, and stormwater issues.*

Staff Response: Development must meet environmental and drainage standards set forth by the St Johns River Water Management District, County, Florida Department of Environmental Protection, Florida Fish and Wildlife Conservation Commission, US Fish and Wildlife, US Army Corps of Engineers.

- (N) *The extent to which the rezoning results in a compact development form that fosters emergence of vibrant, walkable communities; makes active, healthier lifestyles easier to enjoy; conserves land; supports transportation alternatives; reduces automobile traffic congestion; lowers infrastructure costs; reduce vehicular miles traveled and costs related to household transportation and energy; and puts destinations in closer proximity. Successful compact development is illustrated through the use of:*

- (1) *Clustered population and/or employment centers;*
- (2) *Medium to high densities appropriate to context;*
- (3) *A mix of land uses;*
- (4) *Interconnected street networks;*
- (5) *Innovative and flexible approaches to parking;*
- (6) *Multi-modal transportation design including pedestrian, bicycle, and transit-friendly options;*
- (7) *Proximity to transit.*

Staff Response: this criterion applies to a larger area that can sustain characteristics of a mixed-use development.

CONCLUSION AND RECOMMENDATION

The requested rezoning is consistent with the review criteria, the LDR land use category described in Comprehensive Plan Policy FL.01.02(B), and the applicable goals, objectives, and policies of the Comprehensive Plan. Staff recommends APPROVAL of application R22-013.

PZB RECOMMENDATION

At their meeting on November 7, 2023, the Planning and Zoning Board recommended approval of the rezoning application. The motion to recommend approval passed with a vote of 9-1.