



NASSAU COUNTY
Planning Department
FLORIDA

November 7, 2023

NASSAU COUNTY PLANNING AND ZONING BOARD

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TAB D
R22-013

OR to RS-2
Request for
Rezoning

APPLICATION INFORMATION

Request

Consider rezoning for approximately 206.16-acres from Open Rural (OR) to Residential Single-Family 2(RS-2)

Applicant/Owners

Patriot Ridge LLP

Agent

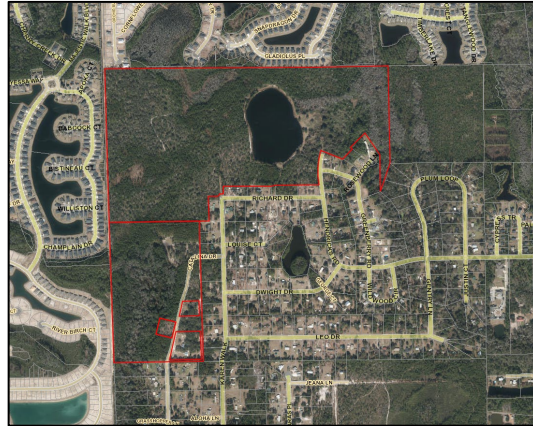
Greg Matovina

Commission District 2

LOCATION, LAND USE, AND ZONING MAPS

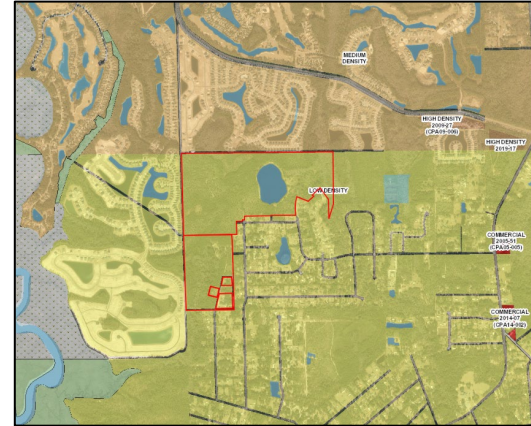
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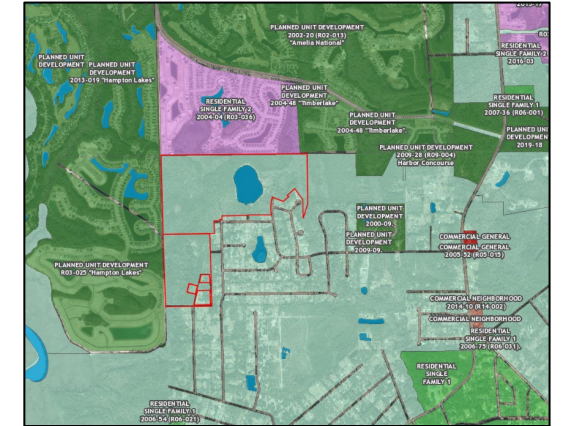
Location

At the terminus of Hendricks Road, with additional access off Richards Drive, Karen Walk, Catalina Drive.



Land Use

Land use is to remain the same.



Zoning

Zoning is proposed to change from Open Rural (OR) to Residential Single-Family 2 (RS-2)

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LDC ARTICLE 9 – Residential Single-Family: RS-1 and RS-2

Permitted uses within the **RS-1 and RS-2 zoning districts** include:

- Single-family dwellings

Conditional uses within the **RS-1 and RS-2 zoning districts** include home occupations, childcare facilities, parking lots, cemeteries, schools, churches, golf courses, water and sewage treatment plants, mobile homes, mother-in-law dwellings, horses and ponies, duplexes, and adult day care centers (pursuant Section 28.14 of the Land Development Code, supplementary regulations for certain conditional uses).

Minimum yard:	25' Front, 10' Side, 10' Rear
Minimum lot area:	8,700 sqft
Minimum lot width:	75'
Maximum height:	40'
Maximum lot coverage:	50 percent

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CONSISTENCY WITH REZONING CRITERIA

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 amendment, and whether the amendment is in keeping with the County's planning program. These broad criteria are addressed through questions on the application in Section 12 (A) through (N), 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.
- (B) Consistency of the proposed rezoning with the uses, densities and intensities permitted by the adjacent and surrounding zoning districts.
- (C) Consistency of the proposed rezoning with the applicable portions of small area plans, overlay districts or any current County plans or programs.
- (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.
- (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.
- (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.
- (G) The nature and degree of potential adverse impacts the proposed rezoning could have upon permitted conforming uses on neighboring lands.
- (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.
- (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.
- (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.
- (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.
- (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.
- (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.
- (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.

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CONSISTENCY WITH REZONING CRITERIA

(A) FLUM and Comprehensive Plan

- **FL.01.02 (B)** – LDR FLUM, the RS-2 zoning district is consistent with the existing LDR FLUM designation. Density would be capped at 2 du/ac per upland acre and 1 du/5 ac per wetland acre.
- **FL.08.04** – Urban Sprawl, the rezoning would extend public infrastructure to a transitioning rural area.
- **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.

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CONSISTENCY WITH REZONING CRITERIA

(B) Adjacent Zoning Districts

- The areas to the north and west have transitioned over time from rural to suburban character. RS-2 is found directly north at the Amelia Concourse subdivision. These are PUDs with similar densities and lot requirements to RS-2 and RS-1.
- The areas to the south and east are still largely rural and have not transitioned.

(C) Area plans, overlay districts, or county plans and programs

- FTMS Map 8 indicates 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.

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(D) Does not result in Urban Sprawl

- Contiguous low-density residential zoning districts.
- RS-2 zoning district would produce smaller lot sizes and higher density (more compact) residential development than the existing OR, reducing sprawl.
- Fire protection, schools, shopping, employment opportunities and other public facilities are accessible within four miles of the site (reduced to two miles with extension). A new school site is located ½ mile to east.

(E) Public infrastructure and facilities

- Maximum residential homes - 267 single-family homes – will impact public facilities.
- Proportionate Share Mitigation Agreement with the School District.
- Extension of JEA-operated water to the site.
- Transportation improvements evaluated at the time of development review.

(F) Substantive requirements of the Code

- All new development will be reviewed for consistency with Code requirements.

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(G) Adverse impacts on neighboring lands

- The requested rezoning would allow permitted dwelling units to increase from 141 to 267 units which would result in additional traffic impacts.

(H) Adverse impacts on environmental, historical or cultural significant lands

- Existing wetlands to the southwest, part of a creek system that leads back to Lofton Creek.
- Existing wetlands to the northeast 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.

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(I) Present zoning suitability or unsuitability

- 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 for a maximum total of 267 single family homes.
- 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) Land use and development conditions

- There have been no substantial changes to land use or development conditions relevant to the property.

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(K) Public policies in favor of Rezoning

- 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) Fiscally and Environmentally Sustainable Development Pattern

- Criterion applies to a larger area that can sustain characteristics of a mixed-use development.

(M) Environmental Impacts

- Development shall meet environmental and drainage standards set forth by SJRWMD, DEP, US Fish and Wildlife, and US Army Corp of Engineers.

(N) Compact Development Form

- Criterion applies to a larger area that can sustain characteristics of a mixed-use development.

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CONCLUSION AND RECOMMENDATION

Consistency with Comprehensive Plan Policies

Staff finds that the requested amendment is consistent with requirements of Future Land Use Policies FL.01.02(B), FL.08.04, and FL.08.06(A) – (G).

Land Development Code

LDC Section 5.02 (C) and (D) requirements have been met.

Criteria for Rezoning

The review criteria for approval of a Rezoning application, 12 (A) through (N), is met.

Recommendation

Based on these findings, staff recommends **APPROVAL** of application R22-013.