



NASSAU COUNTY  
**Planning Department**  
FLORIDA

November 27, 2023

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# NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS

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## APPLICATION INFORMATION

### **Request**

Consider rezoning for approximately 1.66-acres from Open Rural (OR) to Commercial, General (CG)

### **Applicant/Owners**

Calypso Commercial Holdings, LLC

### **Agent**

Elizabeth Moore, Sodl & Ingram PLLC

### **Commission District 1**

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Request for  
Rezoning  
SR 200

## LOCATION, LAND USE, AND ZONING MAPS

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### **Location**

On the north side of  
SR 200, between  
Brady Point Road and  
Pine Grove Place



### **Land Use**

Land use is to remain  
the same.



### **Zoning**

Zoning is proposed to  
change from Open Rural  
(OR) to Commercial,  
General (CG)

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### LDC ARTICLE 16 – COMMERCIAL, GENERAL (CG)

**Permitted uses** within the **CG zoning district** include:

- Uses permitted in the Commercial Neighborhood zoning district
- Retail outlets, hobby and gift shops, bakeries, florist shops
- Service establishments, equipment rental, beauty salon
- Outdoor fruit, vegetable, poultry or fish markets
- Hotels and motels, funeral homes
- Restaurants, private clubs, fraternal organizations
- Assisted living and childcare facilities, adult day care centers

**Conditional uses** within the **CG zoning district** include drive-in restaurants and theaters, auto service stations and repair garages, auto sales lots, private/nonpublic schools, establishments or facilities selling alcoholic beverages for on-site or off-site consumption, permitted uses in CI, plant nursery.

|                           |                               |
|---------------------------|-------------------------------|
| <b>Minimum yard:</b>      | 25' Front, 20' Side, 20' Rear |
| <b>Minimum lot area:</b>  | 20,000 sqft                   |
| <b>Minimum lot width:</b> | 100'                          |
| <b>Maximum height:</b>    | 40'                           |

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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**

- CG is consistent with the underlying and surrounding FLUM designation of COM.
- CG is consistent with the Comprehensive Plan which includes policies for the protection and expansion of job-generating land uses.

#### **(B) Adjacent Zoning Districts**

- CG is consistent with the development patterns along SR 200 which includes a mix of commercial uses of varying intensities.
- Existing uses in the immediate vicinity include commercial services, a church, a medical office, and single-family houses.

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

- CG is consistent with the SR 200/A1A Corridor Master Plan which identifies the property as Transect 4.5, part of the Urban Corridor Zone.
- CG is consistent with Nassau County's Interim Strategic Plan, this rezoning protects existing industrial, commercial and mixed-use lands from being converted to residential uses.

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### CONSISTENCY WITH REZONING CRITERIA

#### **(D) Does not result in Urban Sprawl**

- Planned for future commercial growth (COM on all sides).
- Development may encourage further infill of remaining commercially designated properties.

#### **(E) Public infrastructure and facilities**

- Non-residential uses – no impact on schools and parks.
- JEA-operated water and sewer available to the site.
- Site currently served by private well and septic.
- Arterial roadway (SR 200).
- Traffic impacts and/or improvements at site plan review.

#### **(F) Substantive requirements of the Code**

- All new development will be reviewed for consistency with Code requirements including Article 35, SR 200/A1A Access Management Overlay District.

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### CONSISTENCY WITH REZONING CRITERIA

#### **(G) Adverse impacts on neighboring lands**

- OR-zoned residential lots are separated by CSX rail line to north.
- Nonconforming single-family residence to the west.
- Undeveloped property to the east.
- Minimal adverse impacts are anticipated. Proper buffers between uses will be evaluated during development review.

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

- There are no known environmentally sensitive lands or areas of historical or cultural significance on site. The site is in flood zone AE.

#### **(I) Present zoning suitability or unsuitability**

- Property can be developed under OR for agricultural and nonresidential uses including wholesale plant nurseries, boarding stables, and fruit farms.

#### **(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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## CONSISTENCY WITH REZONING CRITERIA

### **(K) Public policies in favor of Rezoning**

- Strategic Plan FS&EP – Initiative 1 – promote, protect and facilitate land uses that can support economic development and revenue generating enterprises.

### **(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(C) 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 R23-008.

PZB recommended approval with a 10-0 vote.