

November 27, 2023

NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS

Klynt Farmer, Chair Elizabeth Backe, AICP, Planning Director Gabriel Quintas, AICP, CFM, Assistant Planning Director Joshua Macbeth, AICP, Senior Planner

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APPLICATION INFORMATION

TAB V R23-008

OR to CG
Request for
Rezoning
SR 200

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

LOCATION, LAND USE, AND ZONING MAPS

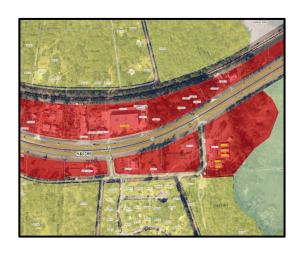
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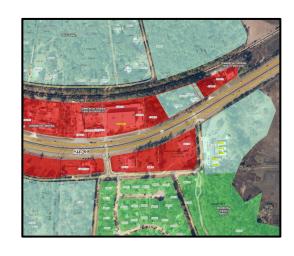
Location

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)

OR to CG Request for Rezoning SR 200

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.

Minimum yard: 25' Front, 20' Side, 20' Rear

Minimum lot area: 20,000 sqft

Minimum lot width: 100' Maximum height: 40'

OR to CG Request for Rezoning SR 200

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) <u>Consistency</u> of the proposed rezoning <u>with the uses, densities and intensities permitted by the underlying Future Land Use Map (FLUM)</u> 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) <u>Consistency</u> of the proposed rezoning with the applicable portions of small area plans, overlay districts or any current County plans or programs.
- (D) The rezoning <u>does not result in sprawl development pattern</u> as determined by Chapter 163, Florida Statutes, and <u>will not discourage infilling or more appropriate areas available for development</u> within existing or transitioning areas.
- (E) The availability of, and potential <u>impact to, public infrastructure and facilities</u> 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) <u>Consistency</u> of the proposed rezoning with any applicable substantive requirements of the Code, including <u>minimum or maximum district size</u>, access, setback, and buffering requirements.
- (G) The nature and degree of potential <u>adverse impacts the proposed rezoning could have upon permitted conforming uses on neighboring lands.</u>
- (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) <u>Substantial changes in the character or development</u> of areas in or near the area under consideration which affect the <u>suitability or unsuitability</u> of the land for its use as presently zoned.
- (J) The <u>extent to which land use and development conditions have changed since the effective date of the existing zoning regulations</u> involved which are relevant to the property.
- (K) <u>Public policies in favor of the rezoning.</u> 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 <u>fiscally and environmentally sustainable development pattern</u> 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) <u>The extent to which the rezoning does not propose environmental impacts</u> 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.

OR to CG Request for Rezoning SR 200

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.

OR to CG Request for Rezoning SR 200

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.

OR to CG Request for Rezoning SR 200

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.