



NASSAU COUNTY
Planning Department
FLORIDA

February 12, 2024

NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS

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APPLICATION INFORMATION

Request

Consider rezoning for approximately 3.08-acres from Open Rural (OR) to Commercial, General (CG)

Applicant/Owners

553519 US 1 Trust

Agent

Gillette and Associates, Inc.

Commission District 4

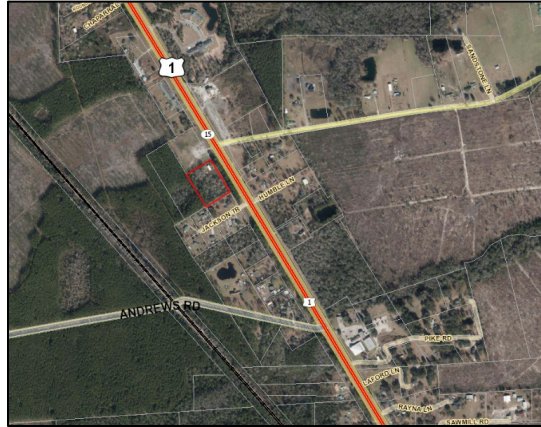
TAB AG
R23-006

OR to CG
Request for
Rezoning

LOCATION, LAND USE, AND ZONING MAPS

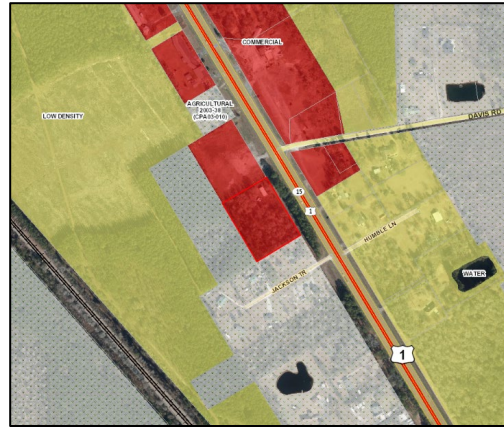
TAB AG
R23-006

OR to CG
Request for
Rezoning



Location

On the west side of
US-1, between
Andrews Road and
Davis Road.



Land Use

Land use is to remain
the same.



Zoning

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

TAB AG
R23-006

OR to CG Request for Rezoning

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'

TAB AG
R23-006

OR to CG
Request for
Rezoning

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 rezoning, and whether the rezoning 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.**

TAB AG
R23-006

OR to CG
Request for
Rezoning

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(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 US 1 which includes a mix of residential, commercial uses of varying intensities, and silvicultural uses.
- CG and CI zoning, with pockets of OR zoning, extends along the US 1 corridor approximately one-half mile from Jackson Trail to Chaparral Lane with CI zoning located adjacent to the property on the northern boundary.

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

- 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.

TAB AG
R23-006

OR to CG
Request for
Rezoning

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(D) Does not result in Urban Sprawl

- Planned for future commercial growth (COM to the North and East).
- Development may encourage further infill of remaining commercially designated properties.
- Proposed rezoning does not create an isolated district.

(E) Public infrastructure and facilities

- Non-residential uses – no impact on schools and parks.
- Water and sewer not available to the site.
- Site currently served by private well and septic.
- State-maintained road, principal arterial (US 1).
- 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.

TAB AG
R23-006

OR to CG
Request for
Rezoning

CONSISTENCY WITH REZONING CRITERIA

(G) Adverse impacts on neighboring lands

- Neighboring lands could be affected by increase traffic and noise.
- 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.

(I) Present zoning suitability or unsuitability

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

(J) Land use and development conditions

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

TAB AG
R23-006

OR to CG
Request for
Rezoning

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

- Not within the Special Flood Hazard Area.
- 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.

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 R23-006.

PZB recommended approval with a 6-0 vote.

TAB AG
R23-006

OR to CG
Request for
Rezoning