



NASSAU COUNTY
Planning Department
FLORIDA

February 12, 2024

NASSAU COUNTY PLANNING AND ZONING BOARD

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APPLICATION INFORMATION

Request

Consider rezoning for approximately 2.67-acres from Residential Single-Family 2 (RS-2) to Industrial, Warehouse (IW)

Applicant/Owners

John C. O'Neal Jr (deceased)

Deborah Watson (personal representative)

Agent

Janet Ruis

Commission District 1

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LOCATION, LAND USE, AND ZONING MAPS

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Location

On the east side of
Russell Road between
Lawrence Lane and
West Carter Lane.



Land Use

Land use is to remain
the same.



Zoning

Zoning is proposed to
change from Residential
Single-Family 2 (RS-2) to
Industrial, Warehouse
(IW).

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LDC ARTICLE 20 – Industrial, Warehouse (IW)

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

- (A) Wholesaling, warehousing, storage, or distribution establishments and similar uses.
- (B) Light manufacturing, processing (including food processing, but not slaughter houses), packaging or fabricating.
- (C) Printing, lithographing, publishing or similar establishments.
- (D) Building trades contractors with outside storage yards and heavy construction equipment.
- (E) Outdoor storage yards and lots including automobile wrecking or storage yards and junk yards.
- (F) Service establishments catering to commerce and industry including linen supply, laundry, dry cleaning plants, freight movers, communications services, business machine services, restaurants (including drive-through restaurants), hiring and union halls, employment agencies, sign companies, automobile service stations and truck stops and similar uses.
- (G) Vocational, technical, trade or industrial schools and similar uses.
- (H) Medical establishments in connection with industrial activities.
- (I) Bus, truck or other transportation terminals, commercial parking lots and garages, express offices and terminal facilities; telephone exchanges, repair or installation facilities; and similar uses.
- (J) Radio or television broadcasting offices, studios, transmitters, or antennas.
- (K) Sexually oriented businesses
- (L) RV and boat storage facilities
- (M) Marine or waterfront-related industrial development

******Live Local Act – Multi-family development******

Conditional uses within the **IW zoning district** include industrial or commercial use not otherwise permitted and is not listed as a conditional use in IH, retail or wholesale of all types of merchandise, retail sale of beer or wine for on/off site consumption, bulk storage of petroleum products and other flammable liquids and acids, business and professional offices, cemeteries, and uses that may be potentially dangerous (smoke, odor, noise, glare, fumes, gas, vibration, etc.).

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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

- IW is consistent with the underlying and surrounding FLUM designation of IND.
- IW is consistent with the Comprehensive Plan which includes policies for the protection and expansion of job-generating land uses, especially industrial type uses.

(B) Adjacent Zoning Districts

- Subject properties are adjacent to approximately 11.12-acres of IW zoning which is used for warehouse storage and construction trades.
- Single-family residential, a mobile home park, and a horse farm within 0.15-miles of the site.
- Proposed rezoning is consistent with adjacent IW to the east and south.

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

- IW is consistent with Nassau County's Interim Strategic Plan, this rezoning protects existing industrial 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 industrial growth – Industrial (IND) FLUM.
- Acts as infill development of remaining industrial 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.
- Russell Road and Lawrence Lane – county-maintained roadways.
- Traffic impacts and/or improvements at time of site plan 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

- Neighboring lands could be affected by increase traffic and noise.
- Proper buffers between uses will be evaluated during development review.
- There nearest residential home is within 75 feet of the site.

(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.
- LDC Sect. 37.02 for Unincorporated Amelia Island tree protection and replacement.

(I) Present zoning suitability or unsuitability

- Property cannot be developed with the existing RS-2 zoning. Inconsistent with the Industrial FLUM designation.

(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

- 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

- AE Flood Zone – BFE of 10-feet.
- 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(D).

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 R23-010.

PZB recommended approval with a 6-0 vote.

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