

# City of Jacksonville, Florida

*Lenny Curry, Mayor*

City Hall at St. James  
117 W. Duval St.  
Jacksonville, FL 32202  
(904) 630-CITY  
www.coj.net

October 22, 2020

The Honorable Tommy Hazouri, President  
The Honorable Michael Boylan, LUZ Chair  
And Members of the City Council  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report / Ordinance No. 2020-573/Application No. L-5465-20C**

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairman Boylan and Honorable Members of the City Council:

Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **APPROVED** Ordinance 2020-573 on October 22, 2020.

P&DD Recommendation	APPROVE
PC Issues:	None
<b>PC Vote:</b>	<b>5-0 APPROVE</b>

Joshua Garrison, Chair	Aye
Dawn Motes, Vice-Chair	Absent
David Hacker, Secretary	Absent
Marshall Adkison	Aye
Daniel Blanchard	Aye
Ian Brown	Absent
Alexander Moldovan	Aye
Jason Porter	Aye

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If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

*Kristen D. Reed*

Kristen D. Reed, AICP  
Chief of Community Planning Division  
City of Jacksonville - Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, FL 32202  
(904) 255-7837  
[KReed@coj.net](mailto:KReed@coj.net)

Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment – October 16, 2020

**Ordinance/Application No.:** 2020-573 / L-5465-20C

**Property Location:** 0 Parental Home Road, at the intersection of Parental Home Road and Bowden Road

**Real Estate Number(s):** 152570-0200 (portion of)

**Property Acreage:** 6.8 Acres

**Planning District:** District 3, Southeast

**City Council District:** District 4

**Applicant:** Greg Matovina

**Current Land Use:** Neighborhood Commercial (NC, 2.86 acres) and Residential-Professional-Institutional (RPI, 3.94 acres)

**Proposed Land Use:** Residential-Professional-Institutional (RPI, 2.86 acres) and Conservation (CSV, 3.94 acres)

**Development Area:** Urban Development Area

**Current Zoning:** Commercial Neighborhood (CN) and Commercial Residential Office (CRO)

**Proposed Zoning:** Planned Unit Development (PUD)

***RECOMMENDATION: APPROVE***

**APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT**

To make property consistent with surrounding properties.

**BACKGROUND**

The 6.8 acre subject site is located on the northeast corner of the intersection at Parental Home Road and Bowden Road. Both roadways are collector roads with sidewalks. The site is located in Council District 4, Planning District 3, and within the boundaries of the Southeast Vision Plan. The amendment site is a portion of a larger 9.35 acre parcel. The site is located in the Urban Development Area.

The applicant seeks an amendment to the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan from NC and RPI to RPI and CSV in order to develop the site with a multi-family use. A companion rezoning application is pending concurrently with the land use application via Ordinance 2020-574, which seeks to change the zoning district from CN and CRO to PUD. The companion rezoning encompasses the entire 9.35 acre parcel.

The amendment site is currently vacant. The parcel abuts Pottsburg Creek, and the eastern portion of the subject site, approximately 3.94 acres, contains wetlands and is within flood zones. This portion of the subject site is currently designated as RPI, and the applicant is proposing a change to CSV in order to preserve the current environmental conditions of that area. The western portion of the subject site, approximately 2.86 acres, fronts Parental Home Road and is currently designated as NC. The proposed development would be located on this portion, and the applicant is proposing a land use change to RPI within this area.

The area surrounding the site is characterized predominantly by residential uses and a few office buildings. Single-family homes are to the east and west of the site. An office building is located directly north of the parcel, and there are single-family homes north of the office building along Parental Home Road. Built in 2005, townhomes are located across Bowden Road from the subject property, and apartments, built in 2011, are located south of the townhomes. South of Bowden Road, behind the apartments and townhomes, is the Southpoint Business Park.

The adjacent land use categories, zoning districts and property uses are as follows:

North: Land Use: RPI  
Zoning: CRO  
Property Use: catering company/office

South: Land Use: RPI  
Zoning: CRO  
Property Use: multi-family townhomes

East: Land Use: Low Density Residential (LDR)  
Zoning: Residential Low Density-60 (RLD-60)  
Property Use: single-family homes

West: Land Use: LDR and NC  
Zoning: RLD-60 and CN  
Property Use: single-family homes and a bakery

## **IMPACT ASSESSMENT**

Potential impacts of a proposed land use map amendment have been analyzed by comparing the Development Impact Standards for the subject site's existing vs. proposed land use categories unless maximum density/intensity is noted on the Annotated FLUM

or is in a site specific policy. Development Impact Standards are detailed in FLUE Policy 1.2.16, *Development Standards for Impact Assessment*. These standards produce development potentials as shown in this section.

Where there is not an associated site specific policy or note on the Annotated FLUM, the impact assessment incorporates supplemental information for non-residential land use categories that permit residential uses in order to assess the potential impacts. Supplemental information related to these impacts are depicted as scenario 2 in the Impact Assessment Baseline Review Table and, as relevant, in the analysis following the table.

### Land Use Amendment Impact Assessment

<b>Development Analysis</b>		
Development Boundary	Urban Development Area	
Roadway Frontage Classification / State Road	Parental Home and Bowden Roads (both collectors)	
Plans and/or Studies	SE Vision Plan	
Site Utilization	<u>Current:</u> Vacant / Undeveloped	<u>Proposed:</u> Multi-family/Conservation
Land Use / Zoning	<u>Current:</u> NC (2.84 acres) and RPI (3.96 acres) / CN and CRO	<u>Proposed:</u> RPI (2.84 acres) and CSV (3.96 acres) / PUD
Development Standards for Impact Assessment	<u>Current:</u> Scenario 1 – NC, 0.45 FAR and RPI, 0.5 FAR Scenario 2 – NC, 0.45 FAR and 23 DU/Ac; and RPI, 0.5 FAR and 23 DU/Ac	<u>Proposed:</u> Scenario 1 – RPI, 0.5 FAR Scenario 2 – RPI, 0.5 FAR and 23 DU/Ac
Development Potential	<u>Current:</u> Scenario 1 – NC (55,670 Sq. Ft.) and RPI (86,249 Sq. Ft.) Scenario 2 – NC (5,567 Sq. Ft. and 58 units) and RPI (8,624 Sq. Ft. and 81 units)	<u>Proposed:</u> Scenario 1 – RPI (61,855 Sq. Ft.) Scenario 2 – RPI (6,185 Sq. Ft. and 58 units)
Net Increase or Decrease in Maximum Density	Scenario 1 – Not applicable Scenario 2 – Decrease of 81 units	
Net Increase or Decrease in Potential Floor Area	Scenario 1 – Decrease of 80,064 Sq. Ft. Scenario 2 – Decrease of 8,006 Sq. Ft.	
Population Potential	<u>Current:</u> Scenario 1 – Not applicable Scenario 2 – 326 people	<u>Proposed:</u> Scenario 1 – Not applicable Scenario 2 – 136 people
<b>Special Designation Areas</b>		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	500' height and hazard zone for NAS JAX	
Industrial Preservation Area	No	

<b>Development Analysis</b>	
Cultural Resources	No
Archaeological Sensitivity	Low, Medium, and High
Historic District	No
Coastal High Hazard/Adaptation Action Area	No
Groundwater Aquifer Recharge Area	No – discharge
Wellhead Protection Zone	No
Boat Facility Siting Zone	Unacceptable, 1 dock per 100 feet
Brownfield	No
<b>Public Facilities</b>	
Potential Roadway Impact	Scenario 1: No new net vehicular trips. Scenario 2: No new net vehicular trips.
Potential Public School Impact	Scenario 1: Not applicable Scenario 2: 18 students
Water Provider	JEA
Potential Water Impact	Scenario 1: Decrease of 4,495.4 gpd Scenario 2: Decrease of 19,485 gpd
Sewer Provider	JEA
Potential Sewer Impact	Scenario 1: Decrease of 3,371.5 gpd Scenario 2: Decrease of 14,613 gpd
Potential Solid Waste Impact	Scenario 1: Decrease of 128.1 tons per year Scenario 2: Decrease of 223.4 tons per year
Drainage Basin/Sub-basin	Arlington River / Pottsburg Creek
Recreation and Parks	Drew Park
Mass Transit Access	Route 33
<b>Natural Features</b>	
Elevations	4 to 20 feet
Land Cover	1900 (urban open land) and 6170 (mixed wetland hardwoods)
Soils	14 (Boulogne fine sand) and 67 (Surrency loamy fine sand)
Flood Zones	AE Floodway (approx. 5 acres); AE (0.08 of an acre); 0.2% annual chance (0.12 of an acre)
Wetlands	6460 (mixed scrub-shrub wetland) and 6170 (6.10 acres total)
Wildlife (applicable to sites greater than 50 acres)	Not applicable

### **Utility Capacity**

The calculations to determine the water and sewer flows contained in this report and/or this spreadsheet have been by the City of Jacksonville Planning and Development Department and have been adopted by JEA solely for the purpose of preparing this report and/or this spreadsheet. The method of calculating water and sewer flows in order to properly size infrastructure established shall continue to be based on JEA's Water, Sewer and Reuse for New Development Projects document (latest edition).

The land use application indicates that JEA will provide water and sewer for the site. JEA provided a memo, dated June 2, 2020, stating that water and sewer mains are available for connection near the subject site, consistent with FLUE Policy 1.2.9. The memo also states that the site will require water main construction in the right-of-way and individual water services. Each lot will require sewer main construction in the right-of-way and individual laterals.

## Transportation

The Planning and Development Department completed a transportation analysis, which is on file with the Planning and Development Department, and determined that the proposed amendment from NC and RPI to RPI and CSV has the development potential under scenario 1 as 100 percent non-residential and under scenario 2 as 90 percent residential and 10 percent non-residential. If the land use is amended to RPI and CSV, development could result in no new net vehicular trips under both scenarios 1 and 2. This analysis is based upon the comparison of what potentially could be built on that site versus the maximum development potential. Trips generated by the new development will be processed through the Concurrency and Mobility Management System Office.

### Transportation Element

Policy 1.2.1 The City shall use the Institute of Transportation Engineers *Trip Generation Manual*, latest edition, to determine the number of trips to be produced or attracted to a particular land use when assessing a traffic impact.

### Capital Improvements Element

Policy 1.6.1 Upon adoption of the Mobility Plan implementing ordinance, the City shall cease transportation concurrency and use a quantitative formula for purposes of assessing a landowner's mobility fee for transportation impacts generated from a proposed development, where the landowner's mobility fee shall equal the cost per vehicle miles traveled (A); multiplied by the average vehicle miles traveled per Development Area (B); multiplied by the daily trips (C); subtracted by any trip reduction adjustments assessed to the development.

**Objective 2.4** of the Transportation Element (TE) of the 2030 Comprehensive Plan requires that the City shall coordinate the mobility circulation system with the future land uses shown on the Future Land Use Map series in order to ensure that roads, road improvements and other mobility alternative improvements are provided as necessary to support development in an economically efficient and environmentally sound manner.

**Policy 2.4.2** of the TE of the 2030 Comprehensive Plan requires that the City shall amend the adopted Comprehensive Plan to incorporate the data and analysis generated by a periodic regional transportation model and study and facilitate the implementation of the study recommendations.

These two Comprehensive Plan policies ensure that the transportation impact related to land use amendments are captured in the Long Range Transportation Plan (LRTP) that is conducted every 5 years. This analysis includes the cumulative effect of all land use amendments that were approved within this time period. This plan identifies the future transportation needs and is used to create cost feasible roadway needs that can be funded by the City's Mobility Strategy Plan.

Mobility needs vary throughout the city and in order to quantify these needs, the city was divided into 10 Mobility Zones. The Mobility Strategy Plan identifies specific transportation strategies and improvements to address traffic congestion and mobility needs for each mode of transportation. The project site is located in Mobility Zone 8.

Existing available roadway capacity for the vehicle/truck mode for the entire zone was tested based on volume demand to capacity ratio (V/C), where the average daily traffic volumes determined from the most recent City of Jacksonville traffic count data were compared to the *Maximum Service Volumes (MSV)* from the current *FDOT Quality/Level of Service Handbook (2012)* for each functionally classified roadway within the zone. A V/C ratio of 1.0 indicates the roadway network is operating at its capacity.

The result of the V/C ratio analysis for the overall Mobility Zone 8 is 0.60.

The subject site is accessible via Parental Home Road and Bowden Road. Both roads are identified as collector facilities and are operating at an acceptable level of capacity.

### **School Capacity**

The Planning and Development Department determined that the proposed amendment from NC and RPI to RPI and CSV has the development potential under scenario 1 as 100 percent non-residential and under scenario 2 as 90 percent residential and 10 percent non-residential. Under scenario 2, the proposed amendment could result in development of 58 multi-family dwelling units.

The proposed development was analyzed in accordance with the adopted level of service standards (LOS) for school capacity as established in the Interlocal Agreement (ILA) and the Public Schools and Facilities Element. The ILA was entered into in coordination with the Duval County Public School System (DCPS) and the other municipalities within Duval County.

School concurrency LOS is the methodology used to analyze and to determine whether there is adequate school capacity for each school type (elementary, middle, and high school) to accommodate a proposed development. The LOS (105% of permanent capacity) is based on Concurrency Service Areas (CSAs), not the closest school in the area for elementary, middle and high schools, as well as on other standards set forth in the City of Jacksonville School Concurrency Ordinance.

In evaluating the proposed residential development for school concurrency, the following results were documented:

- Elementary School
  - Concurrency Service Area (CSA) 3
  - 2019/2020 enrollment: 8,207
  - Current utilization: 77%
  - New student development from amendment: 9
  - 5-year utilization: 79%
  - Available seats in CSA 3: 755



- Available seats in adjacent CSA(s): 4 and 5 is 276
- Middle School
  - CSA 3
  - 2019/2020 enrollment: 2,364
  - Current utilization: 83%
  - New student development from amendment: 4
  - 5-year utilization: 85%
  - Available seats in CSA 3: 10
  - Available seats in adjacent CSA(s): 4 and 5 is 246
- High School
  - CSA 3
  - 2019/2020 enrollment: 4,793
  - Current utilization: 95%
  - New student development from amendment: 5
  - 5-year utilization: 89%
  - Available seats in CSA 3: 27
  - Available seats in adjacent CSA(s): 4 and 5 is 132

The analysis of the proposed residential development reveals no deficiency for school capacity within the CSA and adjacent CSAs. Potential school capacity impacts will be addressed through the Concurrency and Mobility Management System Office.

#### Public School Facilities Element

Policy 2.3.2 The City will coordinate with DCPS to establish plan review procedures to manage the timing of Future Land Use Map amendments and other land use decisions so that these decisions coordinate with adequate school capacity.

Policy 2.3.3 The City will take into consideration the DCPS comments and findings on the availability of adequate school capacity in the evaluation of comprehensive plan amendments, and other land use decisions as provided in Section 163.3177(6)(a), F.S. and development of regional impacts as provided in 1380.06, F.S

#### Supplemental School Information

The following additional information regarding the capacity of the assigned neighborhood schools is provided by the Duval County School Board. This information is not based on criteria utilized by the City of Jacksonville School Concurrency Ordinance. Note that the percentage occupied may not appear correct due to ESE space requirements.

- Greenfield Elementary School
  - CSA 3
  - Amendment student generation: 9
  - School Capacity including permanent spaces and portables: 592

- Current enrollment 20 day county for 2019/2020: 607
- Percent Occupied: 103%
- 4-year projection: 111%
  
- Southside Middle School
  - CSA 3
  - Amendment student generation: 4
  - School Capacity including permanent spaces and portables: 977
  - Current enrollment 20 day county for 2019/2020: 868
  - Percent Occupied: 89%
  - 4-year projection: 80%
  
- Englewood High School
  - CSA 3
  - Amendment student generation: 5
  - School Capacity including permanent spaces and portables: 1,864
  - Current enrollment 20 day county for 2019/2020: 1,978
  - Percent Occupied: 106%
  - 4-year projection: 101%

**Archaeological Sensitivity**

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low, medium and high sensitivity for the presence of archaeological resources. Projects that move forward through the Site Review process may be required to perform a Professional Archaeological Reconnaissance Survey on the portion of the site that is in a high sensitivity area. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Historic Preservation Element

Policy 1.2.6 The Planning and Development Department shall maintain and update for planning and permitting purposes, a U.S.G.S. series of topographic maps upon which recorded archaeological sites are shown.

**Airport Environment Zone**

The site is located within the 500-foot Height and Hazard Zone for the Naval Air Station Jacksonville (NAS JAX). Zoning will limit development to a maximum height of less than 500 feet, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

Future Land Use Element

Objective 2.5 Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the

unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

### **Wetlands**

Review of City data indicates the potential existence of wetlands on the subject site and as such, based upon the city's geographic information data, the Planning and Development Department has determined the general location, type(s), size, quality and functional value of all wetlands located within the boundaries of the application site. Based on the information noted below, the proposed amendment is consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

#### Wetlands Characteristics:

Approximate Size: 6.10 acres

General Location(s): Entire eastern portion of the property, associated with the Pottsburg Creek floodway

Quality/Functional Value: The wetland has an extremely high functional value for water filtration attenuation and flood water capacity, is located within the 100 year flood zone and floodway, and has a direct impact on the City's waterways.

Soil Types/ Characteristics: 67 – The Surrency series consists of nearly level, very poorly drained soils. These soils formed in thick sandy and loamy marine sediments. They occur on flood plains and in depressions. The soils are moderately permeable and moderately slowly permeable. In areas on flood plains, the high water table generally is at or near the surface and the areas are subject to frequent flooding for brief periods. In areas in depressions, the high water table generally is at or above the soil surface for very long periods.

Wetland Category: Category II

Consistency of Permitted Uses: Uses permitted within Category II wetlands are extremely limited as identified in CCME Policy 4.1.5 (below). Conservation, residential, and water dependent/water related uses are permitted.

Environmental Resource Permit (ERP): Not provided.

Wetlands Impact: Wetlands to be placed in CSV land use; development clustered mainly outside of wetlands.

Associated Impacts: Associated with flood zones, AE-floodway, AE, and 0.2% annual chance flood hazard area

Relevant Policies:

Conservation / Coastal Management Element

**Policy 4.1.3**

The following performance standards shall apply to all development, except public utilities and roadways, permitted within Category I, II, and III wetlands:

- (a) Encroachment  
Encroachment in Category I, II, or III wetlands is the least damaging and no practicable on-site alternative exists; and
- (b) No net loss  
Development is designed and located in such a manner that there is no net loss to the wetland functions including but not limited to:
  - i the habitat of fish, wildlife and threatened or endangered species,
  - ii the abundance and diversity of fish, wildlife and threatened or endangered species,
  - iii the food sources of fish and wildlife including those which are threatened or endangered,
  - iv the water quality of the wetland, and
  - v the flood storage and flood conveyance capabilities of the wetland; and
- (c) Floodplain protection  
Buildings are built at an elevation of sufficient height to meet the designated flood zone standards as set forth by the Federal Emergency Management Agency. The design must be in conformance with Chapter 652 (Floodplain Regulations) of the Ordinance Code; and
- (d) Stormwater quality  
In the design and review of developments which will discharge stormwater into the Category I, II, or III wetlands the following performance standards shall be used to protect water quality:
  - i Issuance of a Management and Storage of Surface Waters permit pursuant to Chapter 40C-4 or 40C-40, F.A.C. or a stormwater permit issued pursuant to Chapter 40C-42, F.A.C., provides assurances necessary for compliance with subsections (i) - (iv) above provided the stormwater management system is constructed in accordance with the permit; and
  - ii Regular monitoring and maintenance program on an annual basis for the performance of stormwater treatment systems

(e) Septic tanks

Septic tanks, drainfields and/or greywater systems are located outside the Category I, II, or III wetland area and not within 75 feet of the mean high water line of tidal bodies or within 75 feet of any wetland unless the Duval County Health Department grants a variance for a hardship case pursuant to the provisions of Section 381.0065, F.S. Where public utilities are available, development is required to connect to these facilities; and

(f) Hydrology

The design of the fill shall include measures to maintain the wetlands hydrology of the site.

**Policy 4.1.5**

The permitted uses within Category I and II wetlands shall be limited to the following land uses and associated standards, provided such use is consistent with the Future Land Use Map series (FLUMs):

(1) Conservation uses, provided the following standards are met:

(a) Dredge and fill

Dredging or filling of the Category I and II wetlands shall not exceed more than 5% of the wetlands on-site; and

(b) Vegetation

For Category I wetlands:

All native vegetation outside the development area is maintained in its natural state

For Category II wetlands:

No more than 10% of the arial extent of the vegetation outside the development area may be altered or removed; and

(2) Residential uses, provided the following standards are met:

(a) Density/Dredge and fill

Where lots, except for lots of record as defined in the Future Land Use Element, are located totally within the wetlands:

- i density shall not exceed one (1) dwelling unit per five (5) acres; and
- ii buildings shall be clustered together to the maximum extent practicable; and
- iii dredging or filling shall not exceed 5% of the wetlands on-site; and

(b) Vegetation

For Category I wetlands:

All native vegetation outside the development area is maintained in its natural state

For Category II wetlands:

No more than 10% of the arial extent of the vegetation outside the development area may be altered or removed; and

(3) Water-dependent and water-related uses, provided the following standards are met:

(a) Vegetation

For Category I wetlands:

All native vegetation outside the development area is maintained in its natural state

For Category II wetlands:

No more than 10% of the arial extent of the vegetation outside the development area may be altered or removed; and

(b) Boat facilities siting and operation

Boat facilities are further subject to Objectives 10.1, 10.2, 10.3, 10.5 and 10.6 and their related policies of this element.

(4) Access to a permitted use, subject to the requirements of (a), (b), and (f) as noted in the performance standards outlined in Policy 4.1.3 above.

(5) Any use which can be shown to be clearly in the public interest, subject to the requirements of (a), (b), (d) and (f) as noted in the performance standards outlined in Policy 4.1.3 above.

(6) For Category II wetlands only, silvicultural uses are allowed, provided the following standards are met:

**Best Management Practices: Silviculture**

Such activities are conducted in compliance with the provisions of the "Silvicultural Best Management Practices Manual", as may be amended, published by the Florida Division of Forestry, Department of Agriculture and Consumer Services.

**Flood Zones**

Approximately 0.18 of an acre of the subject site is located within the AE flood zone, 0.12 of an acre in the 0.2% annual chance flood hazard area, and 5.07 acres in the AE-

Floodway. Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). FEMA defines the various flooding characteristics of different lands based on a 100-year storm. The 100-year storm or Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. This does not mean that a storm of this type will happen every 100-years. There is a 1-percent chance that a storm of this magnitude will occur in any given year.

The 0.2% annual chance flood hazard area is defined as an area within the 500-year floodplain and outside of the SFHA. Flood insurance is not mandatory within these flood zones. The areas are deemed to be subject to moderate flood hazards.

The AE flood zone is an area within the 100-year floodplain or SFHA where flood insurance is mandatory.

The AE-Floodway is an area within the 100-year floodplain or SFHA where flood insurance is mandatory if construction is allowed within the floodway. The majority of the AE-Floodway corresponds with the portion of the subject site that is proposed to be amended to CSV. A smaller portion of the floodway extends into the portion of the subject site proposed to be amended to RPI. Areas located within AE-Floodway zones should be left intact as construction and filling within these areas is severely restricted. The companion PUD site plan defines the floodway area left intact and the uplands area to be developed.

#### Conservation /Coastal Management Element (CCME)

Policy 1.4.4 The City shall require all development within the 100-year flood plain to be in strict conformance with all applicable federal, State, regional and local development regulations.

Policy 2.7.1 The City shall continue to define the surface hydrology of the area to determine flood plain vulnerability and sensitivity, and will determine appropriate protection measures.

Policy 2.7.3 The City shall protect appropriate floodplain areas for the public benefit and restore degraded floodplain areas by:

- A. Land acquisition or conservation easement acquisition;
- B. Regulation, including setbacks, buffer zones, designated wildlife corridors, low density zoning, performance standards and open space requirements; and
- C. Incentives, including tax benefits and transfer of development rights.

#### **Boat Facility Siting Zone**

The subject site is located on Pottsburg Creek in an area identified as “Unacceptable” in the Boat Facility Siting Plan, which is a strategy outlined in the Duval County Manatee Protection Plan. In the “Unacceptable” zone, development of boat slips may occur at one (1) slip for every 100 feet of shoreline owned or controlled by the applicant.

Conservation Coastal Management Element

Policy 10.1.1 The location of future boat facilities shall be consistent with the recommendations within the Future Land Use Element and the Recreation and Open Space Element of the 2030 Comprehensive Plan, as well as any Vision Plan, and any other special study or plan adopted by the City, such as the Boat Facilities Siting Plan located in the MPP.

**PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on September 9, 2020, the required notices of public hearing signs were posted. Sixty-one (61) notices were mailed out to adjoining property owners informing them of the proposed land use change and pertinent public hearing and meeting dates.

The Citizen Information Meeting was held on September 28, 2020 via a virtual Zoom meeting. One (1) member of the public attended to discuss the proposed amendment. The individual was curious about development plans for the site.

**CONSISTENCY EVALUATION**

**Consistency with 2030 Comprehensive Plan Goals, Objectives and Policies**

**Future Land Use Element (FLUE)**

*Development Area*

*Urban Area (UA):* The UA is the second tier Development Area and generally corresponds with the densely developed portions of the City that have been in residential or employment generating uses prior to consolidation. It also includes major corridors which connect the other Development Areas. Similar to the Urban Priority Area (UPA), the intent of the UA is to encourage revitalization and the use of existing infrastructure through redevelopment and infill development, but at moderate urban densities which are transit friendly. Also similar to the UPA, the UA is intended to support multi-modal transportation and the reduction of per capita greenhouse gas emissions and vehicle miles traveled. Development is encouraged to employ urban development characteristics as further described in each land use plan category.

Objective 1.1 Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

Policy 1.1.5 The amount of land designated for future development should provide for a balance of uses that:  
A. Fosters vibrant, viable communities and economic development opportunities;  
B. Addresses outdated development patterns;



C. Provides for sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.

Policy 1.1.10 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

Policy 1.1.12 Promote the use of Planned Unit Developments (PUDs), cluster developments, and other innovative site planning and smart growth techniques in all commercial, industrial and residential plan categories, in order to allow for appropriate combinations of complementary land uses, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations.

Policy 1.1.21 Future amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population of the area and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business consistent with FLUE Policy 1.1.5. The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.

Policy 1.1.22 Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

Policy 1.2.9 Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

- Policy 1.5.14 In accordance with the Conservation and Coastal Management Element, the City shall encourage environmentally sensitive areas to be placed in a Conservation land use category, Conservation zoning district, and/or conservation easement.
- Objective 3.1 Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.
- Policy 3.1.3 Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.
- Policy 3.1.6 The City shall provide for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.
- Policy 3.1.19 The City shall adopt criteria and standards in order to limit the location of single-family attached and multi-family housing units to the periphery of established single-family detached neighborhoods and non-residential nodes, along collectors, arterials, and rail transit corridors, unless the higher density residential development is a component of a mixed or multi-use project.
- Objective 6.3 The City shall accommodate growth in Jacksonville by encouraging and facilitating new development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

According to the Category Descriptions for the Urban Development Areas of the FLUE, the NC land use category is intended to provide commercial retail and service establishments which serve the daily needs of nearby residential neighborhoods. NC designations are preferred in locations which are supplied with full urban services; which abut a roadway classified as a collector or higher on the Functional Highway Classification Map; and which are compatible with adjacent residential neighborhoods.

The RPI Future Land Use Category is intended to provide compact medium density development. Development which includes medium density residential and professional office uses is preferred. Limited commercial retail and service establishments which serve a diverse set of neighborhoods are also encouraged in order to reduce the number of Vehicles Miles Traveled. Plan amendment requests for new RPI designations are preferred in locations which are supplied with full urban services and in locations which serve as a transition between commercial and residential land uses. Single-use developments shall be limited to residential or office. Single use residential developments shall be pursuant to the requirements of the Medium Density Residential (MDR) category.

Conservation lands (CSV) are areas with valuable environmental resources, such as sensitive vegetation, high value habitat, wetlands, high aquifer recharge potential, carbon sinks and unique coastal areas. The CSV category includes areas that are protected through public or private nonprofit ownership and management. Development potential in these areas is generally limited to open space, resource and recreational uses. Consistent with FLUE Policy 1.5.14, the land use amendment from RPI to CSV for the portion of the subject site that contains wetlands and flood zones provides for conservation and preservation of this valuable, environmentally sensitive land.

The proposed amendment is located within the Southeast Planning District and Urban Development Area with full access to urban services and is contiguous to an established pattern of residential properties surrounding the site. The property is currently vacant and provides an opportunity for infill development. The applicant proposes to increase the opportunity for medium density residential development, which will maintain the character and trend of the area. The proposed land use change maintains a compact and compatible land use pattern satisfying FLUE Policies 1.1.10 and 1.1.22. The proposed amendment encourages use of an underutilized property, which has access to centralized services and sustains the viability of the existing residential area satisfying Objective 1.1, Policy 1.2.9, and Objective 6.3 of the FLUE.

The land use categories surrounding the property include Low Density Residential (LDR), Neighborhood Commercial, (NC) and Residential-Professional-Institutional (RPI). The development would provide a transition for the existing densities and intensities in the neighborhood. The proposed development of the multi-family residential is located at the intersection of two collector roads with both commercial and residential uses at the intersection. Therefore, the amendment is consistent with Policy 1.1.10, Objective 3.1, Policy 3.1.3, Policy 3.1.6 and Policy 3.1.19 of the FLUE.

The designation of land that would result from the proposed amendment reduces the developable acreage in RPI and adds acreage to the CSV category. This balance provides sufficient land for future uses while recognizing the site limitations due to the existing floodway. Therefore, the proposed land use amendment is consistent with FLUE Policies 1.1.5 and 1.1.21.

The companion rezoning application is a Planned Unit Development allowing for site planning which minimizes impacts to the wetlands and flood zones on the property. The

PUD should ensure the neighborhood is protected from potential negative impacts with a scale transition of the proposed structures on the site in order to be consistent with Policy 1.1.12 of the FLUE.

**Vision Plan**

The site is located within the boundary of the *Southeast Vision Plan*. The land use amendment is consistent with Principle 2.1, which seeks to provide for and promote compatible, infill and redevelopment in stable and declining areas and to create a range of housing opportunities and choices, where appropriate. The proposed amendment, along with the companion PUD rezoning, serves to protect the adjacent residential uses by providing graduation of uses and intensities as stated in Sub-Principle 2.2 of the Vision Plan. Therefore, the proposed amendment is consistent with the principles identified in the Vision Plan.

**Strategic Regional Policy Plan**

The proposed amendment is consistent with the following policy of the Strategic Regional Policy Plan:

Policy 3: Local governments are encouraged to offer incentives or make development easier in areas appropriate for infill and redevelopment.

The proposed land use amendment is consistent with Policy 3 of the Northeast Florida Regional Council's Strategic Regional Policy Plan as it would increase opportunities for infill development with multi-family residential, providing a wider range of housing opportunities in the northeast Florida region.

# LOCATION AND CURRENT LAND USE MAP



**FIELD UTILIZATION MAP**

