

# City of Jacksonville, Florida

*Lenny Curry, Mayor*

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February 3, 2022

The Honorable Samuel Newby, President  
The Honorable Rory Diamond, LUZ Chair  
And Members of the City Council  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report / Ordinance No. 2022-003/Application No. L-5546-21A**

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairman Diamond 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 2022-003 on February 3, 2022.

P&DD Recommendation                      APPROVE  
PC Issues:                                      None  
**PC Vote:                                      5-0 APPROVE**

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

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  
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**Report of the Jacksonville Planning and Development Department**

**Large-Scale Future Land Use Map Amendment – January 28, 2022**

**Ordinance/Application No.:** 2022-3 / L-5546-21A

**Property Location:** 6319 Garden Street at the southwest corner of Garden Street and Imeson Road

**Real Estate Number(s):** 002982 0000, a portion of

**Property Acreage:** 71.47 Acres

**Planning District:** District 5, Northwest

**City Council District:** District 8

**Applicant:** Thomas Ingram, Esquire, Sodl and Ingram, PLLC

**Current Land Use:** Agriculture-3 (AGR-3)

**Development Area:** Suburban

**Proposed Land Use:** Low Density Residential (LDR)

**Current Zoning:** Agriculture (AGR)

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

***RECOMMENDATION: APPROVE***

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

To allow for a single-family residential subdivision in a growing area of northwest Jacksonville. This site is at the transition between light industrial uses to the south and single family residential areas to the west.

**BACKGROUND**

The applicant proposes a future land use map amendment from Agriculture-3 (AGR-3) to Low Density Residential (LDR) and a companion rezoning from Agriculture (AGR) to Planned Unit Development (PUD) in the Suburban Development Area to allow for residential development. The companion rezoning, Ordinance 2022-4, is pending concurrently with this application.

The 71.47 acre land use amendment site is currently undeveloped and is located at the southwest corner of Imeson Road and Garden Street, both collector roadways. The western portion of the larger parcel under same ownership includes a large area of Category 3 wetlands that are not part of this land use amendment application and will remain in the AGR-3 land use category. Further west of the site along Garden Street are sites in the LDR land use category showing a trend towards low density residential uses in the area. Undeveloped land in the Agriculture-3 (AGR-3) category is north of the site with a mix of developed and undeveloped residential areas in the AGR-4 land use category to the west and southwest of the site. Directly south of the site is a light manufacturing operation in the Light Industrial (LI) land use category. East of the site is undeveloped land entitled for LI and Heavy Industrial (HI) uses. A CSX rail line runs northeast of the site.

The adjacent land use categories, zoning districts and property uses of the land use amendment site are as follows:

North: Land Use: AGR-3, AGR-4, LI  
Zoning: AGR  
Property Use: Undeveloped land, single-family residential

South: Land Use: AGR-4 and LI  
Zoning: AGR, PUD  
Property Use: single-family residential, light manufacturing operation

East: Land Use: LI, HI and LDR  
Zoning: IBP, IH and PUD  
Property Use: Undeveloped land entitled for industrial uses, single-family subdivision

West: Land Use: AGR-3 and AGR-4  
Zoning: AGR  
Property Use: Undeveloped land; large lot single-family homes

## **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.

## Impact Assessment Baseline Review

<b>Development Analysis 71.47 acres</b>		
Development Boundary	Suburban Area	
Roadway Frontage Classification / State Road	Garden Street, Collector Roadway; Imeson Road, Collector Roadway	
Plans and/or Studies	Northwest Vision Plan	
Site Utilization	Current: undeveloped	Proposed: residential
Land Use / Zoning	Current: AGR-3 / AGR	Proposed: LDR / PUD
Development Standards for Impact Assessment	Current: 1 unit/ 10 acre	Proposed: 5 units/ acre
Development Potential	Current: 7 units	Proposed: 357 units
Net Increase or Decrease in Maximum Density	Increase of 350 units	
Net Increase or Decrease in Potential Floor Area	Not Applicable	
Population Potential	Current: 18 people	Proposed: 949 people
<b>Special Designation Areas</b>		
Aquatic Preserve	NO	
Septic Tank Failure Area	NO	
Airport Environment Zone	NO	
Industrial Preservation Area	NO	
Cultural Resources	NO	
Archaeological Sensitivity	High, Medium and Low Sensitivity	
Historic District	NO	
Coastal High Hazard/Adaptation Action Area	NO	
Groundwater Aquifer Recharge Area	Discharge	
Wellhead Protection Zone	NO	
Boat Facility Siting Zone	NO	
Brownfield	NO	
<b>Public Facilities</b>		
Potential Roadway Impact	3,310 net new daily trips	
Potential Public School Impact	118 new students	
Water Provider	JEA	
Potential Water Impact	Increase of 93,100 gallons per day	
Sewer Provider	JEA	
Potential Sewer Impact	Increase of 69,825 gallons per day	
Potential Solid Waste Impact	Increase of 910 tons per year	
Drainage Basin/Sub-basin	Trout River Basin / Ninemile Creek Sub-Basin	
Recreation and Parks	Dinsmore Center and Park	
Mass Transit Access	NO	

<b>Development Analysis 71.47 acres</b>	
<b>Natural Features</b>	
Elevations	18 - 24 feet
Land Cover	2110: Improved pastures (monocult, planted forage crops)
Soils	38: Mascotte fine sand, 0 to 2 percent slopes; 51: Pelham fine sand, 0 to 2 percent slopes; 63: Sapelo fine sand, 0 to 2 percent slopes; 66: Surrency loamy fine sand, 0 to 2 percent slopes; 82: Pelham fine sand, 0 to 2 percent slopes
Flood Zones	NO
Wetlands	6430 Wet Prairies; 6460 Mixed Scrub-shrub wetland
Wildlife (applicable to sites greater than 50 acres)	See Hawkes Meadow Wildlife and Habitat Assessment Report on file with the Planning and Development Department

### Utility Capacity

The calculations to determine the water and sewer flows contained in this report and/or this spreadsheet have been established 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 shall continue to be based on JEA's Water, Sewer and Reuse for New Development Projects document (latest edition).

The JEA provided a water and sewer system demand analysis for the amendment site. The applicant provided a JEA Availability letter dated March 5, 2021. Potable water and sewer connections are available to the site under special conditions. The potable water special condition includes that the connection point has not been reviewed for site fire protection requirements. Private fire protection analysis is required. The sewer special condition includes that the connection to the JEA-owned sewer system for the project will require the design and construction of an onsite, JEA owned and maintained pump station, and a JEA dedicated force main. According to the land use amendment application and the companion PUD Written Description, it is the intent of the applicant to connect to JEA water and sewer.

### Future Land Use Element

**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.

## Transportation

The Planning and Development Department completed a transportation analysis and determined that the proposed amendment will result in an increase of 3,310 net new daily external trips. This analysis is based upon the comparison of what potentially could be built on that site (as detailed in FLUE Policy 1.2.16 Development Standards for Impact Assessment) versus the maximum development potential. Trips generated by the new development will be processed through the Concurrency and Mobility Management System Office. A copy of the transportation analysis is on file with the Planning and Development Department.

### 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.

### Supplemental Transportation Information

**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 5.

Subject site is accessible via Garden Street and Imeson Road, both 2-lane undivided roadways which are currently classified as collector facilities. The proposed development will have significant external traffic impacts on the roadway network. The Transportation Planning Division recommends ongoing coordinating efforts with COJ Traffic Engineering Division to ensure that a traffic operational analysis is provided to address the specific external impacts as a result of this land use amendment.

### **School Capacity**

Based on the impact assessment standards detailed in FLUE Policy 1.2.16, the 71.47 acre proposed land use map amendment has a development potential of 357 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) 1
  - 2020/2021 enrollment: 11,133
  - New student development from amendment: 59
  - 5-year utilization: 67%
  - Available seats in CSA 1: 6,179
  - Available seats in adjacent CSA(s): 2 and 8 is 4,775
  
- **Middle School**
  - CSA 1
  - 2020/2021 enrollment: 7,607
  - New student development from amendment: 26
  - 5-year utilization: 98%
  - Available seats in CSA 1: 617
  - Available seats in adjacent CSA(s): 2 and 7 is 606



- High School
  - CSA 1
  - 2020/2021 enrollment: 8,520
  - New student development from amendment: 33
  - 5-year utilization: 76%
  - Available seats in CSA 1: 956
  - Available seats in adjacent CSA(s): 2 and 8 is 815

The analysis of the proposed residential development does not reveal any deficiency for school capacity within the CSA.

#### 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 380.06, F.S.

#### Supplemental School Information:

The following additional information regarding the capacity of the assigned neighborhood schools was provided by the Duval County School Board. This 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.

- Dinsmore Elementary School #45
  - CSA 1
  - Amendment student generation: 59
  - School Capacity including permanent spaces and portables: 683
  - Current enrollment 20 day county for 2020/2021: 545
  - Percent Occupied: 80%
  - 4-year projection: 96%
- Highland Middle School #244
  - CSA 1
  - Amendment student generation: 26
  - School Capacity including permanent spaces and portables: 1,071
  - Current enrollment 20 day county for 2020/2021: 751
  - Percent Occupied: 70%
  - 4-year projection: 77%

- Jean Ribault High School #96
  - CSA 1
  - Amendment student generation: 33
  - School Capacity including permanent spaces and portables: 1,683
  - Current enrollment 20 day county for 2020/2021: 1,415
  - Percent Occupied: 84%
  - 4-year projection: 85%

**Archaeological Sensitivity**

According to the Duval County Archaeological Predictive Model, the subject property is located within an area with 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.

**Evacuation Zone**

The subject site is within Evacuation Zone. As such, the land use application was routed to the City’s Emergency Preparedness Division (EPD) for review and comment. The land use amendment application’s impact analysis is for the accommodation of 357 single family dwelling units. The EPD Review is included below:

**EPD Response:**

No impacts to countywide evacuation times are anticipated from the amendment proposed in L-5546-21A. Proximity to Trout River Boulevard. and Imeson Road indicates sufficient access to evacuation routes (I-95, I-295, and I-10W). Site design techniques that minimize disruption to existing traffic flow are encouraged.

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

Policy 7.1.6 The City shall not amend the Future Land Use Element or the Future Land Use Map series unless; the requested change can be determined to not exceed the established hurricane evacuation times; the requested change is for a lower density; or the requested change for increased density provides adequate remedies to reduce impacts on hurricane evacuation times which exceed the acceptable standard.

## **Wetlands**

Review of City data indicates the potential existence of wetlands on the subject site and as such, a wetlands survey has been provided by the applicant that indicates the location, 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: 25.47 Acres

General Location(s): Along the western boundary of the amendment site (See Wetlands Map Attached)

Quality/Functional Value: The wetland has a medium functional value for water filtration attenuation and flood water capacity due to its isolation, size and having an indirect impact on the City's waterways.

Soil Types/  
Characteristics: Mascotte fine sand, 0 to 2 percent slopes (38) – This soil series consists of poorly drained soils and has a parent material of sandy and loamy marine deposits. The water table is usually 6 to 18 inches below ground surface. Slopes range from 0 to 2 percent.

Pelham fine sand, 0 to 2 percent slopes (51) – This soil series consists of poorly drained soils and has a parent material of sandy and loamy marine deposits. The water table is usually 6 to 12 inches below ground surface. Slopes range from 0 to 2 percent.

Sapelo fine sand, 0 to 2 percent slopes (63) - This soil series consists of poorly drained soils and has a parent material of sandy and loamy marine deposits. The water table is usually 6 to 18 inches below ground surface. Slopes range from 0 to 2 percent.

Surrency loamy fine sand, depressional. 0 to 2 percent slopes (66) - This soil series consists of poorly drained soils and has a parent material of sandy and loamy marine deposits. The water table is usually at the surface. Slopes range from 0 to 2 percent.

Pelham fine sand, ponded, 0 to 2 percent slopes (82) - This soil series consists of poorly drained soils and has a parent material of sandy and loamy marine deposits. The water table usually at the surface to 6 inches below ground surface. Slopes range from 0 to 32 percent.

- Wetland Category: Category III
- Consistency of Permitted Uses: All uses subject to CCME Policy 4.1.6
- Environmental Resource Permit (ERP): Not provided by the applicant
- Wetlands Impact: According to the companion PUD Written Description, approximately 4.54 acres of wetland impacts are anticipated with 20.93 acres of wetlands preserved on-site. (Total amount of wetlands is 25.47 acres)
- Associated Impacts: None
- Relevant Policies: CCME Policies 4.1.3 and 4.1.6

**CCME 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.

**CCME Policy 4.1.6**

The permitted uses within Category III 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) Any use not otherwise listed below, provided all of the basic requirements outlined in Policy 4.1.3 above are met:

- (a) Silvicultural uses, 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.

(b) Agricultural uses, provided the following standards are met:

Best Management Practices: Agriculture

Such activities are to be in compliance with Chapter 40C-44, F.A.C.

(2) Any use that 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.

### **Wildlife**

The applicant submitted a wildlife and habitat assessment report prepared by LG2 Environmental Solutions, Inc. Meandering pedestrian transects and stationary observation posts were conducted throughout each on-site habitat type to observe the potential presence of listed wildlife species. No state or federally listed wildlife species were documented during the on-site assessment. While no species were observed during the assessment, FWC may be notified and allowed to comment on listed species with the potential to occur on the subject property. The species that are most likely to trigger a request for additional information include the eastern indigo snake, the gopher tortoise and the wood stork.

### **Conservation Coastal Management Element**

**Policy 3.5.5** The City shall maintain a land development review process for the assessment and protection of listed species and their habitat, which shall apply to issuance of development permits and land clearing, excluding bona fide silvicultural and agricultural activities. Projects which contain areas identified for protection shall be required to incorporate creative project designs through utilization of such measures as clustering, mixed land use designations and transfer of development rights programs. For purposes of Policy 3.5.5, the term listed species shall be limited to listed animal species as defined in the Definitions Section of this Element.

A. All proposed developments or land clearing, with the exception of bona fide silvicultural or agricultural activities, which are located on all or part of a parcel or contiguous parcels of land containing 50 acres or more under common ownership shall be reviewed by the City to determine if the site contains listed species.

### **PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on August 27, 2021, the required notices of public hearing signs were posted. Eleven (11) 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 August 30, 2021. No one from the public attended the meeting.

## **CONSISTENCY EVALUATION**

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

#### **Future Land Use Element (FLUE)**

##### *Development Areas*

*Suburban Area (SA):* The SA is the third tier Development Area and generally corresponds with the urbanizing portions of the City in areas that have usually been developed after consolidation. Development should generally continue at low densities with medium density development at major corridor intersections and transit stations. Development at these locations should promote a compact and interconnected land development form and is therefore 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 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 1.2.9** 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.
- Goal 3** To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.
- 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 3.1.6** 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.



## Pending Property Rights Element (PRE)

- Goal 1            The City will recognize and respect judicially acknowledged and constitutionally protected private property rights in accordance with the Community Planning Act established in Chapter 163, Florida Statutes.
- Objective 1.1    Local decision making shall be implemented and applied with sensitivity for private property rights and shall not be unduly restrictive.
- Policy 1.1.1     The City will ensure that private property rights are considered in local decision making.
- Policy 1.1.2     The following rights shall be considered in local decision making:
1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
  2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
  3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
  4. The right of a property owner to dispose of his or her property through sale or gift.

According to the Category Description in the Future Land Use Element (FLUE), the Agriculture (AGR) functional land use categories accommodate primarily agriculture activities with some single family dwellings and are intended to preserve the existing rural character of outlying areas of the City.

According to the Category Description in the FLUE, the Low Density Residential (LDR) land use category in the Rural and Suburban Areas primarily permits low density residential development in the form of single-family and multi-family dwellings at up to 7 dwelling units per acre when full urban services are available. Plan amendment requests for new LDR designations are discouraged in the Rural Area because they would potentially encourage urban sprawl.

The 71.47 acre subject site is located within the boundaries of the Suburban Development Area. According to the locational criteria of the operative provisions in the FLUE, low density development of lands is encouraged within the Suburban Development Area. The LDR land use category allows a maximum of 7 dwelling units per acre. The proposed LDR land use is consistent with the future development trends and land use patterns in the area while contributing additional lands for residential development and increasing the amount of land available to accommodate anticipated growth and the projected population as called for in FLUE Goal 3, Objectives 1.1 and 3.1 and Policies 1.1.5, 1.1.21 and 3.1.6. The companion PUD rezoning fulfills FLUE Policy 1.1.12, and provides for an

opportunity for innovative site planning and development strategies that integrate the proposed residential development into this area.

Given the abutting undeveloped land in the LI and AGR-3 land use categories to the north and east and the single-family residential uses in the AGR-4 land use category to the south and east, the proposed land use amendment provides a transition of land use resulting in a compatible and appropriate land use for the area, meeting FLUE Goal 1 and Policy 1.1.10.

The JEA provided a water and sewer system demand analysis for the amendment site. The applicant provided a JEA Availability letter dated March 5, 2021. Potable water and sewer connections are available to the site under special conditions. The applicant intends to connect to the JEA water and sewer services providing consistency with FLUE Policy 1.2.9.

The proposed amendment does not hinder the private property rights of the owner of record; has no impact on the right of the property owner to possess or control his or her interest in the property; maintains the owner's ability to use, maintain, develop and improve the property; protects the owner's right to privacy and security; and maintains the ability of the property owner to dispose of the property at their discretion. Therefore, the amendment is consistent with PRE Goal 1, Objective 1.1 and Policies 1.1.1 and 1.1.2.

### **Vision Plan**

The subject site is located within the boundaries of the Northwest Jacksonville Vision Plan. The site is located within the Suburban Area of the Plan and within the Rural/Conservation Character Area. The Plan recommends the development of new communities with a mix of housing types for this area while protecting the rural character and open spaces and the area's scenic views. The proposed residential development will contribute towards providing a variety of housing types for this area. Additionally, the western portion of the larger parcel will remain in the AGR-3 land use category contributing to the existing rural character and open spaces of the area. The proposed amendment is consistent with the Northwest Vision Plan.

### **Strategic Regional Policy Plan**

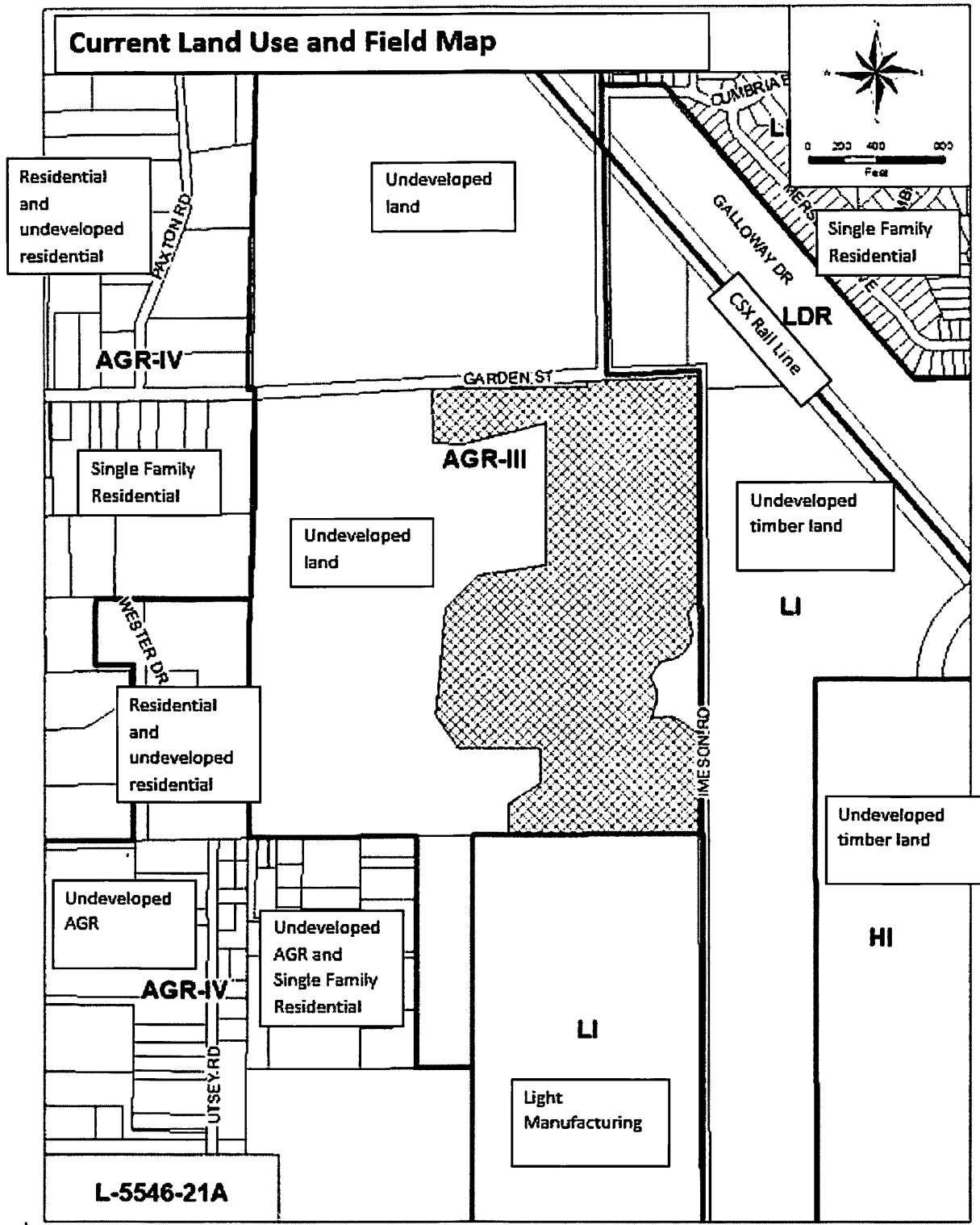
The proposed amendment is consistent with the following Policy of the Strategic Regional Policy Plan:

**Objective:** Housing options that provide choices to all of our residents and promote demographic and economic diversity as one way to ensure that our communities are viable and interesting places for the long term.

**Policy 21:** The Region supports diverse and sufficient housing stock to provide choices for all households, from single persons to extended families with children.

The proposed land use amendment would create a location for the development of new housing stock for the area. Therefore, the proposed amendment is consistent with Policy 21 of the Strategic Regional Policy Plan, Regional Health Element.

**LAND USE AMENDMENT**  
**FIELD / LOCATION / CURRENT LAND USE MAP**



**LAND USE AMENDMENT**  
**WETLANDS MAP-PROVIDED BY APPLICANT**

