

# City of Jacksonville, Florida

*Lenny Curry, Mayor*

City Hall at St. James  
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Jacksonville, FL 32202  
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October 21, 2021

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. 2021-637/Application No. L-5590-21C**

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 2021-637 on October 21, 2021.

P&DD Recommendation

APPROVE

PC Issues:

Three citizens spoke in opposition due to traffic congestion, traffic safety, increased noise and the height of buildings near single-family dwellings.

The Commission noted that the amendment would result in compatible and sensible infill development and there is an existing tree buffer between the amendment site and homes to the north. The applicant indicated that a community meeting is scheduled for early November and changes to the companion zoning may be made to address concerns.

**PC Vote:**

**7-0 APPROVE**

David Hacker, Chair

Aye

Alexander Moldovan, Vice-Chair

Aye

Ian Brown, Secretary

Aye

Marshall Adkison

Aye

Daniel Blanchard

Aye

Joshua Garrison

Aye

Dawn Motes

Absent

Jason Porter

Aye

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

Sincerely,

*Kristen D. Reed*

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Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment – October 1, 2021

**Ordinance/Application No.:** 2021-637 / L-5590-21C

**Property Location:** 13301 Beach Boulevard (SR 212) between Kernan Boulevard and Hodges Boulevard

**Real Estate Number(s):** 167067 0010

**Property Acreage:** 15.01 Acres

**Planning District:** District 2, Greater Arlington/Beaches

**City Council District:** District 3

**Applicant:** Paul Harden, Esquire

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

**Proposed Land Use:** Residential-Professional-Institutional (RPI)

**Development Area:** Urban Development Area

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

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

***RECOMMENDATION: APPROVE***

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

To conform with surrounding land uses. Provide for a residential in the back portion of the property, allowing for a mix of residential uses in the area.

**BACKGROUND**

The 15.01 acre subject site is located on the north side of Beach Boulevard, a major arterial roadway, between Kernan Boulevard and Hodges Boulevard. The front portion of the property fronting Beach Boulevard currently includes a church. According to the applicant, the church will remain in its current location and residential uses will be added on the northern portion of the site.

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 LDR to RPI in

the Urban Development Area in order to develop the site with residential uses. Currently, the site is mostly undeveloped with a church use fronting Beach Boulevard on one portion of the site. A mix of residential and non-residential uses abut the north and south side of Beach Boulevard in this immediate area. A public library abuts the site to the west with a service garage just west of the library. Surrounding the site further west, north and east are single-family residential subdivisions. Directly south across Beach Boulevard is a mix of single-family and multi-family residential uses. A companion rezoning application is pending concurrently with the land use application via Ordinance 2021-638, which seeks to change the zoning district from PUD to PUD.

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

North: Land Use: LDR  
Zoning: PUD  
Property Use: Single-family residential subdivisions

South: Land Use: RPI and Community/ General Commercial (CGC)  
Zoning: PUD  
Property Use: Single-family residential subdivisions; multi-family residential

East: Land Use: LDR  
Zoning: PUD  
Property Use: Single-family residential subdivisions

West: Land Use: RPI, CGC, LDR, MDR  
Zoning: CCG-2, RLD-120, RR-Acre, PUD  
Property Use: public library, service garage, single-family residential subdivisions, undeveloped land

## **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 15.01 acres / 653,835.6 square feet</b>		
Development Boundary	Urban Area	
Roadway Frontage Classification / State Road	Beach Boulevard / SR 212 / Principal Arterial Roadway	
Plans and/or Studies	Greater Arlington/Beaches	
Site Utilization	Current: Church	Proposed: Residential/Professional/Institutional
Land Use / Zoning	Current: LDR / PUD	Proposed: RPI / PUD
Development Standards for Impact Assessment	Current: 5 units per acre	Proposed: Scenario 1: 0.5 FAR Scenario 2: 90% residential at 23 units per acre and 10% non-residential at 0.5 FAR
Development Potential	Current: 75 units	Proposed: Scenario 1: 326,917.8 sq. ft. of non-residential uses Scenario 2: 310 units and 32,691.78 sq. ft. of non-residential uses
Net Increase or Decrease in Maximum Density	Scenario 1: decrease of 75 units Scenario 2: increase of 235 units	
Net Increase or Decrease in Potential Floor Area	Scenario 1: increase of 326,917.8 sq. ft. Scenario 2: increase of 32,691.78 sq. ft.	
Population Potential	Current: 199 people	Proposed: 728 people
<b>Special Designation Areas</b>		
Aquatic Preserve	NO	
Septic Tank Failure Area	NO	
Airport Environment Zone	Height Restriction Zone 300-feet for Craig Municipal Airport	
Industrial Preservation Area	NO	
Cultural Resources	NO	
Archaeological Sensitivity	Low, Medium, and High 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	Scenario 1: 2,476 net new daily trips Scenario 2: 1,879 net new daily trips	

<b>Development Analysis 15.01 acres / 653,835.6 square feet</b>	
Potential Public School Impact	101 new students
Water Provider	JEA
Potential Water Impact	Scenario 1: increase of 2991.6 gallons per day Scenario 2: decrease of 80166 gallons per day
Sewer Provider	JEA
Potential Sewer Impact	Scenario 1: increase of 2243.7 gallons per day Scenario 2: decrease of 60124 gallons per day
Potential Solid Waste Impact	Scenario 1: increase of 328.068 tons per year Scenario 2: decrease of 753.69 tons per year
Drainage Basin/Sub-basin	Basin: Intracoastal Waterway Sub-Basin: Hogpen Creek
Recreation and Parks	Patton Park (Approximately 0.53 Miles northeast of site)
Mass Transit Access	JTA Bus Routes 109 and 205
<b>Natural Features</b>	
Elevations	24 – 31 ft.
Land Cover	1700: Institutional
Soils	22 Evergreen Wesconnett complex, depressional, 0 to 2 slopes; 32 Leon fine sand, 0 to 2 percent slopes; 35 Lynn Haven fine sand, 0 to 2 slopes
Flood Zones	0.2 PCT Annual Chance Flood Hazard
Wetlands	6250: Wet pinelands/hydric pine
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 applicant provided a JEA Availability letter dated 7/1/21. Water and sewer connections for the subject site are available under special conditions. The water special conditions require private fire protection analysis for the review of fire protection requirements. The sewer special conditions require the design and construction of an onsite, privately owned and maintained pump station and a JEA dedicated force main.

### **Transportation**

The Planning and Development Department completed a transportation analysis, which is on file with the Planning and Development Department, and determined that the trip generation comparison between the current development potential and the proposed development potential will result in 2,476 net new trips for scenario 1 and 1,879 net new trips for scenario 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.

#### Supplemental 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 2.

The subject site is accessible via Beach Boulevard (SR 212), a principal arterial facility. The proposed RPI development scenarios will generate significant new daily trips on the

external roadway network. The Planning Division recommends ongoing coordinating efforts with FDOT and the City of Jacksonville Traffic Engineer to ensure that a traffic operational analysis is provided to address the specific external impacts as a result of this land use amendment. SR 212 is subject to FDOT review and access management requirements.

### **School Capacity**

The Planning and Development Department determined that the proposed amendment from LDR to RPI has the development potential under scenario 1 as 100% non-residential and under scenario 2 as 90% residential. Under scenario 2, the proposed amendment could result in development of 310 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) 5
  - 2020/2021 enrollment: 8,312
  - Current utilization: 85%
  - New student development from amendment: 51
  - 5-year utilization: 94%
  - Available seats in CSA 5: 521
  - Available seats in adjacent CSA(s): 3 and 4 is 1,607
  
- **Middle School**
  - CSA 5
  - 2020/2021 enrollment: 2,343
  - Current utilization: 83%
  - New student development from amendment: 22
  - 5-year utilization: 88%
  - Available seats in CSA 5: 35
  - Available seats in adjacent CSA(s): 3 and 4 is 493



- High School
  - CSA 5
  - 2020/2021 enrollment: 7,615
  - Current utilization: 98%
  - New student development from amendment: 28
  - 5-year utilization: 98%
  - Available seats in CSA 5: 4
  - Available seats in adjacent CSA(s): 3 and 4 is 17

The analysis of the proposed residential development reveals potential deficiency for school capacity within the CSA and adjacent CSAs for high schools. 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.

- Kernan Trail Elementary #231
  - CSA 5
  - Amendment student generation: 51
  - School Capacity including permanent spaces and portables: 663
  - Current enrollment 20 day county for 2020/2021: 174
  - Percent Occupied: 99%
  - 4-year projection: 102%
  
- Kernan Middle School #279
  - CSA 5
  - Amendment student generation: 22
  - School Capacity including permanent spaces and portables: 1,151
  - Current enrollment 20 day county for 2020/2021: 747
  - Percent Occupied: 105%

- 4-year projection: 97%
- Atlantic Coast High School #268
  - CSA 5
  - Amendment student generation: 28
  - School Capacity including permanent spaces and portables: 2,443
  - Current enrollment 20 day county for 2020/2021: 1,415
  - Percent Occupied: 95%
  - 4-year projection: 97%

**Evacuation Zone**

The amendment site is located within the boundaries of Emergency Evacuation Zone E and was routed to the Emergency Preparedness Division (EPD) for review. EPD reviewed the application and found that minimal impacts to countywide evacuation clearance times, and a potential localized impact to traffic flow on Beach Boulevard are anticipated from the subject amendment. Site design techniques that minimize disruption to existing traffic flow are encouraged. See EPD’s full review below.

**EPD Review**

The proposed property at 13301 Beach Boulevard will be directly adjacent to Beach Boulevard, a secondary evacuation route that provides road access to primary evacuation routes I-295 (2.97 road miles) and I-95 (10.7 road miles).

In consideration of the evacuation zone, nearest evacuation routes, and the estimate of 310 multi-family dwelling units in addition to commercial space, the development of the proposed property at 13301 Beach Boulevard could create a localized impact to the traffic flow westward on Beach Boulevard during an emergency evacuation scenario. Beach Boulevard is one of four arteries (Wonderwood Drive, Beach Boulevard, Atlantic Boulevard, and J. Turner Butler Boulevard) utilized to evacuate the beach communities. One important factor to consider is that the nearly the entirety of the county located Westward of the proposed development is located within Evacuation Zones A, B and C, and would potentially be evacuated simultaneously. An evacuation order for Zones A, B, and C may heighten the localized impact to traffic on Beach Boulevard. The changes proposed through land use Amendment application L-5590-21C would have a minimal impact on countywide evacuation clearance time within Duval County, and a potential localized impact to traffic flow on Beach Boulevard. 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.

### **Airport Environment Zone**

The site is located within the 300 foot Height and Hazard Zone for the Craig Municipal Airport. Zoning will limit development to a maximum height of less than 300 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.

### **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.

### **Flood Zones**

Approximately 0.5 of an acre of the subject site is located within the 0.2 PCT Annual Chance Flood Hazard flood zone. 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 PCT Annual Chance Flood Hazard flood zone is defined as areas 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. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

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

**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.

**Policy 11.3.18** 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.

**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 may be consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

**Wetlands Characteristics:**

**Approximate Size:** 5.6 Acres

**General Location(s):** In the northern portion of the amendment site

**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:** (22) Evergreen-Wesconnett complex, depressional – The Evergreen series consists of nearly level, very poorly drained soils. These soils formed in decomposed organic materials underlain by thick sandy marine sediments. They are in depressions. The soils are moderately slowly permeable to rapidly permeable. Generally, the high water table is at or above the surface for very long periods.

(32) Leon fine sand – consists of nearly level, poorly drained and very poorly drained, sandy soils. These soils formed in thick beds of marine sand. They are in flatwoods and tidal marshes. The soils are slowly permeable to moderately rapidly permeable. In areas in flatwoods, the high water table generally is at a depth of 6 to 18 inches. In tidal areas, the high water table generally is at or near the surface and the areas are flooded twice daily by fluctuating tides for very brief periods.

(35) Lynn Haven fine sand – consists of nearly level and gently sloping, very poorly drained, sandy soils. These soils formed in thick beds of sandy marine sediments. They are on flats and in seep areas on side slopes. The soils are moderately permeable and moderately rapidly permeable. Generally, the high water table is at or near the surface.

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: The companion PUD site plan shows areas where development may impact the wetlands on site. All local, state and federal requirements must be followed before moving forward with development that may impact wetlands.

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.

## **PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on August 31, 2021, the required notices of public hearing signs were posted. Eighty-seven (87) 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 20, 2021 via a virtual Zoom meeting. Several members of the public were in attendance at the meeting and expressed concerns regarding the amount of buffer that will be provided abutting the existing neighborhoods along the eastern and northern boundaries of the site. The citizens were particularly concerned with keeping a large tree buffer between the properties to help with the traffic noise from Beach Boulevard, the noise developed from the proposed community and to screen the proposed development from the neighboring neighborhoods. Other concerns regarding traffic on Beach Boulevard, water runoff and site plan accuracy were also expressed at the meeting.

# **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 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.

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.

Objective 3.2

Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land

use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

**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.

Pending Property Rights Element (PRE) (Ordinance 2021-334)

**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 within the Future Land Use Element (FLUE), LDR in the Urban Area is intended to provide for low density residential development.

RPI in the Urban Area 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. The maximum gross density in the Urban Area is 30 units/acre except for sites abutting LDR or Rural Residential the maximum density shall be 20 units/acre. 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. Residential uses shall not be permitted on the ground floor abutting roads classified as arterials or higher.

The 15.01 acre subject amendment site is intended to provide for the development of additional housing options in the area. According to the companion PUD site plan, the residential uses are proposed for the northern end of the site with the continued church use at the southern end of the site fronting Beach Boulevard, and therefore, meeting the development characteristics of the RPI land use category. The development of the property with additional housing options would further the goal to provide sufficient land for residential choices in the City. Therefore, the proposed land use amendment is consistent with FLUE Policies 1.1.5 and 1.1.21.

The proposed amendment is located within the Greater Arlington/Beaches Planning District and Urban Development Area with full access to urban services. The subject site is located in an area that can support a development at up to 20 units per acre along the Beach Boulevard corridor, a major arterial roadway with an established mix of residential and commercial uses fronting the corridor. The property is mostly undeveloped with a church on a portion of the property fronting Beach Boulevard providing an opportunity for infill development on the northern portion of the property. According to the companion PUD written description and site plan, the applicant proposes to increase the opportunity for medium density residential development, which will maintain the character of the area and the current land use pattern with complimentary design elements satisfying FLUE Objective 1.1 and Policies 1.1.10, 1.1.12 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 surrounding residential area satisfying Objective 1.1, Policy 1.2.9, and Objective 6.3 of the FLUE.

The proposed RPI designation allows for both the development of low intensity commercial uses and medium density residential consistent with the character of this portion of Beach Boulevard providing consistency with FLUE Goal 3 and Objectives 3.1 and 3.2.

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 site is within the boundary of the Greater Arlington/Beaches Vision Plan. Objective 2.1 of the Vision Plan promotes greater density and diversity of land uses in appropriate locations. Providing a range of housing opportunities and choices ensures housing choices for families with different needs and incomes. The Vision Plan continues stating that new housing should be located on underutilized land and at nodes and corridors. More intense residential development is recommended in conjunction with a mix of uses at nodal locations. The proposed amendment would allow multi-family residential development on a major commercial corridor (Beach Boulevard) with diverse uses along the corridor. As such, the proposed amendment is consistent with the Vision Plan.

**Strategic Regional Policy Plan**

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

Objective: Improve Quality of Life and Provide Quality Places in Northeast Florida

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 would create opportunities for housing choice, while maintaining the corridor development pattern of Beach Boulevard and providing for redevelopment of an infill site. Therefore, the proposed amendment is consistent with Policy 3 of the Strategic Regional Policy Plan, Communities and Affordable Housing Element.

