

City of Jacksonville, Florida

Lenny Curry, Mayor

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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. 2021-639/Application No. L-5575-21C

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 2021-639 on October 21, 2021.

P&DD Recommendation	APPROVE
PC Issues:	None
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

Kristen D. Reed, AICP
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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.: 2021-639 / L-5575-21C

Property Location: 0 Lem Turner Road – Southeast of the intersection of Lannie Road and Lem Turner Road

Real Estate Number(s): 002449 0090 (portion of)

Property Acreage: 3.71 acres

Planning District: District 6, North

City Council District: District 7

Applicant: Peter J. King

Current Land Use: Community/General Commercial (CGC)

Proposed Land Use: Rural Residential (RR)

Development Area: Rural Development Area

Current Zoning: Commercial Neighborhood (CN)

Proposed Zoning: Residential Rural – Acre (RR-Acre)

RECOMMENDATION: ***Approve***

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

Transitional Intensity use between CGC on one side and [Agriculture-IV] AGR-IV on the other. Higher density desired because of nodal location but limited by utilities, hence the companion zoning request to RR.

BACKGROUND

The 3.71 acre subject site is located on Lem Turner Road (SR 115), approximately 500 feet southeast of the intersection of Lannie Road and Lem Turner Road. Lem Turner Road is a minor arterial road and Lannie Road is a local road.

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 Community/General Commercial (CGC) to Rural Residential (RR) to use the property for residential uses. The application site is the southeastern half of a larger parcel. The

property is surrounded by agriculture land uses across Lem Turner Road and across Lannie Road. There are large lot single family homes to the east of the subject site and along the east side of Lannie Road, going north, there is residential development. Exception application, E-21-50, has been submitted for the northwest half of the property, which abuts the subject site, seeking a zoning exception to allow for a 20-pump gas/services station with outdoor seating.

A companion rezoning application is pending concurrently with the land use application via Ordinance 2021-640, which seeks a zoning change from Commercial Neighborhood (CN) to Residential Rural – Acre (RR-Acre).

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

North: Land Use: CGC, AGR-IV, and AGR-III
Zoning: AGR (Agriculture)
Property Use: Single family residential and agriculture uses

South: Land Use: AGR-III and AGR-IV
Zoning: AGR
Property Use: Agriculture and single family residential

East: Land Use: AGR-IV
Zoning: AGR
Property Use: Single family residential and undeveloped land

West: Land Use: AGR-III
Zoning: AGR
Property Use: Agriculture uses

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

Development Analysis 3.71 Acres / 161,608 sq.ft.		
Development Boundary	Rural Development Area	
Roadway Frontage Classification / State Road	Lem Turner Road – SR 115 – Minor Arterial	
Plans and/or Studies	North Vision Plan	
Site Utilization	Current: Vacant	Proposed: Residential
Land Use / Zoning	Current: Land Use: CGC Zoning: CN	Proposed: Land Use: RR Zoning: RR-Acre
Development Standards for Impact Assessment	Current: Scenario 1: 0.35 FAR Scenario 2: 0.35 FAR (20%), 15 Units / Acre (80%)	Proposed: 1 Unit / Acre
Development Potential	Current: Scenario 1: 56,563 sq. ft. commercial Scenario 2: 11,313 sq. ft. / 44 Multi family units	Proposed: 3 Single family units
Net Increase or Decrease in Maximum Density	Scenario 1: Increase of 3 SF DU Scenario 2: Decrease of 41 SF DU	
Net Increase or Decrease in Potential Floor Area	Scenario 1: Decrease of 56,563 sq. ft. commercial Scenario 2: Decrease of 11,313 sq. ft. commercial	
Population Potential	Current: Scenario 1: 0 people Scenario 2: 103 people	Proposed: 7 People
Special Designation Areas		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	300 ft. height restriction zone for Jax International Airport	
Industrial Preservation Area	No	
Cultural Resources	None	
Archaeological Sensitivity	Low and High	
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	

Development Analysis 3.71 Acres / 161,608 sq.ft.	
Public Facilities	
Potential Roadway Impact	No Net New Daily Trips
Potential Public School Impact	De Minimis
Water Provider	Well
Potential Water Impact	Scenario 1: Decrease of 2,030.2 gpd Scenario 2: Decrease of 10,107.7 gpd
Sewer Provider	Septic
Potential Sewer Impact	Scenario 1: Decrease of 1,522.6 gpd Scenario 2: Decrease of 7,580.7 gpd
Potential Solid Waste Impact	Scenario 1: Decrease of 82.70 tons per year Scenario 2: Decrease of 124.70 tons per year
Drainage Basin/Sub-basin	Basin: Nassau River and Broward River Sub-Basin: Thomas Creek
Recreation and Parks	Kings Road Historic Preserve
Mass Transit Access	None
Natural Features	
Elevations	18 - 22 feet
Land Cover	4110: Pine flatwoods 6300: Wetland forested mixed
Soils	SIN 44: Mascotte-Pelham Complex, 0 to 2% slopes SIN 51: Pelham Fine Sand, 0 to 2% slopes SIN 66: Surrency Loamy Fine Sand, Depressional, 0 to 2% slopes
Flood Zones	None
Wetlands	None
Wildlife (applicable to sites greater than 50 acres)	N/A (under 50 acres)

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).

According to the City's infrastructure map and the applicant, the subject site does not have access to centralized water or sewer. The applicant intends to provide water via well and sanitary sewer via septic.

School Capacity

While the proposed amendment includes a residential component, the site will generate fewer than 20 residential units. Therefore, the proposed development will have a de minimis impact on school capacity.

Transportation

Transportation Element Policy 1.2.1 of the 2030 Comprehensive Plan requires the use of the most current ITE Trip Generation Manual (10th Edition) to calculate the vehicular trips based on the maximum development potential for existing and proposed land uses. The subject site consists of Community General Commercial (CGC) land use on approximately 3.71 acres. The proposed land use amendment is to allow for Rural Residential (RR) uses.

In accordance with development standards for impact assessments established in the Future Land Use Element Policy 1.2.16, the existing CGC land use category with 100% non-residential has a development potential of 56,563 SF (ITE Land Use Code 820), which could generate 2,454 daily vehicular trips. The existing CGC land use category with 80% residential and 20% non-residential results in a development potential of 11,313 SF of commercial space (ITE Code 820), which could generate 491 daily trips and 44 multi-family dwelling units (ITE Code 220), which could generate 322 daily trips.

The proposed RR land use category (ITE Code 220) has a development potential of 3 single-family dwelling units, which could generate 28 daily trips.

As shown in Table A, if the land use is amended to allow for RR development, this will result in zero total net new trips on the roadway network.

Additional 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 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. 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 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 in Mobility Zone 4.

The subject site is accessible via Lem Turner Road, a minor arterial facility. The proposed RR development will not have any significant impacts on the external roadway network.

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low 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 300-foot Height and Hazard Zone for the Jacksonville International 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.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on September 17, 2021, the required notices of public hearing signs were posted. Eight 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. No members of the public attended to discuss the proposed amendment.

CONSISTENCY EVALUATION

Consistency with 2030 Comprehensive Plan Goals, Objectives and Policies

Future Land Use Element (FLUE)

Development Area:

Rural Residential (RR)

Rural Residential (RR) is a category intended to provide rural estate residential opportunities in the suburban and rural areas of the City. Generally, single-family detached housing will be the predominant land uses in this category. The maximum gross density in the Suburban Area and Rural Area shall be 2 units/acre when both centralized potable water and wastewater are available to the site; and the maximum gross density shall be 1 unit/acre when served with on-site potable water and wastewater; and there shall be no minimum density.

- 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 1.1.21 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 1.2.11 Development orders or permits shall only be issued when the applicant has demonstrated compliance with applicable federal, state and local requirements for wastewater collection and disposal, and potable water, supply, treatment and distribution, availability per the local water utility.

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.

Infrastructure

Sanitary Sewer Sub-element:

Policy 1.1.3 The JEA shall not invest in sanitary sewer facilities in the Rural Area as defined in the Future Land Use and Capital Improvements Element, except where necessary to protect the public health or safety or encourage mixed use or regional economic development. The JEA and the Department of Planning and Development shall coordinate on the placement of these lines to ensure compliance with the City's Comprehensive Plan and its urban and suburban boundaries.

Pending Property Rights Element (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 shall 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.

The Future Land Use Element (FLUE) of the 2030 Comprehensive Plan provides that CGC in the Rural Development Area is discouraged because it could result in urban sprawl. Allowed uses include commercial and retail sales and service establishments including auto sales; restaurants; hotels and motels; offices; and financial institutions. Residential uses may not be the sole use and may not exceed 80 percent of a development.

According to the Category Description within the Future Land Use Element (FLUE), Rural Residential (RR) in the Rural Development Area is intended to provide rural estate residential opportunities in the suburban and rural areas of the City. The principal use in RR in Rural Development Areas is single-family dwellings. The maximum gross density is 2 units/acre when both centralized potable water and wastewater are available to the site; the maximum gross density is 1 unit/acre when served with on-site potable water and wastewater. There is no minimum density.

The proposed amendment to Rural Residential is compatible with the uses east of the property and buffers the residences from agriculture operations to the west of the subject site and results in a gradation of uses, consistent with Objective 1.1 and Policies 1.1.5, 1.1.10, and 3.1.3.

Although full urban services are not available and the provision of water and sewer in the Rural Development Areas is discouraged, there is adequate acreage for well and septic

systems as long as the development meets all local, state and federal requirements as per FLUE Policy 1.2.11 and is consistent with Infrastructure Sanitary Sewer Sub-element Policy 1.1.3 which states that JEA will not invest in in sanitary sewer facilities in the Rural Development Area.

The development of single-family dwellings on the subject site maintains the adjoining rural residential character of the neighborhood where there are nearby single-family dwelling units on rural estate size lots. The proposed single-family dwelling units continue the single-family residential trend of the area, satisfying FLUE Objective 3.1, and Policy 1.1.22. The proposed change to residential from commercial does not impact the amount of commercial land available for future use. The change follows the development pattern in the area and allows flexibility for the current real estate market. Therefore, the proposed amendment is consistent with FLUE Policies 1.1.5, 1.1.21, and 3.1.6.

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 property is located within the boundaries of the North Jacksonville Shared Vision and Master Plan (2003). The Plan offers no specific recommendations for the location of the subject site. However, the Plan does recommend clustering new development in order to provide greater environmental protection and public benefit. The proposed land use amendment would cluster development out of environmentally sensitive areas.

Strategic Regional Policy Plan

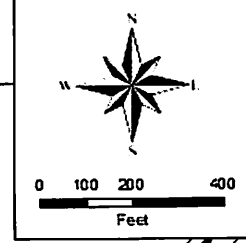
The proposed amendment is consistent with the follow Objective and Policy of the Strategic Regional Policy Plan, Regional Health Subject Area:

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 is consistent with Policy 21 of the Regional Health Subject Area as it encourages providing more housing options in the North Planning District

CURRENT LAND USE



Site Utilization Map

