

# City of Jacksonville, Florida

*Lenny Curry, Mayor*

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December 9, 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. 2021-806/Application No. L-5628-21C**

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 2021-806 on December 9, 2021.

P&DD Recommendation

APPROVE

PC Issues:

The Commission questioned the distance development will be setback from the wetlands and noted that that will be discussed at the Waterways Commission on December 15, 2021.

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
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 – December 3, 2021**

**Ordinance/Application No.:** 2021-806 / L-5628-21C

**Property Location:** On the North Side of Old St. Augustine Road between I-95 and Philips Highway

**Real Estate Number(s):** 168081-0000, a portion of

**Development Area:** Suburban

**Property Acreage:** 45.60 acres

**Planning District:** District 3, Southeast

**City Council District:** District 11

**Applicant:** Paul Harden, Esquire

**Current Land Use:** Business Park (BP)

**Proposed Land Use:** Medium Density Residential (MDR)

**Current Zoning:** Industrial Business Park (IBP)

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

***RECOMMENDATION: APPROVE***

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

To develop residential, as described more particularly in the companion PUD.

**BACKGROUND**

The 45.60 acre subject property is located on the north side of Old St. Augustine Road, between I -95 and Philips Highway. The property fronts Old St. Augustine Road, which is classified as a collector roadway. The applicant is proposing an amendment to the Future Land Use Map series (FLUMs) from BP to MDR, with a companion rezoning application from IBP to PUD that includes the larger 92.54 acre parcel. The companion rezoning, Ordinance 2021-807 is pending concurrently with this application. The applicant seeks to develop the site with multifamily residential units.

The property is currently undeveloped with undeveloped land to the north of the property entitled for light industrial uses. Further north is a single-family residential subdivision with

preserved conservation land. A JEA site for essential services is just northeast and east of the site in the Public Buildings and Facilities (PBF) land use category. Single-family residential in the MDR land use category is just east of the site across the JEA property. The Palmetto Leaves Regional Park is just west of the site across I-95 with an interchange for I-95 just west and south of the site along Old St. Augustine Road. Across Old St. Augustine Road, south of the site, is the Flagler Center DRI, over 900 acres in size, that is developed with a mix of uses in the Multi-Use (MU) land use category including light industrial, office, retail, hotel, and multi-family residential with a hotel and Baptist Hospital South across the street from the subject site. Additionally, the Bartram Park DRI, over 2,500 acres in size, is southwest of the site that is developed with a mix of uses including residential, commercial, hotel and office.

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

North: Land Use: BP, Light Industrial (LI)  
Zoning: IBP  
Property Use: Undeveloped

South: Land Use: MU, Community / General Commercial (CGC)  
Zoning: PUD  
Property Use: I-95 interchange, the Flagler Center DRI

East: Land Use: PBF, MDR, LI  
Zoning: Public Buildings and Facilities-1 (PBF-1) and PUD  
Property Use: JEA essential services, single-family residential

West: Land Use: BP, Conservation (CSV), Recreation and Open Space (ROS),  
Low Density Residential (LDR)  
Zoning: IBP, PUD, ROS  
Property Use: Undeveloped, conservation land, Palmetto Leaves Regional Park across I-95

**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 - Application Number L-5628-21C**

<b>Development Analysis 45.60 acres (1,986,336 sq. ft.)</b>		
Development Boundary	Suburban Area	
Roadway Frontage Classification / State Road	Old St. Augustine Road – Collector Roadway	
Plans and/or Studies	Southeast Vision Plan	
Site Utilization	Current: Vacant /Undeveloped	Proposed: Residential
Land Use / Zoning	Current: BP/IBP	Proposed: MDR/PUD
Development Standards for Impact Assessment	Current: Scenario 1: 0.35 FAR Scenario 2: 0.35 FAR (20%), 15 units/acre (80%)	Proposed: 15 units/acre
Development Potential	Current: Scenario 1: 695,217 sq. ft. Scenario 2: 139,043 sq. ft. / 547 units	Proposed: 684 units
Net Increase or Decrease in Maximum Density	Scenario 1: increase of 684 units Scenario 2: increase of 137 units	
Net Increase or Decrease in Potential Floor Area	Scenario 1: decrease of 695,217 sq. ft. Scenario 2: decrease of 139,043 sq. ft.	
Population Potential	Current: Scenario 1: N/A Scenario 2: 1,285 people	Proposed: 1,607 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	

<b>Development Analysis 45.60 acres (1,986,336 sq. ft.)</b>	
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: decrease of 4,038 net daily trips Scenario 2: decrease of 807 net daily trips
Potential Public School Impact	169 New Students
Water Provider	JEA
Potential Water Impact	Scenario 1: increase of 136,964 gallons per day Scenario 2: increase of 27,440 gallons per day
Sewer Provider	JEA
Potential Sewer Impact	Scenario 1: increase of 102,723 gallons per day Scenario 2: increase of 20,580 gallons per day
Potential Solid Waste Impact	Scenario 1: decrease of 376.77 tons per year Scenario 2: decrease of 74.83 tons per year
Drainage Basin/Sub-basin	Basin: Julington Creek Sub-Basin: Big Davis Creek
Recreation and Parks	Palmetto Leaves Park; Julington-Durbin Creek Preserve
Mass Transit Access	Not Served
<b>Natural Features</b>	
Elevations	64-69 ft.
Land Cover	4110: Pine Flatwoods
Soils	35: Lynn Haven fine sand; 40: Maurepas muck, (0 to 1 percent slopes, frequent flooding) ;; 62: Rutledge mucky fine sand (0 to 2 percent slopes, frequently flooded)
Flood Zones	AE and 0.2 PCT Annual Chance Flood Hazard
Wetlands	Category II and Category III wetlands
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 established by the City of Jacksonville Planning and Development Department and have been adopted by JEA solely for 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).

A JEA letter of service availability has been provided and is on file with the Planning and Development Department. The letter, dated July 1, 2021, identifies an existing water main and force sewer main on Old St. Augustine Road. Special conditions are required for connection to the sewer main. Connection to the JEA-owned sewer system will require the design and construction of an onsite, JEA owned and maintained pump station, and a JEA dedicated force main.

According to the JEA Availability letter, the site will require the construction of a pump station and a force main in order to connect to centralized wastewater. Pursuant to the MDR land use category description, residential density shall be 4 units/acre and the minimum lot size shall be ¼ of an acre if either one of centralized potable water or wastewater services are not available.

## **Transportation**

The Planning and Development Department completed a transportation analysis, which is on file with the Planning and Development Department. In accordance with development standards for impact assessments established in the Future Land Use Element Policy 1.2.16. The trip generation comparison between the current development potential and the proposed development potential under both scenarios will result in no new net trips. 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 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.

Transportation Planning Division RECOMMENDS the following:

The difference in daily trips for the proposed land use amendment is a decrease of 4,038 or 807 daily trips (depending on the scenario) when compared to the existing land use. This is less than 500 new daily trips; therefore, impacts are considered de minimis. **No recommendations.**

#### **School Capacity**

The Planning and Development Department determined that the proposed amendment from CGC to MDR has the current development potential of 684 multi-family dwelling units.

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

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



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

- Elementary School
  - Concurrency Service Area (CSA) 5
  - 2021/2022 enrollment: 8,220
  - Current utilization: 84%
  - New student development from amendment: 85
  - 5-year utilization: 88%
  - Available seats in CSA 5: 816
  - Available seats in adjacent CSA(s): 3 and 4 is 2,214
  
- Middle School
  - CSA 5
  - 2021/2022 enrollment: 2,257
  - Current utilization: 80%
  - New student development from amendment: 34
  - 5-year utilization: 69%
  - Available seats in CSA 5: 127
  - Available seats in adjacent CSA(s): 3 and 4 is 948
  
- High School
  - CSA 5
  - 2021/2022 enrollment: 7,617
  - Current utilization: 98%
  - New student development from amendment: 50
  - 5-year utilization: 92%
  - Available seats in CSA 5: 310
  - Available seats in adjacent CSA(s): 3 and 4 is 398

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

#### Public School Facilities Element

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

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

### Supplemental School Information

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

- Greenland Pines Elementary School #249
  - CSA 5
  - Amendment student generation: 85
  - School Capacity including permanent spaces and portables: 957
  - Current enrollment 20 day county for 2021/2022: 658
  - Percent Occupied: 69%
  - 4-year projection: 86%
  
- Twin Lakes Academy Middle School #253
  - CSA 4
  - Amendment student generation: 34
  - School Capacity including permanent spaces and portables: 1,014
  - Current enrollment 20 day county for 2021/2022: 838
  - Percent Occupied: 83%
  - 4-year projection: 92%
  
- Atlantic Coast High School
  - CSA 5
  - Amendment student generation: 50
  - School Capacity including permanent spaces and portables: 2,443
  - Current enrollment 20 day county for 2021/2022: 2,388
  - Percent Occupied: 98%
  - 4-year projection: 95%

Note: The 4-year projections include current concurrency reservations.

### **Evacuation Zone**

The subject site is within Evacuation Zone D. As such, the land use application was routed to the City's Emergency Preparedness Division (EPD) for review and comment. EPD was provided with the land use application and the development potential of the proposed land use amendment change. Per EPD's review, no impacts to countywide evacuation times are anticipated from the proposed amendment. Proximity to Old St. Augustine Road and Phillips Highway indicates sufficient access to evacuation routes (I-95 and I-295). Site design techniques that minimize disruption to existing traffic flow are encouraged. Any development should incorporate appropriate mitigation techniques to reduce flood vulnerability and minimize impacts to the floodplain.

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.

**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 9.17 acres of the subject site are located within the AE flood zone and another 0.44 of an acre lies within the X flood zone (0.2 Percent Annual Chance Flood Hazard Area). 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 AE flood zone is defined as an area within the 100-year floodplain or SFHA where flood insurance is mandatory. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

The X flood zone (0.2 PCT Annual Chance Flood Hazard) are 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.

Conservation /Coastal Management Element (CCME)

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

**Policy 2.7.1** The City shall continue to define the surface hydrology of the area to

determine flood plain vulnerability and sensitivity, and will determine appropriate protection measures.

- Policy 2.7.3 The City shall protect appropriate floodplain areas for the public benefit and restore degraded floodplain areas by:
- A. Land acquisition or conservation easement acquisition;
  - B. Regulation, including setbacks, buffer zones, designated wildlife corridors, low density zoning, performance standards and open space requirements; and
  - C. Incentives, including tax benefits and transfer of development rights.

### **Wetlands**

A wetlands survey has been provided by the applicant and based upon the city's geographic information data, the Planning and Development Department has determined the 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 listed below. A permit from the St. Johns River Water Management District (SJRWMD) may be required if wetland will be altered from proposed development. This application is scheduled for review by the Waterways Commission on December 15, 2021, which is after the date of this published staff report. Recommendations from the Waterways Commission will be provided at the public hearings.

#### Wetlands Characteristics:

Approximate Size: 8.12 Acres (6.85 acres of Category II wetlands and 1.27 acres of Category III wetlands)

General Location(s): Wetlands are located along the northwest border of the amendment site consisting of Category II and III wetlands which are a portion of a larger wetland system associated with Big Davis Creek.

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

The Category III wetlands has a high functional value for water filtration attenuation and stormwater capacity. It is not located in a flood zone and has an indirect impact to the City's waterways.

#### Soil Types/

**Characteristics:**

Lynn Haven fine sand (35) – The Lynn Haven series consists of nearly level, gently sloping, very poorly drained, sandy soils. They are generally found on flats and in seep areas on side slopes and formed in thick beds of sandy marine sediment. The soils are moderately permeable and moderately rapidly permeable. The water tables are near or above the ground surface.

Maurepas muck (40) – The Maurepas series consists of nearly level. Very poorly drained, organic soils. They are found in flood plains and are formed in decomposed organic materials. The soils are rapidly permeable, have a water table is near or above the ground surface and are frequently flooded.

Rutlege mucky fine sand, (40) – This Rutlege series consists of nearly level, very poorly drained sandy soils and are formed in thick sandy marine sediments. The soils occur in flood plains, are rapidly permeable and subject to frequent flooding for brief periods. The soils have a water table generally at or above the soil surface.

**Wetland Category:**

Category II (6.85 acres) and III (1.27 acres)

**Consistency of Permitted Uses:**

Category II Wetlands: Must meet CCME Policies 4.1.3 and 4.1.5. Category III Wetlands: All permitted uses. Must meet CCME Policies 4.1.3 and 4.1.6

**Environmental Resource Permit (ERP):**

None at this time

**Wetlands Impact:**

None at this time. The companion PUD site plan appears to cluster development outside of the wetlands to the greatest extent possible. Any future development impacting wetlands will require permits and mitigation by the St. Johns River Water Management District.

**Associated Impacts:**

The AE flood zone is found along in the northwestern border of the site and is associated with the Category II wetlands.

**Relevant Policies:**

CCME Policies 4.1.3, 4.1.5 and 4.1.6 – see below

**Conservation/Coastal Management Element  
Policy 4.1.3**

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

(a) Encroachment

Encroachment in Category I, II, or III wetlands is the least damaging and no practicable on-site alternative exists; and

(b) No net loss

Development is designed and located in such a manner that there is no net loss to the wetland functions including but not limited to:

- i the habitat of fish, wildlife and threatened or endangered species,
- ii the abundance and diversity of fish, wildlife and threatened or endangered species,
- iii the food sources of fish and wildlife including those which are threatened or endangered,
- iv the water quality of the wetland, and
- v the flood storage and flood conveyance capabilities of the wetland; and

(c) Floodplain protection

Buildings are built at an elevation of sufficient height to meet the designated flood zone standards as set forth by the Federal Emergency Management Agency. The design must be in conformance with Chapter 652 (Floodplain Regulations) of the Ordinance Code; and

(d) Stormwater quality

In the design and review of developments which will discharge stormwater into the Category I, II, or III wetlands the following performance standards shall be used to protect water quality:

- i Issuance of a Management and Storage of Surface Waters permit pursuant to Chapter 40C-4 or 40C-40, F.A.C. or a stormwater permit issued pursuant to Chapter 40C-42, F.A.C., provides assurances necessary for compliance with subsections (i) - (iv) above provided the stormwater management system is constructed in accordance with the permit; and
- ii Regular monitoring and maintenance program on an annual basis for the performance of stormwater treatment systems

(e) Septic tanks

Septic tanks, drainfields and/or greywater systems are located outside the Category I, II, or III wetland area and not within 75 feet of the mean high water line of tidal bodies or within 75 feet of any wetland unless the Duval County Health Department grants a variance for a hardship case pursuant

to the provisions of Section 381.0065, F.S. Where public utilities are available, development is required to connect to these facilities; and

(f) Hydrology

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

**Policy 4.1.5**

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

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

(a) Dredge and fill

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

(b) Vegetation

For Category I wetlands:

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

For Category II wetlands:

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

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

(a) Density/Dredge and fill

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

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

(b) Vegetation

For Category I wetlands:

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

For Category II wetlands:

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

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

(a) Vegetation

For Category I wetlands:

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

For Category II wetlands:

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

(b) Boat facilities siting and operation

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

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

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

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

**Best Management Practices: Silviculture**

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

#### **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 November 16, 2021, the required notices of public hearing signs were posted. Twenty-seven (27) 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 November 15, 2021. No members of the public were present.

## **CONSISTENCY EVALUATION**

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

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

##### *Development Area*

*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.

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 1.1.5      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 1.1.12 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.

Objective 6.3 The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill 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.

Recreation and Open Space Element (ROSE)

Policy 2.2.2 The City shall require the all new single family and multi-family developments (residential developments) dedicate land for public parkland (active recreation parks) or provide monetary contribution to the appropriate department.

Policy 2.2.3 A residential subdivision development of 100 lots or more shall provide at least one acre of useable uplands for every 100 lots (and any fraction thereof), or 5% of the total useable uplands area to be platted, whichever is less, to be dedicated as common area and set aside for active recreation There may be up to two areas for each 100 lots, and the areas shall be a minimum of 0.5 acres in size, unless otherwise approved by the Planning and Development Department, or by the City Council as part of a Planned Unit Development Zoning District.

Policy 2.2.5 All multiple-family developments of 100 units or more shall provide 150 square feet of active recreation area per dwelling unit. There may be one area for each 100 units, or the areas may be combined, subject to approval by the Planning and Development.

Property Rights Element (PRE) (Ordinance 2021-631-E)

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 Descriptions within the Future Land Use Element (FLUE), the BP land use category in the Suburban Area is intended to provide compact low to medium intensity office development. Newly constructed residential uses in the BP category shall be for workforce persons at a density of up to 20 units per acre..

MDR in the Suburban Area is intended to provide compact low to medium density mixed use development. Plan amendment requests for new MDR 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. Multi-family and single-family dwellings are the predominant development typology in this category. The maximum gross density in the Suburban Area shall be 20 units per acre, and the minimum gross density shall generally be greater than seven (7) units per acre. Except residential density shall be 2 units/acre and the minimum lot size shall be half an acre when both centralized potable water and wastewater are not available. The maximum gross density shall be 4 units/acre and the minimum lot size shall be ¼ of an acre if either one of centralized potable water or wastewater services are not available.

To provide consistency with FLUE Policy 1.2.9, the site must meet special conditions in order to be served by centralized sewer services, per the JEA availability letter.

The subject site is located on Old St. Augustine Road, which is classified as a collector roadway, and has access to an efficient transportation network as it is located just east of the I-95 interchange on Old St. Augustine Road. A mix of commercial, residential and office uses are south of the site in the Flagler Center and Bartram Park DRIs providing neighborhood shopping opportunities close to the subject site. Additionally, single family residential homes in the MDR land use category are east of the site with undeveloped wetlands in the BP land use category northwest of the site that are part of the larger property in the companion PUD rezoning. The proposed land use change would achieve a well balanced mix of uses and compatible land development pattern in the area while

served by a convenient transportation network. Also, the development of residential uses provide infill on an underutilized and vacant property through a PUD rezoning. Therefore, the proposed amendment is consistent with FLUE Goal 3, Objective 3.1 and FLUE Policies 1.1.10 and 1.1.12.

The 45.60 acre subject site will have a positive impact on the amount of land needed to accommodate multi-family residential uses, and the proposed amendment from BP to MDR maintains a balance of uses in the area. For these reasons the proposed amendment is consistent with FLUE Policies 1.1.5 and 1.1.21.

The proposed amendment to MDR would allow for increased housing options within the Suburban Area of the Southeast Planning District, and as such, it is consistent with FLUE Objective 3.1 and Policy 3.1.6.

Additionally, multi-family development on the site will be required to be consistent with ROSE Policies 2.2.2, 2.2.3 and 2.2.5 concerning the provision of recreation and open space. According to the companion PUD rezoning (Ordinance 2021-807), the applicant is proposing a maximum of 280 units.

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.

### **Southeast Jacksonville Vision Plan**

The application site lies within the Southeast Vision Plan area. Guiding Sub-Principle 2.1 states "Provide For and Promote Compatible Mixed-Use Development, Infill and Redevelopment in Stable and Declining Areas and Create a Range Of Housing Opportunities and Choices, Where Appropriate." The proposed land use change to Medium Density Residential (MDR) provides the opportunity to encourage infill development while offering new housing opportunities to the area, thereby illustrating the proposed land use amendment's consistency with the Southeast Jacksonville Vision Plan and FLUE Policy 4.1.8B.

### **Strategic Regional Policy Plan**

The proposed amendment is consistent with the following Goal of the Communities and Affordable Housing section of the Strategic Regional Policy Plan:

Goal: A safe, sanitary, efficient and resilient housing supply that provides lifestyle choice (agricultural, rural, suburban, and urban) and affordable options for all income, age and ability groups, equitably placed in vibrant, viable and accessible communities throughout the region.

The proposed land use amendment is consistent with the Goal of the Communities and Affordable Housing subject area as it encourages providing more housing options in the Southeast Planning District.

# LAND USE AMENDMENT FIELD, LOCATION AND CURRENT LAND USE MAP



