



A NEW DAY.

# City of Jacksonville, Florida

*Donna Deegan, Mayor*

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117 W. Duval St.  
Jacksonville, FL 32203  
(904) 630-CITY

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January 4, 2024

The Honorable Ronald B. Salem, Pharm. D., President  
The Honorable Kevin Carrico, LUZ Chair  
And Members of the City Council  
117 West Duval Street  
Jacksonville, FL 32202

**RE: Planning Commission Advisory Report / Ordinance No. 2023-821/Application No. L-5872-23A**

Dear Honorable Council President Salem, Honorable Council Member and LUZ Chairman Carrico 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 2023-821 on January 4, 2024.

P&DD Recommendation	APPROVE
PC Issues:	None
<b>PC Vote:</b>	<b>7-0 APPROVE</b>

Charles Garrison, Chair	Aye
Lamonte Carter	Aye
Amy Yimin Fu	Aye
Julius Harden	Aye
Moné Holder	Absent
Ali Marar	Absent
Michael McGowan	Aye
Jack Meeks	Aye
Tina Meskel	Aye

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

Planning Commission Report  
January 4, 2024  
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Sincerely,

A handwritten signature in black ink that reads "Kristen D. Reed". The signature is written in a cursive style with a loop at the end of the last name.

**Kristen D. Reed, AICP**

***Chief of Community Planning Division***

City of Jacksonville - Planning and Development Department

214 North Hogan Street, Suite 300

Jacksonville, FL 32202

(904) 255-7837

[KReed@coj.net](mailto:KReed@coj.net)

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

**Large-Scale Future Land Use Map Amendment – December 29, 2023**

**Ordinance/Application No.:** 2023-821 / L-5872-23A

**Property Location:** 0 Arnold Road and 0 Pecan Park Road, between Arnold Road and Jacksonville International Airport

**Real Estate Number(s):** 019583-0000 and 019606-0000 (a portion of)

**Property Acreage:** 229.01 Acres

**Planning District:** District 6, North

**City Council District:** District 8

**Applicant:** Cyndy Trimmer, Esquire

**Current Land Use:** Agriculture (AGR) – 221.35 Acres and Public Buildings and Facilities (PBF) – 7.66 acres

**Proposed Land Use:** Light Industrial (LI) – 229.01 acres

**Development Boundary:** Suburban Development Area

**Current Zoning:** Planned Unit Development (PUD) – 0.36 of an acre  
Public Buildings and Facilities-2 (PBF-2) -220.99 acres  
Public Buildings and Facilities-3 (PBF-3) -7.66 acres

**Proposed Zoning:** Industrial Light (IL) – 229.01 acres

**Recommendation:** **APPROVE**

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

Applicant seeks this land use amendment to facilitate light industrial development.

**BACKGROUND**

The 229.01-acre subject site is located south of Arnold Road and north of Jacksonville International Airport (JIA) off of Pecan Park Road. While the site has an Arnold Road address, the site does not abut Arnold Road; a small portion of the site abuts Pecan Park Road. According to the City’s Functional Highways Classification Map, this segment of

Arnold Road to the north of the site is a minor arterial roadway and Pecan Park Road is a collector roadway.

The subject site currently includes undeveloped land. The applicant seeks an amendment to the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan from Agriculture (AGR) and Public Buildings and Facilities (PBF) in the Suburban Development Area to Light Industrial (LI) to allow for industrial uses. The companion rezoning is not required for the transmittal review of this large scale land use amendment and will be submitted with the adoption round of the amendment.

The site abuts the Jacksonville International Airport in the PBF land use category to the south. Directly abutting the site on the north side includes land in the Light Industrial (LI) land use category that was amended from the AGR land use category to the LI land use category in 2009 (Ordinance 2009-146-E and 2009-150-E). This area includes a solar farm and undeveloped land owned by Jacksonville Aviation Authority (JAA). Land west of the site is undeveloped and owned by the JAA in the AGR and PBF categories. East of the site is timberland in the AGR land use category.

A portion of the site is located in a 0-foot Height Restriction Zone for the Jacksonville International Airport (JIA). Sec. 656.1005.1 would require a maximum height of 0-feet unless approved by the Jacksonville Aviation Authority (JAA) or the Federal Aviation Administration. This portion of the Height Restriction Zone for JIA was put into place with the anticipation of a future runway for the airport. According to the JAA, plans for a future runway in this location have been changed allowing for compatible development north of the JIA. JAA does not object to development of the property with Light Industrial uses as long as the height restrictions under the Title 14 Code of Federal Regulations (CFR) Part 77 are adhered to for the property and wildlife hazard management practices are reasonably implemented. According to the JAA Height Limit Zone pursuant to Title 14 Code of Federal Regulations (CFR) Part 77, the property has a 180' MSL (Mean Sea Level) height restriction. The applicant provided an analysis indicating that 180' MSL is equivalent to a 156-foot maximum height of development on the property. Please see attached letter with no objection to the land use amendment and future development from JAA and MSL analysis.

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

North: Land Use: AGR and LI

Zoning: PUD and IL

Property Use: Undeveloped Land, Seaton Creek, Solar Farm

South: Land Use: PBF and LI

Zoning: PBF-3 and IL

Property Use: Jacksonville International Airport (JIA) campus,  
Undeveloped Land

East: Land Use: AGR and PBF  
 Zoning: PUD  
 Property Use: Undeveloped Land

West: Land Use: AGR and LI  
 Zoning: PBF-2, AGR and PUD  
 Property Use: 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 potential as shown in this section.

**Impact Assessment Baseline Review**

<b>Development Analysis</b>		<b>AGR: 221.35 Acres &amp; PBF: 7.66 Acres / Total: 229.01 Acres</b>	
Development Boundary	Suburban Development Area		
Roadway Frontage Classification / State Road	Pecan Park Road North – Collector Road Arnold Road – Minor Arterial Road		
Plans and/or Studies	North Jacksonville Shared Vision and Master Plan		
Site Utilization	Current: Undeveloped	Proposed: Light Industrial Uses	
Land Use / Zoning	Current: AGR & PBF / PUD, PBF-2 and PBF-3	Proposed: LI / IL	
Development Standards for Impact Assessment	Current: AGR: 1 DU / 2.5 Acre PBF: 0.3 FAR	Proposed: 0.4 FAR	
Development Potential	Current: 88 SF DU and 100,100.88 sq. ft. of PBF space	Proposed: 3,990,270.24 sq. ft. of Light Industrial space	
Net Increase or Decrease in Maximum Density	Decrease of 88 Dwelling Units		
Net Increase or Decrease in Potential Floor Area	Increase of 3,890,169.26 sq. ft.		
Population Potential	Current: 234 people	Proposed: N/A	
<b>Special Designation Areas</b>			
Aquatic Preserve	No		
Evacuation Zone	Evacuation Zone D		
Airport Environment Zone	- Height Restriction Zone 0, 35, 50 and 150 feet for Jacksonville International Airport		

<b>Development Analysis</b>		<b>AGR: 221.35 Acres &amp; PBF: 7.66 Acres / Total: 229.01 Acres</b>
		- Noise Contours 60, 65 and 70 - Civilian Notice Zone
Industrial Preservation Area		No
Cultural Resources		No
Archaeological Sensitivity		High, Medium, Low
Historic District		No
Coastal High Hazard		No
Adaptation Action Area		No
Groundwater Aquifer Recharge Area		Discharge area
Wellhead Protection Zone		No
Boat Facility Siting Zone		No
Brownfield		No
<b>Public Facilities</b>		
Potential Roadway Impact		16,342 net new daily trips
Potential Public School Impact		N/A
Water Provider		JEA
Potential Water Impact		Increase of 117,616 gpd
Sewer Provider		JEA
Potential Sewer Impact		Increase of 88,212 gpd
Potential Solid Waste Impact		Increase of 11,831 tons per year
Drainage Basin/Sub-basin		Basin: Nassau River Sub-basin: Seaton Creek
Recreation and Parks		Seaton Creek Historic Preserve
Mass Transit Access		None
<b>Natural Features</b>		
Elevations		13 to 26 feet above mean sea level
Land Cover		4410: Pine Plantation 4430: Forest Regeneration 6170: Mixed Wetland Hardwoods 6250: Hydric Pine Flatwoods
Soils		66: Surrency loamy fine sand, depressional 79: Yulee clay, frequently flooded
Flood Zones		Flood Zone A: 7.79 acres
Wetlands		Category III – 79.34 acres; Seaton Creek (Ditch) – 4.3 acres
Wildlife (applicable to sites greater than 50 acres)		Wildlife report on file

**Utility Capacity**

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

According to the application, the applicant has indicated that JEA central services will be utilized for the site. A JEA Availability Letter will be required with the companion rezoning application at the Adoption Round of this land use amendment.

According to Florida Statutes Chapter 381, construction permits may not be issued for an onsite sewage treatment and disposal system in any area used or zoned for industrial or manufacturing purposes where a publicly owned or investor-owned sewage treatment system is available (located within one-fourth mile) or where the system will receive toxic, hazardous, or industrial waste. The applicant should contact the Florida Department of Environmental Protection for additional information.

### Future Land Use Element

Policy 1.2.8            Require new development and redevelopment in the Central Business District (CBD), Urban Priority Area (UPA), Urban Area (UA), and Suburban Area (SA) to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site.

Development on sites located within the UPA, UA and SA are permitted where connections to centralized potable water and/or wastewater are not available subject to compliance the following provisions:

1. Single family/non-residential (estimated flows of 600 gpd or less) where the collection system of a regional utility company is not available through gravity service via a facility within a right-of-way or easement which abuts the property.
2. Non-residential (above 600 gpd) where the collection system of a regional utility company is not within 50 feet of the property.
3. Subdivision (non-residential and residential) where:
  - a. The collection system of a regional utility company is greater than 1/4 mile from the proposed subdivision.
  - b. Each lot is a minimum of ½ acre unsubmerged property.
  - c. Installation of dryline sewer systems shall be installed when programmed improvements are identified in the Capital Improvements Element which will make connections the JEA Collection Systems available within a five (5) year period.

### **Transportation**

The subject site is 229.01 acres and is accessible from Pecan Park Rd, a collector facility. The proposed land use amendment is located within the Suburban Development Area and Mobility Zone 4. The applicant proposes to change the existing land use from Agriculture (AGR) and Public Buildings and Facilities (PFB) to Light Industrial (LI).

**Comprehensive Plan Consistency:**

The Trip Generation Analysis is consistent with most recent version of the Transportation Element (TE) of the City of Jacksonville Comprehensive Plan (TE Objective 2.4 and Policies 1.2.1 and 2.4.2).

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.

Objective 2.4 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 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.

**Trip Generation Estimation:**

Table A provides the daily trip generation comparison between the current and proposed comprehensive plan land uses and the potential transportation impacts on the roadway network. The current land use would result in 830 or 2,261 daily trips. If the land use is amended to allow for this proposed RR development, this will result in 19,433 daily trips.

**Transportation Planning Division RECOMMENDS the following:**

The difference in daily trips for the proposed land use amendment will result in 16,342 net new daily trips when compared to the existing land use. The Transportation Planning Division recommends ongoing coordinating efforts with the City of Jacksonville Traffic Engineer to determine if a traffic operational analysis is needed.

**Table A**  
**Trip Generation Estimation Scenarios**

Current Land Use Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
AGR	210	88 SF DUs	T = 9.43 (X)	830	0	830
PFB	730	100,100 SF	T = 22.59 (X) / 1000	2,261	0	2,261
				<i>Existing Scenario Total</i>		<b>3,091</b>
Proposed Land Use Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
LI	110	3,990,270 SF	T = 4.87 (X) / 1000	19,433	0	19,433
				<i>Proposed Scenario Total</i>		<b>19,433</b>
				<b>Proposed Net New Daily Total</b>		<b>16,342</b>

Source: Trip Generation Manual, 11th Edition, Institute of Engineers

## **Archaeological Sensitivity**

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of high, medium and low 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 1.2.2 The City shall continue to review new development for the potential of archeologically significant sites. The City shall utilize the most current version of the Archeological Sensitivity Predictive Model to identify areas of high probability for artifact concentrations.

Policy 1.2.5 The Planning and Development Department shall maintain and update for planning and permitting purposes, a series of GIS data layers and maps depicting recorded archaeological sites, historic districts and local landmarks.

## **Airport Environment Zone**

### Height Restriction Zone

The site is located within areas of the 0-, 35-, 50-, and 150-foot Height and Hazard Zones for the Jacksonville International Airport. Zoning will limit development to a maximum height of less than 0-, 35-, 50-, and 150 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).

A portion of the site is located in a 0-foot Height Restriction Zone for the Jacksonville International Airport (JIA). Sec. 656.1005.1 would require a maximum height of 0-feet unless approved by the Jacksonville Aviation Authority (JAA) or the Federal Aviation Administration. This portion of the Height Restriction Zone for JIA was put into place with the anticipation of a future runway for the airport. According to the JAA, plans for a future runway in this location have been changed allowing for compatible development north of the JIA. JAA does not object to development of the property with Light Industrial uses as long as the height restrictions under the Title 14 Code of Federal Regulations (CFR) Part 77 are adhered to for the property and wildlife hazard management practices are reasonably implemented. According to the JAA Height Limit Zone pursuant to Title 14 Code of Federal Regulations (CFR) Part 77, the property has a 180' MSL (Mean Sea Level) height restriction. The applicant provided an analysis indicating that 180' MSL is equivalent to a 156-foot maximum height of development on the property. Please see attached letter with no objection to the land use change and future development from JAA and the MSL analysis.

### Noise Zone

Portions of the amendment site are located within the 60, 65 and 70 Day-Night Sound Level (DNL) zone for Jacksonville International Airport. Future Land Use Element Policies 2.6.8, 2.6.9 and 2.6.13 include requirements related to density, use, and noise level reduction in construction for sites within this noise zone.

### Civilian Influence Zone

The site is also located in a Civilian Influence Zone for Jacksonville International Airport. These zones encompass all lands within the 60-64.99 DNL noise contour range, also known as Airport Notice Zones within the Land Development Regulations, as well as the 60-70 DNL noise contour ranges. They apply to Jacksonville International Airport, Herlong Recreational Airport, Jacksonville Executive at Craig Airport and Cecil Airport and are depicted on the Military and Civilian Influence Zones Map.

Execution of an Airport Notice Zone Acknowledgement for properties located within these zones is required pursuant to Section 656.1010, Ordinance Code.

### Future Land Use Element

- Objective 2.6 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 in accordance with the requirements of Section 163.3177, F.S.
- Policy 2.6.8 Within the 65 to 74.99 DNL noise zone as depicted on the Military and Civilian Influence Zones Map, the City does not permit mobile home parks. Single-family residential structures that are unable to achieve a 30dB noise level reduction are also not permitted. Again, as listed in the Instruction Manual, non-residential uses are allowed, subject to conditions regarding disclosure and noise attenuation in construction. Schools and most outdoor recreation uses are not allowed. All allowed development is subject to disclosure requirements.
- Policy 2.6.9 Within the 60DNL or higher area as depicted on the Military and Civilian Influence Zones Map, entertainment assembly uses may be allowed when scheduled with the U.S. Navy. As listed in the Instruction Manual, all other uses are allowed subject to disclosure requirements.
- Policy 2.6.13 Within the 60DNL or higher area as depicted on the Military and Civilian Influence Zones Map, entertainment assembly uses are only permitted in PUD developments or pursuant to preliminary site development reviews in accordance with Section 656.1003 that were approved prior to March 27, 2007 or those uses meeting the nonconforming uses

definition in Section 656.1008 of the City of Jacksonville Zoning Code. All other uses are allowed subject to disclosure requirements.

Policy 2.6.14 To ensure safety and education of citizens occupying properties that are located near military and civilian airports, the City requires disclosure of airport proximity to prospective owners or lessees in the Military and Civilian Influence Zones depicted on the Military and Civilian Influence Zones Map.

Policy 2.6.16 Airport Height and Hazard zones (HH) exist around all military and civilian airports within the city limits of Jacksonville. The horizontal limits of the zones and limitations on heights of obstructions within these zones are defined for each military airport in Naval Facilities Engineering Command (NAVFAC) P-80.3 01/82, on file with the Planning and Development Department, and for each civilian airport in Title 14, Code of Federal Regulations (CFR), Part 77 guidelines, on file with the Planning and Development Department. In order to assure that Title 14, CFR, Part 77 guidelines and NAVFAC P-80.3 01/82 guidelines are not exceeded and that no structure or obstruction is permitted that would raise a minimal obstruction clearance altitude, a minimum vectoring descent altitude or a decision height, all cell towers and any structure or obstruction that would extend into an Airport (HH) requires, in writing, comment from the U.S. Navy. Although written documentation from the U.S. Navy for military HH and from the FAA or JAA for civilian HH is not required for proposed structure heights below the listed height, United States Code (USC) Title 14, CFR Part 77 still applies.

### **Flood Zones**

Approximately 7.79 acres of the subject site is within the A 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 A Flood Zone is an area within the 100-year floodplain or SFHA where flood insurance is mandatory.

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

Policy 2.6.1 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 2.6.3 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 13.7.10 The City has adopted and shall maintain a floodplain management ordinance that establishes engineering requirements to safeguard the public health, safety, and general welfare and minimizes public and private losses due to flooding through regulation and development of flood hazard areas. The ordinance shall include development and redevelopment regulations that:

- A. Minimize unnecessary disruption of commerce, access and public service during times of flooding;
- B. Require the use of construction practices that will prevent or minimize future flood damage;
- C. Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
- D. Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
- E. Minimize damage to public and private facilities and utilities;
- F. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;
- G. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and
- H. Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.

### **Wetlands**

Review of City's GIS data and the Florida Land Use, Cover and Forms Classification System (FLUCFCS) map provided by the applicant's wetlands map from the Protected Species Assessment Report (January 2023) indicates the potential existence of wetlands on the subject site and as such, indicates the location, size, quality, and functional value of all wetlands located within the boundaries of the application site. Based on the

information noted below, the proposed amendment is consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

Although there are no Category I or II wetlands on site, the amendment is scheduled to be heard by the Waterways Commission on January 11, 2024 since Seaton Creek runs through the amendment site.

Wetlands Characteristics:

Approximate Size: 79.34 acres of wetlands and in addition there is 4.3 acres of Seaton Creek (Ditch).

General Location(s): The wetlands are scattered throughout the proposed land use amendment site.

Quality/Functional Value: The wetlands have a medium to high functional value for water filtration attenuation and stormwater capacity. 7.79 acres of wetlands and Seaton Creek are associated with flood zone A. The wetlands are not and do not have a direct impact on the City's waterways. The soils of these wetlands are depressional and if flooded do not drain back into the creek but dissipate by percolation into the soil and high water table.

Soil Types/  
Characteristics: (66) Surrency loamy fine sand, depressional – The Surrency series consists of nearly level, very poorly drained soils that occur in depressions. These soils formed in thick sandy and loamy marine sediments. The soils are moderately permeable moderately slowly permeable. Generally, the high water table is at or above the surface.

(79) Yulee Clay, frequently flooded – This soil series consists of nearly level, very poorly drained soils. These are soils formed in thick clayey marine sediments. They are located on floodplains and are very slowly permeable. In areas on floodplains, the high water table generally is at or near the surface and the areas are subject to frequent flooding for long periods.

Wetland Category: Category III

Consistency of Permitted Uses: Uses permitted subject to the limitations of CCME Policies 4.1.3 and 4.1.6 shown below.

Environmental Resource

Permit (ERP): According to the Protected Species Assessment Report, Permit #185345-1 was issued for a “Formal Wetlands Boundary Determination”.

Wetlands Impact: None anticipated at this time. However, impacts for road access and site development are expected.

Associated Impacts: 7.79 acres of wetlands and Seaton Creek (Ditch) coincide with Flood Zone A while remaining wetland acreage does not.

Relevant Policies: CCME Policies 4.1.3 and 4.1.6

**CCME Policy 4.1.3**

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

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

pursuant to Chapter 40C-4 or 40C-40, F.A.C. or a stormwater permit issued pursuant to Chapter 40C-42, F.A.C., provides assurances necessary for compliance with subsections (i) - (iv) above provided the stormwater management system is constructed in accordance with the permit; and

- ii Regular monitoring and maintenance program on an annual basis for the performance of stormwater treatment systems
- (e) Septic tanks  
Septic tanks, drainfields and/or greywater systems are located outside the Category I, II, or III wetland area and not within 75 feet of the mean high water line of tidal bodies or within 75 feet of any wetland unless the Duval County Health Department grants a variance for a hardship case pursuant to the provisions of Section 381.0065, F.S. Where public utilities are available, development is required to connect to these facilities; and
- (f) Hydrology  
The design of the fill shall include measures to maintain the wetlands hydrology of the site.

#### **CCME Policy 4.1.6**

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

- (1) Any use not otherwise listed below, provided all of the basic requirements outlined in Policy 4.1.3 above are met:

- (a) Silvicultural uses, provided the following standards are met:

Best Management Practices: Silviculture

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

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

Best Management Practices: Agriculture

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

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

### **Wildlife**

The applicant submitted a Protected Species Assessment Report for the Subema Property, January 2023 (on file with the Planning and Development Department). According to the report, evaluation of wildlife habitat was based on the USDA Soils Survey of Duval County, the Florida Land Use, Cover and Forms Classification System (FLUCFCS), and traversing habitat types of the application site. Wildlife habitat analysis was geared toward species such as the Frosted Flatwoods Salamander, Gopher Tortoise, Eastern Indigo Snake, Florida Pine Snake, Wood Stork, Florida Burrowing Owl, Red-Cockaded Woodpecker, Florida Sandhill Crane, American Bald Eagle, Southeastern American Kestrel, Little Blue Heron, Tricolored Heron, and other Wading Birds as listed in the Florida Wildlife Commission publication "Florida's Endangered and Threatened Species June 2021). According to the Applicant's consultant, no protected species were observed onsite or known to utilize the application site.

If a USACE, SJRWMD, FDEP and/or local government permits are required for the project, USFWS and/or FWC may be notified and allowed to comment on listed species with the potential to occur on the subject property. During this comment period, additional information may be requested from the applicant to document whether the project proposes to impact any potentially occurring listed wildlife species. This request for additional information may take the form of informal correspondence or formal consultation. The species that are most likely to trigger a request for additional information will depend on the nature of the work being proposed.

The Assessment Report listed various upland and wetland habitat communities found on-site and the potential wildlife species that may utilize those habitats. Development of portions of the site for industrial use will alter and impact the existing various habitat communities; to what extent, it is presently not known.

### Conservation Coastal Management Element

Policy 3.6.5 The City shall maintain a land development review process for the assessment and protection of listed species and their habitat, which shall apply to issuance of development permits and land clearing, excluding bona fide silvicultural and agricultural activities. Projects which contain areas identified for protection shall be required to incorporate creative project designs through utilization of such measures as clustering, mixed land use designations and transfer of development rights programs. For purposes of the policy, the term listed species shall be limited to listed animal species as defined in the Definitions Section of the Comprehensive Plan.

## **PROCEDURAL COMPLIANCE**

According to the sign posting affidavit, the required notices of public hearing signs were posted by the applicant on November 30, 2023. Seven (7) 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 December 11, 2023. No members of the public were present to speak on the proposed amendment.

## **CONSISTENCY EVALUATION**

### **Consistency with 2045 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 defined in this Plan.

Goal 1 To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

Policy 1.1.7 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 Rezoning and 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 and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business with the intent that this balance of uses shall:

- A. Fosters vibrant, viable communities and economic development opportunities;
- B. Addresses outdated development patterns;
- C. Provides sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent

and seasonal residents and businesses and is not limited solely by the projected population.

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 1.2.8 Require new development and redevelopment in the Central Business District (CBD), Urban Priority Area (UPA), Urban Area (UA), and Suburban Area (SA) to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site.

Development on sites located within the UPA, UA and SA are permitted where connections to centralized potable water and/or wastewater are not available subject to compliance the following provisions:

1. Single family/non-residential (estimated flows of 600 gpd or less) where the collection system of a regional utility company is not available through gravity service via a facility within a right-of-way or easement which abuts the property.
2. Non-residential (above 600 gpd) where the collection system of a regional utility company is not within 50 feet of the property.
3. Subdivision (non-residential and residential) where:
  - a. The collection system of a regional utility company is greater than 1/4 mile from the proposed subdivision.
  - b. Each lot is a minimum of 1/2 acre unsubmerged property.
  - c. Installation of dryline sewer systems shall be installed when programmed improvements are identified in the Capital Improvements Element which will make connections the JEA Collection Systems available within a five (5) year period.

- Policy 2.6.16 Airport Height and Hazard zones (HH) exist around all military and civilian airports within the city limits of Jacksonville. The horizontal limits of the zones and limitations on heights of obstructions within these zones are defined for each military airport in Naval Facilities Engineering Command (NAVFAC) P-80.3 01/82, on file with the Planning and Development Department, and for each civilian airport in Title 14, Code of Federal Regulations (CFR), Part 77 guidelines, on file with the Planning and Development Department. In order to assure that Title 14, CFR, Part 77 guidelines and NAVFAC P-80.3 01/82 guidelines are not exceeded and that no structure or obstruction is permitted that would raise a minimal obstruction clearance altitude, a minimum vectoring descent altitude or a decision height, all cell towers and any structure or obstruction that would extend into an Airport (HH) requires, in writing, comment from the U.S. Navy. Although written documentation from the U.S. Navy for military HH and from the FAA or JAA for civilian HH is not required for proposed structure heights below the listed height, United States Code (USC) Title 14, CFR Part 77 still applies.
- Objective 3.2 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.
- Policy 3.2.1 The City shall encourage development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.
- Policy 3.2.6 The City shall apply the locational criteria in the land use categories and the operative provisions of this element when reviewing commercial and industrial development and redevelopment for consistency with the character of the areas served, the availability of public facilities, and market demands.
- Policy 3.2.11 The City shall support the location of intense commercial and industrial uses in areas already subject to excessive noise levels and surrounded by land uses that are compatible with such intense uses, subject to a case-by-case review for appropriateness. The Land Development Regulations shall include standards to buffer these intense commercial and industrial uses from adjacent residential or retail commercial development. Uses located within the airport noise/accident zones and other restricted use areas shall be guided by the provisions in the Land Development Regulations for such areas

#### Property Rights Element (PRE)

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

According to the Future Land Use Element (FLUE), the Agriculture (AGR) land use category is intended to provide for agricultural uses and to preserve the existing rural character of outlying areas of the City where full urban services and facilities will not be provided by the City during the planning time frame. Accordingly, the principal activities allowed in these categories are agriculture and related uses.

The Public Buildings and Facilities (PBF) land use category is intended to accommodate major public use or community service activities. Principal uses include, but are not limited to, all lawful government activities, public buildings and grounds, schools, criminal justice facilities, military installations, and transportation facilities including airports, train stations, terminals, etc.

Light Industrial (LI) is a category which provides for the location of industrial uses that are able to be performed in such a manner as to control the external effects of the process, such as smoke, noise, soot, dirt, vibration, odor, etc. Uses within this category, other than outside storage, shall be conducted within an enclosed building. Generally, light industrial uses involve materials that have previously been prepared, or raw materials that do not need refining. These uses do not create a noticeable amount of noise, dust, odor, smoke, glare or vibration outside of the building or on the site in which the activity takes place.

The proposed amendment would provide additional LI designated land abutting existing industrial areas in the LI land use category to the north. The proposed LI land use provides compatible uses with the Jacksonville International Airport located south of the

site and results in a compatible land use pattern based on adjacent and surrounding land uses. The proposed amendment would provide for additional LI designated land near existing industrial areas and in an area with access and connection points to JIA and Pecan Park Road (collector roadway), Arnold Road (minor arterial roadway) and I-95. Additionally, the amendment would support real estate market flexibility for industrial uses while developing an undeveloped underutilized property. Therefore, the proposed amendment is consistent with FLUE Goal 1, Objective 3.2, and Policies 1.1.7, 1.1.21, 1.1.22, 3.2.1, 3.2.6 and 3.2.11.

A portion of the site is located in a 0-foot Height Restriction Zone for the Jacksonville International Airport (JIA). Sec. 656.1005.1 would require a maximum height of 0-feet unless approved by the Jacksonville Aviation Authority (JAA) or the Federal Aviation Administration. This portion of the Height Restriction Zone for JIA was put into place with the anticipation of a future runway for the airport. According to the JAA, plans for a future runway in this location have been changed allowing for compatible development north of the JIA. JAA does not object to development of the property with Light Industrial uses as long as the height restrictions under the Title 14 Code of Federal Regulations (CFR) Part 77 are adhered to for the property and wildlife hazard management practices are reasonably implemented. According to the JAA Height Limit Zone pursuant to Title 14 Code of Federal Regulations (CFR) Part 77, the property has a 180' MSL (Mean Sea Level) height restriction. The applicant provided an analysis indicating that 180' MSL is equivalent to a 156-foot maximum height of development on the property. According to the applicant, the development will not exceed this height limitation providing consistency with FLUE Policy 2.6.16. Please see attached letter with no objection from JAA and the MSL analysis.

According to the application, the applicant has indicated that JEA central services will be utilized for the site. A JEA Availability Letter will be required with the companion rezoning application at the Adoption Round of this land use amendment to ensure consistency with FLUE Policy 1.2.8.

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 Master Planned Communities area of the Vision Plan. The Plan offers no specific recommendations for the subject site but mentions encouragement for development in this area and an implementation strategy for the vision to change the economic paradigm. Having additional industrial uses in this area will allow a mix of compatible uses providing consistency with the intent of the Vision Plan.

### **Strategic Regional Policy Plan**

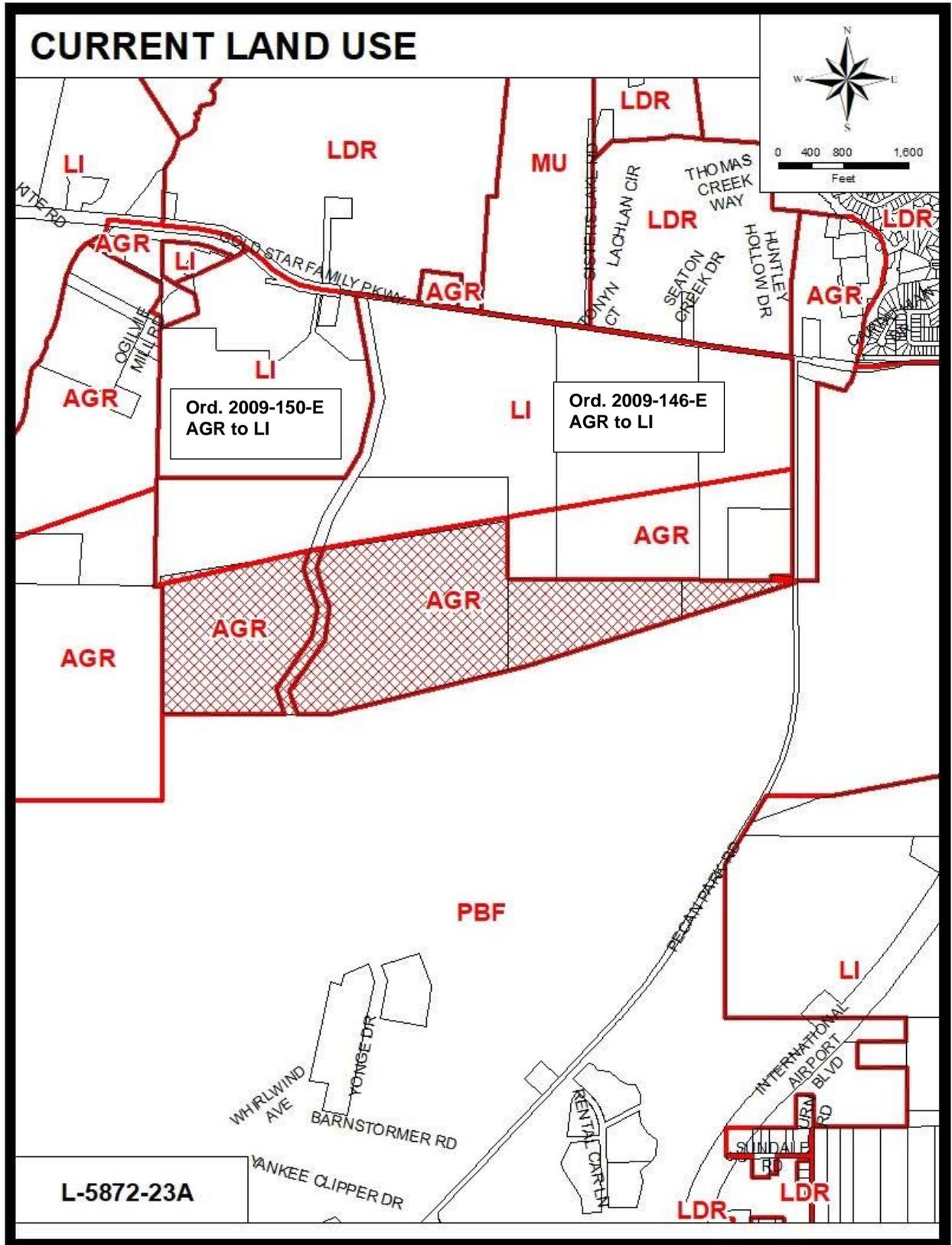
The proposed amendment is consistent with the following Policy of the Strategic Regional Policy Plan, Economic Development Element:

Goal 2.3 An environment that is conducive to the creation and relocation of new businesses as well as the expansion of existing businesses in the northwest Florida region.

The proposed land use amendment to LI promotes an environment that is conducive to the creation of new business thereby providing an opportunity to further local economic growth. Therefore, the proposed amendment is consistent with Goal 2.3 of the Strategic Regional Policy Plan, Economic Development Element.



# CURRENT LAND USE MAP



# Jacksonville Aviation Authority (JAA) Correspondence on Height Restriction Zone



14201 Pecan Park Rd  
Jacksonville, Florida 32216

October 30, 2023

Kristen D. Reed, AICP  
Chief of Community Planning Division  
City of Jacksonville | Planning & Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, Florida 32202

RE: Proposed Development North of Jacksonville International Airport on RE#s 019606 0000 and 019583 0000 (the "Property")

Ms. Reed,

This letter is written in response to the City of Jacksonville Planning and Development Department contacting the Jacksonville Aviation Authority (JAA) regarding proposed light industrial development on the Property. As contemplated in Policy 2.6.16 of the Future Land Use Element of the 2045 Comprehensive Plan, JAA is providing this letter to ensure that Title 14, CFR, Part 77 guidelines are not exceeded and that no structure or obstruction is permitted that would raise a minimal obstruction clearance altitude, a minimum vectoring descent altitude, or a decision height, if any such development would extend into an Airport Height and Hazard zone (HH).

JAA is bound by Federal grant assurances as a result of accepting decades of funding through airport improvement grant programs. Under these assurances, Airports are required to maintain safe terminal airspace and restrict the use of adjacent land to compatible activities, to the extent practicable. The City of Jacksonville's Part 10 Ordinance has greatly aided JAA in complying with the following federal grant assurances:

*20. Hazard Removal and Mitigation. It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.*

*21. Compatible Land Use. It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.*

## Jacksonville Aviation Authority (JAA) Correspondence on Height Restriction Zone

JAA has removed the northernmost future runway from the Airport Layout Plan (ALP) at Jacksonville International Airport. This signifies the need for that runway is now outside of the 20-year planning period covered by the Master Plan and ALP, however, demand for the runway may occur at some point in the future. To account for potential operational changes that may have substantial impacts to the surrounding community, JAA does not wish to remove or alter the general height and noise zoning protections under Part 10. However, we do not oppose the owner or developer of the Property to seek land use and zoning approval to permit industrial uses consistent with the Light Industrial land use category up to the height as specified in Title 14 CFR Part 77 guidelines as conceptually depicted in Exhibit 1, provided that such uses reasonably implement best management practices for operations near airports. JAA is committed to working with the City of Jacksonville and the community to find reasonable solutions supportive of regional growth.

Representatives of the Property contacted JAA regarding the development of the Property in 2022. JAA agreed the proposed light industrial land use was compatible with airport operations. Due to the proximity of the development to the Airport, JAA provided best management practices for operations near airports and Title 14 CFR Part 77 height limitations as conceptually depicted in Exhibit 1.

*14 CFR Part 77 establishes the requirements to provide notice to the FAA of certain proposed construction, or the alteration of existing structures; the standards used to determine obstructions to air navigation, and navigational and communication facilities; the process for aeronautical studies of obstructions to air navigation or navigational facilities to determine the effect on the safe and efficient use of navigable airspace, air navigation facilities or equipment.*

Whereas, the Property is developed as proposed within a compatible land use category, adhere to the 14 CFR Part 77 height restrictions as provided by JAA in discussions and attached to this letter as Exhibit 1, and reasonably implement wildlife hazard management practices, JAA has no objection to the future light industrial development of the Property.

Sincerely,



Lauren Scott, A.A.E., ACE  
Senior Manager of Aviation Planning

# **JAA Height Limit Analysis** **Provided by ETM**



ENGLAND-THIMS & MILLER

14775 Old St. Augustine Road, Jacksonville, FL 32258

etminc.com | 904.642.8990

## **MEMORANDUM**

TO: Michael Sittner  
Associate  
Driver, McAfee, Hawthorne & Diebenow, PLLC

FROM: K.T. Peter Ma, P.E.

RE: Subema and JAA Height Limit  
Jacksonville, Florida

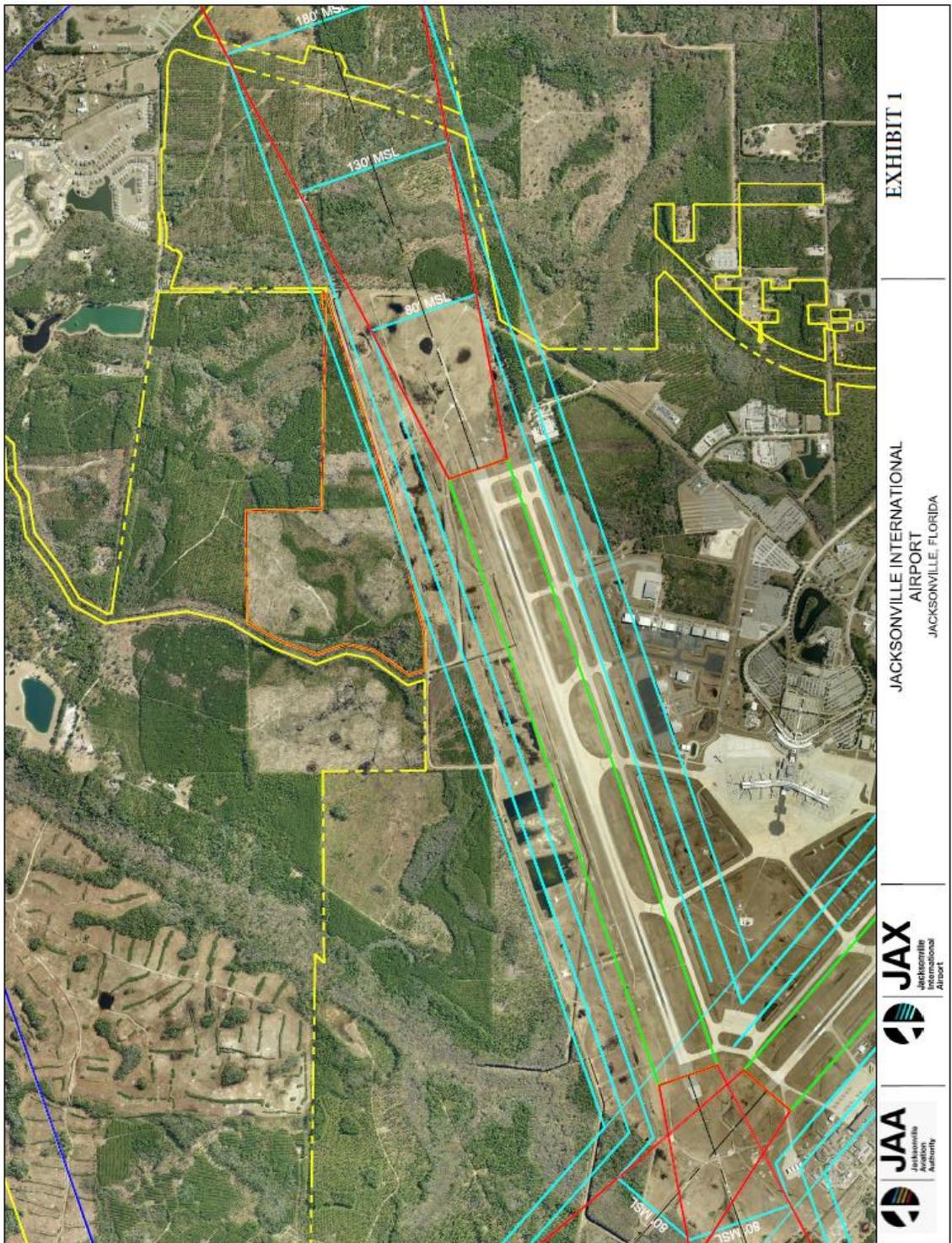
DATE: October 31, 2023

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This memo provides an overview of the JAA Height Limit Zone as it relates to the Subema property adjacent to the north side of the Jacksonville International Airport.

1. The JAA Height Limit Zone overlaps a sliver of the Subema property based on the exhibit provided by JAA (see attached Exhibit 1).
2. The zone that overlaps the Subema property is designated to be 180' MSL (Mean Sea Level).
3. Mean Sea Level is defined to be at elevation 0.00.
4. The existing topo based on COJ's LIDAR within that sliver is no greater than elevation 24.0.
5. Based on this information, our buildings will not be greater than 156' high.

# JAA Height Limit Analysis Provided by ETM



# JAA Height Limit Analysis Provided by ETM

