

# City of Jacksonville, Florida

*Lenny Curry, Mayor*

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September 3, 2020

The Honorable Tommy Hazouri, President  
The Honorable Michael Boylan, LUZ Chair  
And Members of the City Council  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report / Ordinance No. 2020-0471/Application No. L-5414-19A**

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairman Boylan 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 2020-0471 on September 3, 2020.

P&DD Recommendation	APPROVE
PC Issues:	None
<b>PC Vote:</b>	<b>6-0 APPROVE</b>

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

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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**

**Large-Scale Future Land Use Map Amendment – August 28, 2020**

**Ordinance/Application No.:** 2020-471 / L-5414-19A

**Property Location:** 0 Braddock Road and 0, 13921, 13951 and 13961 New Kings Road; west of Braddock Road between Sandle Drive and Conifer Cove Trail

**Real Estate Number(s):** 002472-0100, 002472-0205, 002478-0000, 002482-0000, 002483-0100, 002483-0204, 002483-0230, 002483-0300, a portion of 002474-0000, a portion of 002477-0000

**Property Acreage:** 279.11 Acres

**Planning District:** District 6, North

**City Council District:** District 7

**Applicant:** Curtis Hart, Hart Resources, LLC

**Current Land Use:** Agriculture-3 (AGR-3) (125.73 acres), Agriculture-4 (AGR-4) (51.24 acres) and Multi-Use (M U) (102.14 acres)

**Development Area:** Suburban and Rural

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

**Current Zoning:** Agriculture (AGR)

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

***RECOMMENDATION: APPROVE Land Use Amendment and related text changes to FLUE Policy 4.3.18***

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

JEA water and sewer is available to the site and the adjoining property is residential.

**BACKGROUND**

The applicant proposes a future land use map amendment from Agriculture-3 (AGR-3), Agriculture-4 (AGR-4) and Multi-Use (M U) to Low Density Residential (LDR) to allow for residential development. The companion Planned Unit Development (PUD) rezoning

is pending concurrently with this adoption round large scale land use amendment application pursuant to Ordinance 2020-472.

The amendment site has approximately 752 linear feet of frontage on Braddock Road, a collector roadway, and is located within both the Rural and Suburban Development Areas as identified on the Future Land Use Map series of the Future Land Use Element of the 2030 Comprehensive Plan. The portion of the site in the AGR-3 and AGR-4 land use categories is within the Rural Development Area; the portion of the site in the M U land use category is within the Suburban Development Area.

Approximately 102 acres of the site that is currently located in the M U land use category is part of the larger 2,312 acre Braddock Family Parcel Multi-Use Area that is subject to Site Specific Policy 4.3.18 of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. The proposed change in land use of this portion of the amendment from M U to LDR would decrease the overall size of the Braddock Family Parcel Multi-Use Area and therefore affect some provisions of FLUE Site Specific Policy 4.3.18. The land use change to L D R of 102 acres of the Braddock Family Parcel Multi-Use Area would amend FLUE Policy 4.3.18 to address the remaining 2,210 acres of the Multi-Use Area in the provisions regarding maximum allowed density and maximum allowed external transportation impacts at build out of the property. The density of the Multi-Use Area was analyzed based on the new acreage and was changed from an allowed maximum of 2,500 units to a maximum of 2,350 units. Likewise, the Transportation Planning Division reviewed the maximum p.m. peak hour external trips at build-out based on the new acreage and the maximum residential units identifying a decrease from 4,375 to 4,304 p.m. peak hour external trips. The proposed changes to FLUE Policy 4.3.18 as described are shown below in strike-through/underline and are included as Exhibit 3 to the legislation:

**FLUE Policy 4.3.18**

The Braddock Family Parcel which is a 2,210 ~~2,312~~-acre Multi-Use Area on the Future Land Use Map, as approved with Ordinance 2010-390-E and amended by Ordinance 2020-001, shall include the following provisions consistent with the Multi-Use land use category:

1. The types of land uses permitted in the MU land use category at the Property consist of those land uses permitted in the AGR, LDR, MDR, CGC, PBF, ROS and CSV land use categories.
2. The percentage (by acreage) distribution among the mix of uses in the MU land use category at the Property shall consist of:

50-70% acres residential;

5-15% acres non-residential uses;

10-30% parks and green/open space; and

3%-5% public uses, including the right-of-way for the future extension of Braddock Road described below.

3. There shall be a mix of residential densities in the MU land use category at the Property, with the following applicable maximums (in percentage of gross acres devoted to residential uses):  
  
Up to 90 % a maximum of four (4) units/acre;  
  
Up to 20% a maximum of eight (8) units/acre; and  
  
Up to 10% a maximum of fifteen (15) units/acre.
4. The maximum number of residential units shall be ~~2,350~~ 2,500 units. The maximum non-residential (CGC) intensity is 700,000 sq. ft., generally located at the intersection of Braddock Road and Lem Turner Road.
5. Uses on the Property other than those permitted in the AGR land use category and AGR zoning district may be permitted only by a Planned Unit Development rezoning, which shall be consistent with these MU policies and the policies set forth in the Future Land Use Element's description of the Multi-Use land use category. Such PUD shall provide for connectivity and functional relationship among uses and phasing to address the provision of supporting uses and services. Within the portion of the Property which lies south of Braddock Road and west of Lem Turner Road, the PUD (i) will not permit multifamily uses and (ii) will provide an appropriate buffer and visual screen between any new non-residential use and any existing residential uses, including either an minimum 50-foot buffer and wall or a minimum 100-foot buffer and landscaping (to achieve the visual screen).
6. Prior to or contemporaneous with the PUD rezoning sought within the Property under this MU land use category, one or more development agreements shall be entered into with the City providing for: (i) a reservation of the right-of-way described below, and (ii) the provision of central water and sewer.
7. The development agreement(s) described above shall provide for a reservation of right-of-way for the future extension of Braddock Road east to the eastern boundary of the Property (providing for the potential of an extension east to Pecan Park Road). The right-of-way width, alignment and term shall be as mutually agreed to and specified in the development agreement(s). The reservation shall provide that conveyance of the right-of-way for anything less than fair market value entitles the landowner to credit against transportation-related fees, including proportionate share fees and mobility fees.
8. The mix of uses at build-out within the property shall not be projected to exceed ~~4,375~~ 4,304 p.m. peak hour external trips.

9. Development of the property will avoid and minimize wetland impacts consistent with the regulations of the State and Federal regulatory agencies and will address buffers around, and the conservation of, non-impacted wetlands through the permitting and mitigation processes with these regulatory agencies. Pursuant to those processes and where practicable, (i) wetland impacts will be limited to road and utility crossings at narrow portions of wetland systems or along existing trail systems, and (ii) development will provide an average buffer of 25-feet, with a minimum buffer of 15- feet, around wetlands (not including wetlands which, pursuant to permits from the regulatory agencies, may be impacted or created). Generally, non-impacted wetlands will be placed into conservation easements, pursuant to permits from the regulatory agencies.
10. Passive parks, green/open space, and conservation areas should be located so as to connect wetland areas and buffers as much as possible and provide viable habitat and wildlife corridors. The Master PUD shall include any such wildlife corridors and provisions for the ability of the wildlife to traverse.
11. The provisions identified within this policy must also be included in the accompanying Master PUD application.

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

North: Land Use: M U, A G R-3, CSV

Zoning: AGR, CSV

Property Use: Undeveloped land that is part of the Braddock Family Parcel Multi-Use Area; undeveloped agricultural land; Kings Road Historic Preserve/ Thomas Creek Wildlife Management Area

South: Land Use: M U

Zoning: P U D

Property Use: Mostly undeveloped land that is part of the Villages of Westport Multi-Use Area with some large lot single-family residential uses; land that is part of the Northwood Regional Activity Center

East: Land Use: M U

Zoning: A G R and P U D

Property Use: Undeveloped land that is part of the Braddock Family Parcel Multi-Use Area; undeveloped land that is part of the Thomas Creek Regional Activity Center

West: Land Use: A G R-3, A G R-4, CSV

Zoning: A G R, CSV  
 Property Use: Undeveloped agricultural land, Kings Road Historic Preserve/ Thomas Creek Wildlife Management Area

**IMPACT ASSESSMENT**

Potential impacts of a proposed land use map amendment have been analyzed by comparing the Development Impact Standards for the subject site's existing vs. proposed land use categories unless maximum density/intensity is noted on the Annotated FLUM or is in a site specific policy. Development Impact Standards are detailed in FLUE Policy 1.2.16, *Development Standards for Impact Assessment*. These standards produce development potentials as shown in this section.

**Impact Assessment Baseline Review**

<b>Development Analysis</b>		
Development Boundary	Suburban and Rural Development Areas	
Roadway Frontage Classification / State Road	Braddock Road / collector roadway	
Plans and/or Studies	North Jacksonville Vision Plan	
Site Utilization	Current: undeveloped	Proposed: residential
Land Use / Zoning	Current: AGR-3 (125.73 acres) AGR-4 (51.24 acres) MU (102.14 acres) Total Acreage: 279.11 / AGR	Proposed: LDR / PUD
Development Standards for Impact Assessment	Current: AGR-3: 1 unit/ 10 acres AGR-4: 1 unit/ 2.5 acres MU: Pursuant to FLUE Policy 4.3.18 as amended	Proposed: LDR: 5 Units/Acre
Development Potential	Current: AGR-3: 12 units AGR-4: 20 units MU: 150 units for this portion of the MU area, pursuant to FLUE Policy 4.3.18 as amended 182 dwelling units	Proposed: LDR: 1,390 units

<b>Development Analysis</b>		
	total	
Net Increase or Decrease in Maximum Density	Increase of 1,208 dwelling units	
Net Increase or Decrease in Potential Floor Area	N/A	
Population Potential	Current: 484 people	Proposed: 3,697 people
<b>Special Designation Areas</b>		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	150-foot, 300-foot and 500-foot Height Restriction Zone for JIA; 60 db Noise Contour and Civilian Notice Zone at southeastern portion of the property for JIA	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	Low Sensitivity	
Historic District	No	
Coastal High Hazard/Adaptation Action Area	No	
Groundwater Aquifer Recharge Area	Discharge	
Wellhead Protection Zone	No	
Boat Facility Siting Zone	No	
Brownfield	No	
<b>Public Facilities</b>		
Potential Roadway Impact	Increase of 11,988 net new daily trips	
Potential Public School Impact	463 new students	
Water Provider	JEA	
Potential Water Impact	Increase of 321,328 gallons per day	
Sewer Provider	JEA	
Potential Sewer Impact	Increase of 240,996 gallons per day	
Potential Solid Waste Impact	Increase of 3,140.8 tons per year	
Drainage Basin/Sub-basin	Nassau River-Trout River / Thomas Creek	
Recreation and Parks	Kings Road Historic Preserve (abutting the site along the western property line)	
Mass Transit Access	NO	
<b>Natural Features</b>		
Elevations	1-21 feet	
Land Cover	4110-Pine Flatwoods	
Soils	See Wetland Review on page 12	
Flood Zones	AE and 0.2 Pct Chance Flood Hazard	
Wetlands	See Wetland Review on page 12	
Wildlife (applicable to sites greater than 50	See Wildlife Review on page 15	



<b>Development Analysis</b>	
acres)	

### Utility Capacity

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

The JEA provided a water and sewer system demand analysis for the amendment site. According to the JEA, there is capacity in the JEA water and sewer system to serve this development. However, the developer would be required to extend mains to make the appropriate system connections for full project build-out.

### Future Land Use Element

Policy 1.2.9      Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

### Transportation

The Planning and Development Department completed a transportation analysis and determined that the proposed amendment will result in an increase of 11,988 net new daily external trips. This analysis is based upon the comparison of what potentially could be built on that site (as detailed in FLUE Policy 1.2.16 Development Standards for Impact Assessment) versus the maximum development potential. Trips generated by the new development will be processed through the Concurrency and Mobility Management System Office. A copy of the transportation analysis is on file with the Planning and Development Department.

### Transportation Element

Policy 1.2.1      The City shall use the Institute of Transportation Engineers *Trip Generation Manual*, latest edition, to determine the number of trips to be produced or attracted to a particular land use when assessing a traffic impact.

### Capital Improvements Element

Policy 1.6.1      Upon adoption of the Mobility Plan implementing ordinance, the City shall cease transportation concurrency and use a quantitative formula for purposes of assessing a landowner's mobility fee for transportation impacts generated from a proposed development, where the

landowner's mobility fee shall equal the cost per vehicle miles traveled (A); multiplied by the average vehicle miles traveled per Development Area (B); multiplied by the daily trips (C); subtracted by any trip reduction adjustments assessed to the development.

#### Supplemental Transportation Information

**Objective 2.4** of the Transportation Element (TE) of the 2030 Comprehensive Plan requires that the City shall coordinate the mobility circulation system with the future land uses shown on the Future Land Use Map series in order to ensure that roads, road improvements and other mobility alternative improvements are provided as necessary to support development in an economically efficient and environmentally sound manner.

**Policy 2.4.2** of the TE of the 2030 Comprehensive Plan requires that the City shall amend the adopted Comprehensive Plan to incorporate the data and analysis generated by a periodic regional transportation model and study and facilitate the implementation of the study recommendations.

These two Comprehensive Plan policies ensure that the transportation impact related to land use amendments are captured in the Long Range Transportation Plan (LRTP) that is conducted every 5 years. This analysis includes the cumulative effect of all land use amendments that were approved within this time period. This plan identifies the future transportation needs and is used to create cost feasible roadway needs that can be funded by the City's Mobility Strategy Plan.

Mobility needs vary throughout the city and in order to quantify these needs, the city was divided into 10 Mobility Zones. The Mobility Strategy Plan identifies specific transportation strategies and improvements to address traffic congestion and mobility needs for each mode of transportation. The project site is located in Mobility Zone 4.

Existing available roadway capacity for the vehicle/truck mode for the entire zone was tested based on volume demand to capacity ratio (V/C), where the average daily traffic volumes determined from the most recent City of Jacksonville traffic count data were compared to the *Maximum Service Volumes (MSV)* from the current *FDOT Quality/Level of Service Handbook (2012)* for each functionally classified roadway within the zone. A V/C ratio of 1.0 indicates the roadway network is operating at its capacity.

The result of the V/C ratio analysis for the overall Mobility Zone 4 is **0.51**.

The proposed land use amendment based on impact assessment standards has the development potential of 1,390 single-family dwelling units and could generate approximately 13,122 daily vehicular trips onto the roadway network. Subject site is accessible via Braddock Road, a 2-lane undivided collector facility between Lem Turner Road and Dunn's Avenue. This facility could be significantly impacted by the proposed development. The Transportation Planning Division recommends that a traffic operational analysis of the adjacent roadway network be conducted by a licensed professional traffic engineer, to determine the impact to the external trips as a result of

the land use change. A methodology meeting with the Transportation Planning Division should be held prior to commencement of the study.

### **School Capacity**

Based on the impact assessment standards detailed in FLUE Policy 1.2.16, the 279.08 acre proposed land use map amendment has a development potential of 1,390 dwelling units. The proposed development was analyzed in accordance with the adopted level of service standards (LOS) for school capacity as established in the Interlocal Agreement (ILA) and the Public Schools and Facilities Element. The ILA was entered into in coordination with the Duval County Public School System (DCPS) and the other municipalities within Duval County.

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

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

- Elementary School
  - Concurrency Service Area (CSA) 1
  - 2019/2020 enrollment: 13,689
  - Current utilization: 70%
  - New student development from amendment: 232
  - 5-year utilization: 63%
  - Available seats in CSA 1: 86
  - Available seats in adjacent CSA(s): 7 & 8 is 562
  
- Middle School
  - CSA 1
  - 2019/2020 enrollment: 8,270
  - Current utilization: 83%
  - New student development from amendment: 101
  - 5-year utilization: 88%
  - Available seats in CSA 1: 307
  - Available seats in adjacent CSA(s): 7 and 2 is 436
  
- High School
  - CSA 1
  - 2019/2020 enrollment: 8,402
  - Current utilization: 83%
  - New student development from amendment: 129

- 5-year utilization: 76%
- Available seats in CSA 1: 3,088
- Available seats in adjacent CSA(s): 7 and 8 is 542

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

**Public School Facilities Element**

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

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

**Supplemental School Information:**

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

- **Biscayne Elementary School**
  - CSA 1
  - Amendment student generation: 232
  - School Capacity including permanent spaces and portables: 667
  - Current enrollment 20 day county for 2019/2020: 725
  - Percent Occupied: 109%
  - 4-year projection: 100%
  
- **Highlands Middle School**
  - CSA 1
  - Amendment student generation: 101
  - School Capacity including permanent spaces and portables: 1,071
  - Current enrollment 20 day county for 2019/2020: 888
  - Percent Occupied: 83%
  - 4-year projection: 77%
  
- **Jean Ribault High School**
  - CSA 1
  - Amendment student generation: 130

- School Capacity including permanent spaces and portables: 1,683
- Current enrollment 20 day county for 2019/2020: 1,336
- Percent Occupied: 79%
- 4-year projection: 85%

**Airport Environment Zone**

The site is located within the 150-foot, 300-foot and 500-foot Height and Hazard Zone for the Jacksonville International Airport. Zoning will limit development to a maximum height of less than 300’ or 500’, 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 small portion of the amendment site at the southeast section of the site is within the 60-64.99 Day-Night Sound Level (DNL) noise contour range. As such this area is within the Civilian Influence Zone for Jacksonville International Airport. In accordance with Section 656.1010, the plat for a subdivision shall indicate which lots are located within a Civilian Influence Zone. No person shall sell, transfer, or lease land within a Civilian Influence Zone, unless the prospective owner, transferee or lessee has been given a disclosure of airport proximity in writing, at the time of contract of sale, transfer, or lease.

**Future Land Use Element**

**Objective 2.5** Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

**Policy 2.5.5C** Within the 60DNL or higher area as depicted on Map L-22, 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 2.5.6** 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 Map L-22.

**Flood Zones**

Approximately 199 acres of the subject site is located within the 0.2 PCT Annual Chance Flood Hazard and AE flood zones. Flood zone designations are assigned by

the Federal Emergency Management Agency (FEMA). FEMA defines the various flooding characteristics of different lands based on a 100-year storm. The 100-year storm or Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. This does not mean that a storm of this type will happen every 100-years. There is a 1-percent chance that a storm of this magnitude will occur in any given year.

The 0.2 PCT Annual Chance Flood Hazard flood zone is defined as areas within the 500-year floodplain and outside of the SFHA. Flood insurance is not mandatory within these flood zones. The areas are deemed to be subject to moderate flood hazards. The AE flood zone is defined as areas 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.

**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**

Review of City data indicates the potential existence of wetlands on the subject site and as such, a wetlands survey has been provided by the applicant that indicates the location, size, quality and functional value of all wetlands located within the boundaries of the application site. Based on the information noted below, the proposed amendment is consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

Wetlands Characteristics:

Approximate Size: 145.17 Acres

General Location(s): the wetlands are located throughout the site (See Wetlands Map Attached)

Quality/Functional Value:

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

Soil Types/ Characteristics:

See Protected Species Report on file with the application

Wetland Category:

Category III

Consistency of Permitted Uses:

All uses consistent with CCME Policies 4.1.3 and 4.1.6

Environmental Resource Permit (ERP):

Not provided by the applicant

Wetlands Impact:

The companion PUD rezoning includes a site plan indicating the development plan. According to the site plan, the development avoids most areas of wetlands and flood zones. Wetland impacts would be minimal.

Associated Impacts:

0.2 PCT Annual Chance Flood Hazard and AE flood zones

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 Report of the site identifying existing habitat types and wildlife survey fieldwork results. According to the report, the development of the subject property would not adversely impact threatened or endangered species that were considered based on the site's habitat. No threatened or endangered state or federally listed wildlife species were documented during the assessment.

**Conservation Coastal Management Element**

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

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

## **PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on January 14, 2020, the required notices of public hearing signs were posted. Fourteen (14) 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 January 21, 2020. A member of the public was in attendance to find out more information and to express concern of the development affecting the rural character of the area.

## **CONSISTENCY EVALUATION**

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

#### Future Land Use Element (FLUE)

##### *Development Areas*

*Suburban Area (SA):* The SA is the third tier Development Area and generally corresponds with the urbanizing portions of the City in areas that have usually been developed after consolidation. Development should generally continue at low densities with medium density development at major corridor intersections and transit stations. Development at these locations should promote a compact and interconnected land development form and is therefore encouraged to employ urban development characteristics as further described in each land use plan category.

*Rural Area (RA):* The RA consists of all lands outside of the Suburban Area and corresponds with predominantly undeveloped portions of the City with land uses such as Agriculture, Recreation, Conservation, or Public Buildings Facilities. Development should occur at very low densities which create little demand for new infrastructure and community serving supporting uses, unless development occurs under the Multi-Use Category, as a Rural Village or as a Master Planned Community as defined in this element. Development may occur within the Rural Area provided that it is consistent with the Operational Provisions and the Land Use category descriptions. Otherwise, development beyond such boundaries is considered urban sprawl and is to be discouraged.

**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.

**Objective 1.1**            Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs,

intergovernmental coordination mechanisms, and public/private coordination.

Policy 1.1.10 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

Policy 1.1.12 Promote the use of Planned Unit Developments (PUDs), cluster developments, and other innovative site planning and smart growth techniques in all commercial, industrial and residential plan categories, in order to allow for appropriate combinations of complementary land uses, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations.

Policy 1.1.20 Development uses and densities shall be determined by the Development Areas described in the Operational Provisions for the Central Business District (CBD); Urban Priority Area (UPA); the Urban Area (UA); the Suburban Area (SA); and the Rural Area (RA) as identified in the 2030 Comprehensive Plan, in order to prevent urban sprawl, protect agricultural lands, conserve natural open space, and to minimize the cost of public facilities and services.

Policy 1.2.6 The City shall ensure through the implementation of Chapter 654, Ordinance Code (Code of Subdivision Regulations) that suitable lands and/or easements are available for the provision of utility and transportation facilities necessary to support proposed development, and implement improvements with minimum land use, social and environmental disruption. Consider the location and timing of new public facility construction in requests for Future Land Use Map series amendments.

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 may be 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.
- Policy 3.1.11** The City shall require new residential areas to be designed to include an efficient system of internal circulation and connection to adjacent developments and neighborhoods. The Land Development Regulations shall detail the requirements for public access and interconnectivity within and between developments based on standards such as but not limited to a connectivity score, maximum separations between connections to adjacent developments, and rules relative to hours, operations, and public safety considerations for any restriction of access through the use of gates.

According to the Category Description in the Future Land Use Element (FLUE), the AGR functional land use categories accommodate primarily agriculture activities with some single family dwellings and are intended to preserve the existing rural character of outlying areas of the City. The Multi-Use (MU) land use category is intended to accommodate, in a more innovating fashion, development of areas in a larger scale and size while facilitating mixed-use development with horizontal and vertical land use integration.

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

The subject site is located within the boundaries of both the Rural Development Area and the Suburban Development Area. The 102 acres of the site that are currently in the MU land use category are located within the Suburban Development Area; the remainder of the site, approximately 177.11 acres, is located within the Rural Development Area. According to the locational criteria of the operative provisions in the FLUE, low density development of lands is encouraged within the Suburban

Development Area. Likewise, the Rural Development Area describes that development should only occur at very low densities. The LDR land use category allows a maximum of 7 dwelling units per acre, and the LDR category description states that plan amendment requests for new LDR designations are discouraged in the Rural Area because they could encourage urban sprawl. However, directly abutting the subject site to the west and south are lands in the MU land use category, Suburban Area, which allow a mix of uses, including low density residential, and provide continued land use compatibility in the area. The written description of the companion Planned Unit Development (PUD) identifies the total site's maximum density at 409 single-family dwelling units, or 1.46 dwelling units per acre. Additionally, according to the proposed site plan, the more dense areas of the site plan abut Multi-Use areas providing consistency with the Development Area designation and FLUE Policies 1.1.12 and 1.1.20.

Given the adjacent MU land use categories to the west and south, the proposed land use amendment would result in a compatible and appropriate transition of land use for the area, meeting FLUE Goal 1 and Policy 1.1.10. The proposed land use is consistent with the future development trends and land use patterns in the area while contributing additional lands for residential development and increasing the amount of land available to accommodate anticipated growth and the projected population as called for in FLUE Objectives 1.1 and 3.1 and Policy 3.1.6.

The property includes some road frontage on Braddock Road, a collector roadway. The companion PUD rezoning identifies the access to the development from Braddock Road, a collector roadway. The site plan identifies the internal circulation and connection to the roadway network providing consistency with FLUE Goal 3 and Policies 1.2.6 and 3.1.11.

JEA provided a water and sewer system demand analysis for the amendment site. According to the JEA, there is capacity in the JEA water and sewer system to serve this development. However, the developer would be required to extend mains to make the appropriate system connections for full project build-out and provide consistency with FLUE Policy 1.2.9. Maximum gross density for LDR in the Rural and Suburban Area is 7 units/acre when connected with both centralized (JEA) water and sewer; maximum gross density for LDR in the Rural and Suburban Area 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; and the maximum gross density shall be 2 units/acre and the minimum lot size shall be ½ an acre when both centralized potable water and wastewater are not available..

Approximately 102 acres of the site that is currently located in the M U land use category is part of the larger 2,312 acre Braddock Family Parcel Multi-Use Area that is subject to Site Specific Policy 4.3.18 of the FLUE of the 2030 Comprehensive Plan. The proposed change in land use of this portion of the amendment from MU to LDR would decrease the overall size of the Braddock Family Parcel Multi-Use Area and therefore affect potential impacts of the Multi-Use Area and some provisions of FLUE

Site Specific Policy 4.3.18. As previously described in the Background section of the staff report, FLUE Policy 4.3.18 will be amended to accurately reflect the removal of land from the Multi-Use (MU) land use category.

**Vision Plan**

The subject site is located in the Master Planned Communities area of the North Jacksonville Vision Plan. These areas are intended to provide a sustainable development pattern allowing for people to live and work. Surrounding the site are a number of multi-use communities entitled for a mix of uses including commercial, office and recreational uses. The proposed amendment will accommodate residential uses and support the combination of uses of the surrounding multi-use planned communities that is encouraged within the boundaries of the North Jacksonville Vision Plan.

**Strategic Regional Policy Plan**

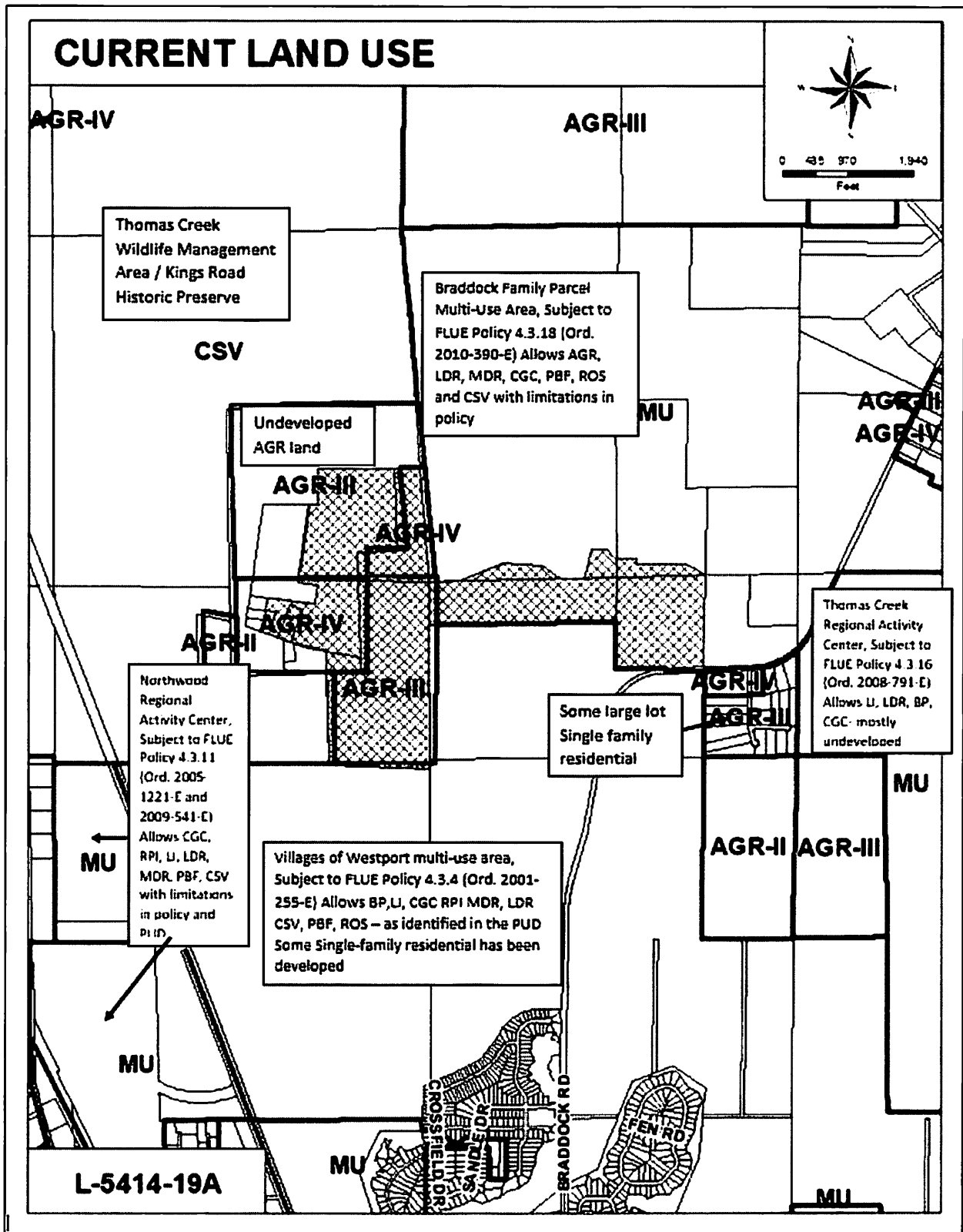
The proposed amendment is consistent with the following Policy of the Strategic Regional Policy Plan:

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

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

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

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



# LAND USE AMENDMENT WETLANDS MAP

