

City of Jacksonville, Florida

Lenny Curry, Mayor

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May 5, 2022

The Honorable Samuel Newby, President
The Honorable Rory Diamond, LUZ Chair
And Members of the City Council
117 West Duval Street
Jacksonville, Florida 32202

RE: Planning Commission Advisory Report / Ordinance No. 2022-242/Application No. L-5675-22C

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairman Diamond and Honorable Members of the City Council:

Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **APPROVED** Ordinance 2022-242 on May 5, 2022.

P&DD Recommendation

APPROVE

PC Issues:

The Commission questioned if there is a way to permit agricultural use on the site without amending the land use and zoning. One possibly may be to greenbelt the property with the Property Appraiser.

PC Vote:

6-0 APPROVE

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

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

Sincerely,

Kristen D. Reed

Kristen D. Reed, AICP
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Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment – April 29, 2022

Ordinance/Application No.: 2022-242 / L-5675-22C

Property Location: 13985 Webb Road, on the far north end of Webb Road between Shiferdek Road and Starratt Road

Real Estate Number(s): 106283 0100

Property Acreage: 29.39 acres

Planning District: District 6, North

City Council District: District 2

Applicant: Cyndy Trimmer, Esquire

Current Land Use: Low Density Residential (LDR)

Proposed Land Use: Agriculture-IV (AGR-IV)

Development Area: Suburban Development Area

Current Zoning: Planned Unit Development (PUD)

Proposed Zoning: Agriculture (AGR)

RECOMMENDATION: **APPROVE**

APPLICANT'S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

Applicant seeks the land use amendment to allow for cow pasture use.

BACKGROUND

The 29.39 acre subject property is located on the far north end of Webb Road. According to the City's Functional Highway Classification Map, Webb Road is classified as a local roadway. The applicant is proposing an amendment to the Future Land Use Map series (FLUMs) from Low Density Residential (LDR) to Agriculture-IV (AGR-IV), with a companion rezoning application from Planned Unit Development (PUD) to Agriculture (AGR) for a cow pasture. The companion rezoning, Ordinance 2022-243 is pending concurrently with this application.

Currently, majority of the property is undeveloped open space, which is compatible with the proposed cow pasture use and the amendment to change the zoning from PUD to AGR is consistent with the proposed land use.

The land use amendment site is mostly undeveloped with one single family homes surrounded by undeveloped land and other residential homes. More specific uses along with the zoning and land use categories are listed below.

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

North: Land Use: Rural Residential (RR), Low Density Residential (LDR), Multi-Use (MU)
 Zoning: Rural Residential-Acre (RR-Acre), Planned Unit Development (PUD)
 Property Use: Solar Farm, Agriculture, undeveloped land, undeveloped land in the City Natural Bank of Florida Multi-Use area

South: Land Use: Low Density Residential (LDR)
 Zoning: Rural Residential-Acre (RR-Acre)
 Property Use: Single family homes, pasture

East: Land Use: Low Density Residential (LDR)
 Zoning: Rural Residential-Acre (RR-Acre)
 Property Use: Undeveloped land

West: Land Use: Low Density Residential (LDR)
 Zoning: Planned Unit Development (PUD), Rural Residential-Acre (RR-Acre)
 Property Use: Undeveloped land, pasture, Single-Family Residential

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.

Land Use Amendment Impact Assessment - Application Number L-5675-22C

Development Analysis		
Development Boundary	Suburban Development Area	
Roadway Frontage Classification / State Road	Webb Road/Local	
Plans and/or Studies	North Vision Plan	
Site Utilization	Current: Single Family	Proposed: Cow Pasture

Development Analysis		
Land Use / Zoning	Current: LDR/PUD	Proposed: AGR-IV/AGR
Development Standards for Impact Assessment	Current: 5 Dwelling Units per acre	Proposed: 1 Unit/2.5 acres
Development Potential	Current: 146 Dwelling Units	Proposed: 11 Dwelling Units
Net Increase or Decrease in Maximum Density	Decrease of 135 Dwelling Units	
Net Increase or Decrease in Potential Floor Area	Not Applicable	
Population Potential	Current: 388 People	Proposed: 25 People
Special Designation Areas		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Evacuation Zone	Evacuation Zone D	
Airport Environment Zone	500' Height Restriction Zone	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	Low, Medium, and High Sensitivity	
Historic District	No	
Coastal High Hazard	No	
Adaptation Action Area	No	
Groundwater Aquifer Recharge Area	No	
Wellhead Protection Zone	No	
Boat Facility Siting Zone	No	
Brownfield	No	
Public Facilities		
Potential Roadway Impact	No net new daily trips	
Potential Public School Impact	De minimus impact	
Water Provider	Well	
Potential Water Impact	Decrease of 35,910 gpd	
Sewer Provider	Septic	
Potential Sewer Impact	Decrease of 26,933 gpd	
Potential Solid Waste Impact	Decrease of 351 tpy	
Drainage Basin/Sub-basin	Dunn Creek	
Recreation and Parks	Tom Marshall Park	
Mass Transit Access	None within a mile. 1.8 miles away	
Natural Features		
Elevations	19-22 feet above mean sea level	

Development Analysis	
Land Cover	1100: Residential, low density, 2110: Improved pastures (monocult, planted forage crops), and 6300: Wetland forested mixed
Soils	(38) Mascotte Fine Sand, (51) Pelham Fine Sand, (63) Sapelo Fine Sand, (66) Surrency Loamy Fine Sand, depressionnal, (82) Pelham Fine Sand, depressionnal
Flood Zones	No
Wetlands	(6300) Wetland Forest Mixed
Wildlife (applicable to sites greater than 50 acres)	N/A

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 subject site is located on Webb Road within the Suburban Development Area, and is served by public water per the City of Jacksonville infrastructure Map. According to the map, there is a 6-inch water main within the Webb Road right-of-way adjacent to the application site. There is currently no sewer lines on this portion of Webb Road. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element. Therefore, the proposed amendment is consistent with FLUE Policy 1.2.9.

A JEA availability letter was not provided, due to the application proposal. JEA water and sewer is not necessary for an animal pasture.

Transportation

The subject site is 29.39 acres and is accessible from Webb Road, a local facility. The proposed land use amendment is located within the Suburban Development Area and Mobility Zone 3. The applicant proposes to change the existing land use from Low Density Residential (LDR) to Agriculture-IV (AGR-IV).

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).

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 1.2.1 of the TE of the 2030 Comprehensive Plan requires the City to 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.

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 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.

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 1,377 daily trips. If the land use is amended to allow for this proposed AGR-IV development, this will result in 104 daily trips.

Transportation Planning Division RECOMMENDS the following:

The difference in daily trips for the proposed land use amendment will result in no 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
LDR	210	146 SF DUs	T = 9.43 (X)	1,377	0	1,377
Existing Scenario 1 Total						1,377
Proposed Land Use Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
AGR-IV	210	11 SF DUs	T = 9.43 (X)	104	0	104
Proposed Scenario 1 Total						104
Proposed Net New Daily Total						0

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

School Capacity

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

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low, medium, and high sensitivity for the presence of archaeological resources. Projects that move forward through the Site Review process may be required to perform a Professional Archaeological Reconnaissance Survey on the portion of the site that is in a high sensitivity area. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Historic Preservation Element

Policy 1.2.6 The Planning and Development Department shall maintain and update for planning and permitting purposes, a U.S.G.S. series of topographic maps upon which recorded archaeological sites are shown.

Airport Environment Zone

The site is located within the 500 foot Height and Hazard Zone for the Jacksonville International Airport. Zoning will limit development to a maximum height of 500 feet, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

Future Land Use Element

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

Evacuation Zone

The subject site is within Evacuation Zone D. As such, the land use application was routed to the City's Emergency Preparedness Division (EPD) for review and comment. EPD was provided with the land use application. Their complete analysis is below.

EPD Response:

No impacts to countywide evacuation times are anticipated from the amendment proposed in L-5675-22C. Proximity to Starratt Road indicates sufficient access to evacuation routes (I-295 and I-95). Site design techniques that minimize disruption to existing traffic flow are encouraged. Any development should incorporate appropriate mitigation techniques to reduce flood vulnerability and minimize impacts to the floodplain.

Conservation /Coastal Management Element (CCME)

Policy 7.1.6 The City shall not amend the Future Land Use Element or the Future Land Use Map series unless; the requested change can be determined to not exceed the established hurricane evacuation times; the requested change is for a lower density; or the requested change for increased density provides adequate remedies to reduce impacts on hurricane evacuation times which exceed the acceptable standard.

Wetlands

Review of City data indicates the potential existence of wetlands on the subject site and as such, based upon the city's geographic information data, the Planning and Development Department has determined the general location, type(s), size, quality and functional value of all wetlands located within the boundaries of the application site. Based on the information noted below, the proposed rezoning may be consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

Wetlands Characteristics:

Approximate Size: 1.4 acres

General Location(s): The northern portion of the property

Quality/Functional Value: The wetland has a low functional value for water filtration attenuation and flood water storage capacity due to its isolation and size. In addition the wetland has no clear or significant impact on the City's waterways.

Soil Types/ Characteristics: (38) Mascotte Fine Sand: poorly drains, (51) Pelham Fine Sand: poorly drained flats, (63) Sapelo Fine Sand: poorly drained lower coastal plain, (66) Surrency Loamy Fine Sand: very poorly drained, depressional, (82) Pelham Fine Sand, depressional: very poorly drained

Wetland Category: Category III

Consistency of Permitted Uses: Uses permitted within Category III wetlands are subject to CCME Policies 4.1.3 and 4.1.6

Environmental Resource Permit (ERP): Not provided by applicant or on record with the St. Johns River Water Management District.

Wetlands Impact: Insufficient information to determine impacts.

Associated Impacts: No impacts.

Conservation/Coastal Management Element

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

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

- i Issuance of a Management and Storage of Surface Waters permit pursuant to Chapter 40C-4 or 40C-40, F.A.C. or a stormwater permit issued pursuant to Chapter 40C-42, F.A.C., provides assurances necessary for compliance with subsections (i) - (iv) above provided the stormwater management system is constructed in accordance with the permit; and
 - ii Regular monitoring and maintenance program on an annual basis for the performance of stormwater treatment systems
- (e) Septic tanks
Septic tanks, drainfields and/or greywater systems are located outside the Category I, II, or III wetland area and not within 75 feet of the mean high water line of tidal bodies or within 75 feet of any wetland unless the Duval County Health Department grants a variance for a hardship case pursuant

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

(f) Hydrology

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

CCME Policy 4.1.6

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

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

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

Best Management Practices: Silviculture

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

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

Best Management Practices: Agriculture
such activities are to be in compliance with Chapter 40C-44, F.A.C.

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

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on March 25, 2022, the required notices of public hearing signs were posted. Eighteen (18) 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 April 27, 2022. No members of the public were present.

CONSISTENCY EVALUATION

Consistency with 2030 Comprehensive Plan Goals, Objectives and Policies

Future Land Use Element (FLUE)

Development Area

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

- 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 1.1.5 The amount of land designated for future development should provide for a balance of uses that:
- A. Fosters vibrant, viable communities and economic development opportunities;
 - B. Addresses outdated development patterns;
 - C. Provides sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.
- Policy 1.1.21 Future amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population of the area and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business consistent with FLUE Policy 1.1.5. The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.

Policy 1.1.24 The City will encourage new development to locate in the Urban Core, Southwest, North, and Northwest planning districts through such measures as economic incentives, greater marketing assistance, etc.

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.

Property Rights Element

Goal 1 The City will recognize and respect judicially acknowledged and constitutionally protected private property rights in accordance with the Community Planning Act established in Chapter 163, Florida Statutes.

Objective 1.1 Local decision making shall be implemented and applied with sensitivity for private property rights and shall not be unduly restrictive.

Policy 1.1.1 The City will ensure that private property rights are considered in local decision making.

Policy 1.1.2 The following rights shall be considered in local decision making:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

According to the Category Descriptions of the Future Land Use Element (FLUE), LDR in the Suburban Development Area is intended to provide for low density residential development. Residential development is permitted at up to seven (7) dwelling units per acre where centralized water and sewer is available.

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. AGR-IV allows a density of 1 dwelling unit for every 2.5 acres.

The subject site is located on Webb Road within the Suburban Development Area, and is served by public water per the City of Jacksonville infrastructure Map. According to the map, there is a 6-inch water main within the Webb Road right-of-way adjacent to the application site. There is currently no sewer lines on this portion of Webb Road. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element. Therefore, the proposed amendment is consistent with FLUE Policy 1.2.9.

The amendment to AGR-IV results in a compatible land use for the area that will optimize the potential for economic benefits and will protect natural resources. The proposed land use will be consistent with the neighboring properties and will allow future residential use on the property. Therefore, the amendment is consistent with FLUE Goal 1 and Policies 1.1.5, 1.1.21, and 1.1.24.

The proposed amendment does not hinder the private property rights of the owner of record; has no impact on the right of the property owner to possess or control his or her interest in the property; maintains the owner's ability to use, maintain, develop and improve the property; protects the owner's right to privacy and security; and maintains the ability of the property owner to dispose of the property at their discretion. Therefore, the amendment is consistent with PRE Goal 1, Objective 1.1 and Policies 1.1.1 and 1.1.2.

Vision Plan

The subject property is located within the boundaries of the North Jacksonville shared Vision Plan (2003). This North vision plan was created to guide growth management decisions that appropriately utilizes North Jacksonville's assets to spur quality growth and economic development. The vision plan does not include a recommendation for this subject area, however the land use change to AGR-IV brings the property back to its original land use designation and will align the use with the future land use element.

Strategic Regional Policy Plan

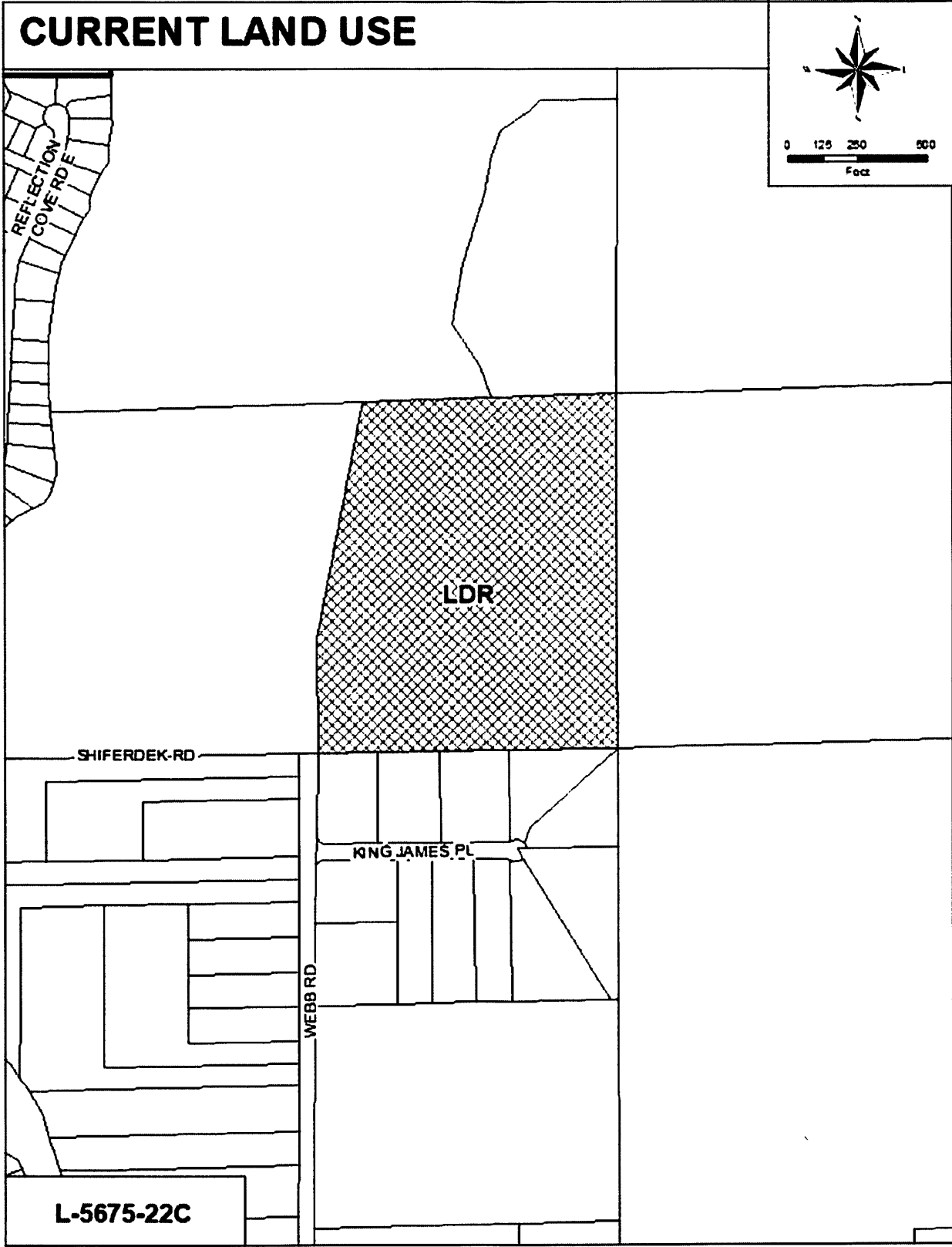
The proposed amendment is consistent with the following Policy of the Strategic Regional Policy Plan:

Objective: Integrated Planning: The link between land use, resources and mobility

Policy 4: The two regional support strategies identified by the Regional Community Institute are: Incentives to private landowners to maintain wise forestry practices and maintain ecosystem services on their lands and Maintenance of a diversity of land use in the region.

The land use amendment is consistent with this Strategic Regional Policy Plan, because the request is maintaining the existing ecosystem of the subject site by continuing the use of the land as a cow pasture.

LAND USE AMENDMENT CURRENT LAND USE MAP



LAND USE AMENDMENT SITE LAND UTILIZATION MAP

