



A NEW DAY.

# City of Jacksonville, Florida

*Donna Deegan, Mayor*

City Hall at St. James  
117 W. Duval St.  
Jacksonville, FL 32203  
(904) 630-CITY

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March 21, 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. 2024-144/Application No. L-5876-24C**

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 2024-144 on March 21, 2024.

P&DD Recommendation

APPROVE

PC Issues:

Sixteen (16) citizens provided comments regarding the proposed amendment, with all sixteen in opposition. The opposition expressed concerns about compatibility with the existing neighborhood, new traffic, the quality of the existing roadway, diminished privacy, drainage, crime, pedestrian safety and the potential for rentals.

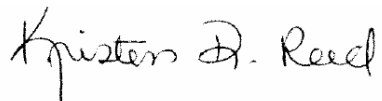
The Planning Commission discussion focused on the consistency with the character of the neighborhood, the traffic impacts, the opportunity for residential development, and the buffers provided from neighboring properties.

**PC Vote:** **7-1 APPROVE**

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

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

Sincerely,



**Kristen D. Reed, AICP**

***Chief of Community Planning Division***

City of Jacksonville - Planning and Development Department

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Jacksonville, FL 32202

(904) 255-7837

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

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

**Small-Scale Future Land Use Map Amendment – March 15, 2024**

**Ordinance/Application No.:** 2024-144 / L-5876-23C

**Property Location:** 12636 Ivylena Road, 12640 Ivylena Road, between Girvin Road and Southern Rose Drive

**Real Estate Number(s):** 162213 0000, 162213 0010

**Property Acreage:** 5.29 acres

**Planning District:** District 2, Greater Arlington/Beaches

**City Council District:** District 3

**Applicant:** Josh Cockrell

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

**Proposed Land Use:** Medium Density Residential (MDR) (5.22 acres), Conservation (CSV) (0.05 acres)

**Current Zoning:** Rural Residential-Acre (RR-Acre)

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

**Development Boundary:** Suburban Development Area

**RECOMMENDATION: APPROVE**

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

Developer plans to develop a private community consisting of fee-simple townhomes.

**BACKGROUND**

The 5.29-acre subject site is located along the south side of Ivylena Road, between Southern Rose Drive and Girvin Road, a collector roadway. The applicant is proposing a Future Land Use Map (FLUM) amendment from Low Density Residential (LDR) to Medium Density Residential (MDR) and Conservation (CSV) to allow for multi-family residential uses and to preserve an area of valuable wetlands on the site. The applicant is also proposing a companion rezoning from Rural Residential-Acre (RR-Acre) to Planned Unit Development (PUD), which is pending concurrently with this application, pursuant to Ordinance 2024-145.

North of the application site is single-family homes. East, west, and south of the site are single family homes.

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

North: Land Use: Medium Density Residential (MDR), Low Density Residential (LDR)  
 Zoning: Residential Medium Density-A (RMD-A), Residential Low Density-80 (RMD-80), Rural Residential-Acre (RR-Acre)  
 Property Use: Single family residential

South: Land Use: LDR  
 Zoning: Planned Unit Development (PUD), RR-Acre  
 Property Use: Single family residential

East: Land Use: LDR  
 Zoning: RR-Acre  
 Property Use: Single family residential

West: Land Use: LDR  
 Zoning: PUD  
 Property Use: 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-5876-23**

|  |                                       |                                       |
|--|---------------------------------------|---------------------------------------|
| <b>Development Analysis</b>                  | <b>5.29 acres</b>                     |                                       |
| Development Boundary                         | Suburban                              |                                       |
| Roadway Frontage Classification / State Road | Ivylena Rd – unclassified             |                                       |
| Plans and/or Studies                         | Greater Arlington/Beaches Vision Plan |                                       |
| Site Utilization                             | Current: Vacant, former plant nursery | Proposed: Fee-simple townhomes        |
| Land Use / Zoning                            | Current: LDR/RR-Acre                  | Proposed: MDR and CSV/PUD             |
| Development Standards for Impact Assessment  | Current: 5 DU/A                       | Proposed:<br>MDR: 15 DU/A<br>CSV: N/A |

| <b>Development Analysis</b>                          |   | <b>5.29 acres</b> |  |
|--|---|-------------------|--|
| Development Potential                                | Current: 26 DU  | Proposed: 78 DU   |  |
| Net Increase or Decrease in Maximum Density          | Increase of 52 DU   |                   |  |
| Net Increase or Decrease in Potential Floor Area     | N/A   |                   |  |
| Population Potential                                 | Current: 69   | Proposed: 183     |  |
| <b>Special Designation Areas</b>                     |   |                   |  |
| Aquatic Preserve                                     | No  |                   |  |
| Evacuation Zone                                      | Zone C  |                   |  |
| Airport Environment Zone                             | 150 Craig Executive   |                   |  |
| Industrial Preservation Area                         | No  |                   |  |
| Cultural Resources                                   | No  |                   |  |
| Archaeological Sensitivity                           | Mostly high, some medium  |                   |  |
| Historic District                                    | No  |                   |  |
| Coastal High Hazard                                  | No  |                   |  |
| 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                             | 327 net new daily trips   |                   |  |
| Potential Public School Impact                       | 18 new students   |                   |  |
| Water Provider                                       | JEA   |                   |  |
| Potential Water Impact                               | Increase of 10,944 gal/day  |                   |  |
| Sewer Provider                                       | JEA   |                   |  |
| Potential Sewer Impact                               | Increase of 8,208 gal/day   |                   |  |
| Potential Solid Waste Impact                         | Increase of 137.8 tons/year   |                   |  |
| Drainage Basin/Sub-basin                             | Downstream of Trout River/ Mount Pleasant Creek   |                   |  |
| Recreation and Parks                                 | Leonard Abess Park, south of property   |                   |  |
| Mass Transit Access                                  | No  |                   |  |
| <b>Natural Features</b>                              |   |                   |  |
| Elevations   | 23'-17'   |                   |  |
| Land Cover   | 2430: Ornamentals<br>6170: Mixed wetland hardwoods<br>1200: Residential, medium density   |                   |  |
| Soils  | 62 – Rutledge fine mucky sand<br>32 – Leon fine sand<br>22 – Evergreen-Wesconnett complex |                   |  |
| Flood Zones  | No  |                   |  |
| Wetlands   | Yes, 6170. Category II. See attached review.  |                   |  |
| 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 applicant has provided a JEA Availability Letter, dated April 17, 2023, as part of the companion rezoning application. According to the letter, there is an existing 8-inch water and an 8-inch gravity sewer force main along Ivylena Road.

Both the land use amendment application and the companion rezoning application indicate that the site will be served by JEA water and sewer. The MDR land use category requires connection to centralized JEA and water and sewer to develop multi-family dwellings.

### 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 to the JEA Collection Systems available within a five (5) year period.

### **Transportation:**

The subject site is 5.29 acres and is accessible from Ivylena Rd, a collector facility. The proposed land use amendment is located within the Suburban Development Area and Mobility Zone 2. The applicant proposes to change the existing land use from Low Density Residential (LDR) to Medium Density Residential (MDR) and Conservation (CSV).

**Comprehensive Plan Consistency:**

The Trip Generation Analysis is consistent with the 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 may result in 198 daily trips, depending on the scenario. If the land use is amended to allow for this proposed MDR/CSV development, this could result in 532 daily trips.

**Transportation Planning Division RECOMMENDS the following:**

The difference in daily trips for the proposed land use amendment will result in 327 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**

| Existing Land Use-Scenario | ITE Land Use Code | Potential Number of Units | Estimation Method | Gross Trips                      | Less Pass-By Trips | Daily Trips |
|----------------------------|-------------------|---------------------------|-------------------|----------------------------------|--------------------|-------------|
| LDR                        | 210               | 26 MF DUs                 | T = 9.43(X)       | 189                              | 0                  | 198         |
|                            |                   |                           |                   | <i>Existing Scenario</i>         |                    | <b>198</b>  |
| Proposed Land Use-Scenario | ITE Land Use Code | Potential Number of Units | Estimation Method | Gross Trips                      | Less Pass-By Trips | Daily Trips |
| MDR/CSV                    | 220               | 78 MF DUs                 | T = 6.74(X)       | 525                              | 0                  | 525         |
|                            |                   |                           |                   | <b>Proposed Scenario</b>         |                    | <b>525</b>  |
|                            |                   |                           |                   | <b>Difference in Daily Trips</b> |                    | <b>327</b>  |

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

**School Capacity**

The 5.29 acre proposed land use map amendment has a development potential of 78 dwelling units and 18 new students. 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:



Application Review Request: COJ PDD: School Impact Analysis  
 Proposed Name: L-5876-23C Ivylena Road  
 Requested By: Sam Roberts  
 Reviewed By: W. Randall Gallup  
 Due: 3/6/2024

Analysis based on maximum dwelling units: **29**

| School Type               | CSA <sup>1</sup> | CURRENT ENROLLMENT 20 Day Count (2023/24) | CURRENT UTILIZATION (%) | NEW STUDENT GENERATION <sup>2</sup> | 5-YEAR UTILIZATION (%) | AVAILABLE SEATS - CSA <sup>3</sup> | ADJACENT CSAs 3 & 4 AVAILABLE SEATS |
|---------------------------|------------------|---|-------------------------|-------------------------------------|------------------------|------------------------------------|-------------------------------------|
| Elementary                | 5                | 8,220                                     | 84%                     | 9                                   | 88%                    | 860                                | 2,252                               |
| Middle                    | 5                | 2,257                                     | 80%                     | 4                                   | 69%                    | 145                                | 953                                 |
| High                      | 5                | 7,617                                     | 98%                     | 5                                   | 92%                    | 334                                | 402                                 |
| <b>Total New Students</b> |                  |   |                         | <b>18</b>                           |                        |                                    |                                     |

**NOTES:**

<sup>1</sup> Proposed Development's Concurrency Service Area (CSA)

<sup>2</sup> Student Distribution Rate  
 ES-125  
 MS-051  
 HS-074

<sup>3</sup> Available CSA seats include current reservations

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

Objective 3.2           Adopted Level of Service (LOS) Standards  
Through the implementation of its concurrency management systems and in coordination with the DCPS, the City shall ensure that the capacity of schools is sufficient to support new residential developments at the adopted level of service (LOS) standards within the period covered in the five-year schedule of capital improvements and the long range planning period. These standards shall be consistent with the Interlocal Agreement agreed upon by the DCPS, the City and the other municipalities. Minor deviations to the LOS standards may occur, so long as they are limited, temporary and with scheduled capacity improvements, school capacity is maximized to the greatest extent feasible.

Policy 3.1.1           The LOS standards set forth herein shall be applied consistently for the purpose of implementing school concurrency, including determining whether sufficient school capacity exists to accommodate a particular development application, and determining the financial feasibility of DCPS Five-Year Capital Facilities Plan and the City’s Capital Improvement Plan.

**Archaeological Sensitivity**

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of high and medium 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**

The application site is located within the 150-foot Height and Hazard Zone for Craig Executive Airport. Zoning will limit development to a maximum height of 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).

### 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 2.6.16 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.

### **Wetlands**

Review of City data and a wetlands survey submitted by the applicant 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 the wetlands located within the boundaries of the application site. Based on the information noted below, the proposed amendment may be consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

Wetlands Characteristics:

Approximate Size: 0.05 of an acre

General Location(s): Wetlands are located along the eastern boundary and northeast corner of the property and is portion of a larger narrow wetland system that buffers Mt. Pleasant Creek that drains north into Tiger Pond Creek that eventually empties into the St. Johns River.

Quality/Functional Value:

The wetland has a high functional value for water filtration attenuation and flood water capacity and has a direct impact on the City's waterways.

Soil Types/

Characteristics:

(62) Rutlege mucky fine sand, 0 to 2% slopes, frequently flooded – The Rutlege series consists of nearly level, very poorly drained, sandy soils. They formed in thick sandy marine sediments. They are on flood plains. The soil is rapidly permeable. The high water table generally is at or near the surface, and areas are subject to frequent flooding for brief periods.

Wetland Category: Category II

Consistency of

Permitted Uses:

Any development within the wetlands must meet the performance standards in CCME policies 4.1.3 and 4.1.5 below.

Environmental Resource

Permit (ERP):

At present, no Environmental Resource Permit issued according to the St. Johns River Water Management District web site.

Wetlands Impact:

None is proposed. The companion Planned Unit Development (PUD) proposes a fifteen foot setback buffer and the wetlands will be placed into the Conservation (CSV) land use category for protection.

Associated Impacts: None.

Relevant Policies:

Conservation/Coastal Management Element

Policy 4.1.3

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

(1) Encroachment

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

(a) 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,
- ii. 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

(b) 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

(c) 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

(d) 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

(e) Hydrology

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

Policy 4.1.5 The permitted uses within Category I and II wetlands shall be limited to the following land uses and associated standards, provided such use is consistent with the Future Land Use Map series (FLUMs):

- (2) Conservation uses, provided the following standards are met:
  - (a) Dredge and fill  
Dredging or filling of the Category I and II wetlands shall not exceed more than 5% of the wetlands on-site; and
  - (b) Vegetation  
For Category I wetlands:  
All native vegetation outside the development area is maintained in its natural state.  
For Category II wetlands:  
No more than 10% of the aerial extent of the vegetation outside the development area may be altered or removed; and
- (3) Water-dependent and water-related uses, provided the following standards are met:
  - (a) Vegetation  
For Category I wetlands:  
All native vegetation outside the development area is maintained in its natural state.  
  
For Category II wetlands:  
No more than 10% of the aerial extent of the vegetation outside the development area may be altered or removed; and
  - (b) Boat facilities siting and operation  
Boat facilities are further subject to Objectives 10.1, 10.2, 10.3, 10.5 and 10.6 and their related policies of this element.
- (4) Access to a permitted use, subject to the requirements of (a), (b), and (f) as noted in the performance standards outlined in Policy 4.1.3 above.
- (5) Any use which can be shown to be clearly in the public interest, subject to the requirements of (a), (b), (d) and (f) as noted in the performance standards outlined in Policy 4.1.3 above.
- (6) For Category II wetlands only, silvicultural uses are allowed, provided the following standards are met:

**Best Management Practices: Silviculture**

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

## **PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on February 27, 2023, the required notices of public hearing signs were posted. Seventy-one (71) 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 March 4, 2024. 18 members of the public spoke in opposition to the amendment. Many were concerned about traffic, crime, flooding, and the difference between townhomes and single family homes.

## **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.   |
| 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 1.1.21 | 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. Foster vibrant, viable communities and economic development opportunities;
- B. Address outdated development patterns; and/or
- C. Provide 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 1.2.8

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 to the JEA Collection Systems available within a five (5) year period.

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 residents. 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 Comprehensive Plan and Land Development Regulations.

Policy 3.1.5 The City shall provide opportunities 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 3.1.12 The City shall, through Land Development Regulations and land use category descriptions, require higher density residential development and supporting commercial uses to locate on or near arterial or collector roads used for mass transit routes and in proximity to major employment areas in order to ensure the efficient use of land, public facilities, and services, and transportation corridors.

Coastal Conservation and Management Element (CCME)

Goal 4 To achieve no further net loss of the natural functions of the City's remaining wetlands, improve the quality of the City's wetlands resources over the long-term and improve the water quality and fish and wildlife values of wetlands.

Objective 4.1 The City shall protect and conserve the natural functions of its existing wetlands, including estuarine marshes. In order to achieve this objective and its associated policies, the City shall continue to work with the applicable regional, state and federal agencies charged with these regulatory responsibilities.

Housing Element (HE)

Policy 1.1.1 The City in its Land Development Regulations shall continue to provide incentives such as higher densities or special design considerations, to encourage the building of a wide variety of housing types, designs, and price ranges; and promote an equitable distribution of housing choices throughout the City.

Policy 1.1.3 The City's Planning and Development Department shall ensure that the Future Land Use Element shall include an adequate supply of land for various types of residential uses needed in the City and that the required infrastructure will be in place concurrent with the impact of proposed developments.

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), Low Density Residential (LDR) is a category intended to provide for low density residential development. Generally, single-family detached housing should be the predominant development typology in this category, at up to 7 dwelling units per acre. Multi-family dwellings are permitted in this category provided that the development is connected to both JEA water and sewer. Mixed use developments utilizing the Traditional Neighborhood Development (TND) concept, which is predominantly residential but includes a broad mixture of secondary recreational, commercial, public facilities and services may also be permitted. New residential subdivisions in LDR should be designed in such a way as to reduce the number of Vehicles Miles Traveled, and cul-de-sacs should be avoided.

Medium Density Residential (MDR) is a category intended to provide compact medium to high density residential development and transitional uses between low density residential uses and higher density residential uses, commercial uses and public and semi-public use areas. Multi-family housing such as apartments, condominiums, townhomes and rowhouses should be the predominant development typologies in this category. MDR in the Suburban Development Area permits residential densities at a minimum of 7 units per acre and up to 20 units per acre.

The proposed amendment from LDR to MDR is a logical extension of the adjacent MDR land use from the northeast and will result in infill development in an area that is served by full urban services. Amendment of the site would add diversity to the existing single-family housing stock of the area. The site is also located approximately one third of a mile north of Leonard Abess Elementary School, and less than three-quarters of a mile northeast of Landmark Middle School. The site is located along Ivylena Road, an unclassified roadway, but is less than one-tenth of a mile away from Girvin Road, a collector roadway. Therefore, the amendment is consistent with the FLUE Goals 1 and 3, Objective 1.1, and Policies, 1.1.21, 1.1.22, 3.1.5, and 3.1.12, and HE Policies 1.1.1 and 1.1.3.

There are wetlands present on the site and review of the site plans indicate that the wetland areas will be placed into the Conservation (CSV) land use category and will not be developed. Therefore, the amendment is consistent with CCME Goal 4 and Objective 4.1.

The applicant has provided a JEA Availability Letter, dated April 17, 2023, as part of the companion rezoning application. According to the letter, there is an existing 8-inch water and an 8-inch gravity sewer force main along Ivylena Road. Therefore, FLUE Policy 1.2.8 is satisfied.

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 Greater Arlington/Beaches Vision Plan. While the plan does not provide specific recommendations for the subject site, redevelopment of the site supports Principle 2.1 of promoting greater density and diversity of land uses. Therefore, the proposed application is consistent with the goals outlined in the Greater Arlington/Beaches Vision Plan.

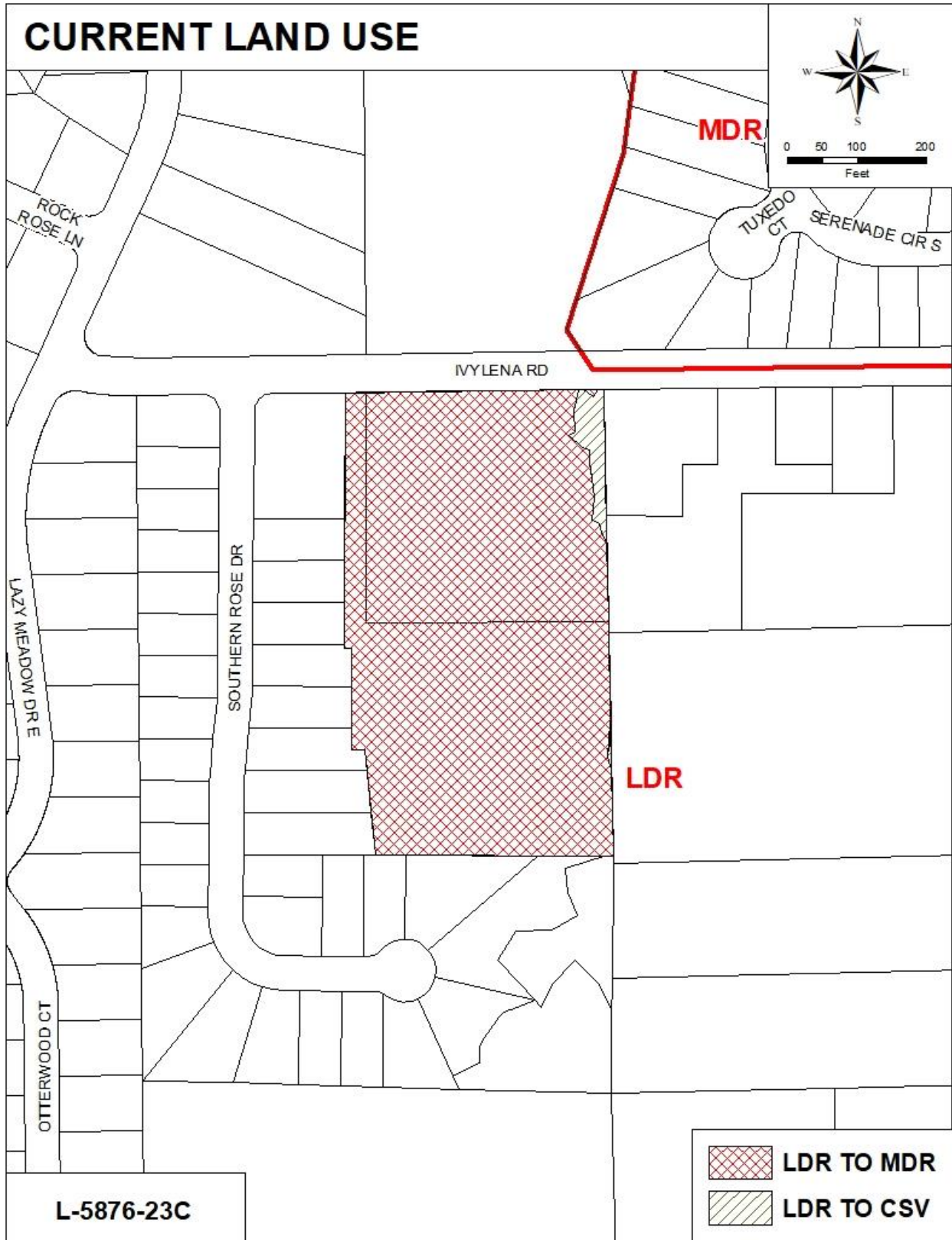
### **Strategic Regional Policy Plan**

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

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

The proposed land use amendment would increase opportunities for residential development, providing a wider range of housing in the northeast Florida region and create a location for the development of new housing stock for the area. Therefore, the proposed amendment is consistent with the Strategic Regional Policy Plan.

# CURRENT LAND USE MAP



# LAND UTILIZATION MAP

