

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
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July 22, 2021

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

RE: Planning Commission Advisory Report / Ordinance No. 2021-343/Application No. L-5550-22C

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 **DENIED** Ordinance 2021-343 on July 22, 2021.

P&DD Recommendation

DENY

PC Issues:

There were no members of the public present to speak on the amendment. However, the Planning Commission expressed concerns about the compatibility of the amendment with the surrounding single-family residential neighborhood, the intrusion created by a commercial RV park, questions regarding permit approvals for the RV park and electrical hook-ups, the use of the RV park for residences as opposed to recreational uses, and the use of private well and septic systems.

PC Vote:

6-0 APPROVE DENIAL

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

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
REVISED July 23, 2021

Ordinance/Application No.: 2021-343 / L-5550-21C
Property Location: 8359 Walden Road East
Real Estate Number(s): 016068 0000
Property Acreage: 2.27 acres
Planning District: District 4, Southwest
City Council District: District 12
Applicant: Amie Rainbolt
Current Land Use: Low Density Residential (LDR)
Proposed Land Use: Recreation and Open Space (ROS)
Current Zoning: Residential Rural - Acre (RR-Acre)
Proposed Zoning: Planned Unit Development (PUD)
Development Boundary: Suburban Area

RECOMMENDATION: **DENY**

APPLICANT'S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

Every parcel in Jacksonville has two designations, a land use category and a zoning district. An RV Park is only allowed in the Community General Commercial (CGC) and Recreation and Open Space (ROS) land use categories. You completed the application to change the zoning but, now you must complete another application to change the land use category.

BACKGROUND

The 2.27 acre subject site currently contains a single family residence and a guest house and is located along the north side of Walden Road between Pilgrims Trace Drive, both local roads, and Shindler Road, a collector road. The applicant is proposing a Future Land Use Map (FLUM) amendment from Low Density Residential (LDR) to Recreation and Open Space (ROS) to allow for the use of the site as a commercial RV Park. The applicant

is also proposing a companion rezoning from Residential Rural - Acre (RR-Acre) to Planned Unit Development (PUD) which is pending concurrently with this amendment, pursuant to Ordinance 2021-344.

Directly abutting the subject site to the west is the Rainbow Riders Saddle Club, an equestrian facility. This equestrian facility appears to pre-date the City’s consolidation and is therefore considered a legal non-conforming use. The majority of the area surrounding the subject site is single family residential.

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

North: Land Use: LDR
 Zoning: RR-Acre
 Property Use: Single family residential, Equestrian club

South: Land Use: LDR
 Zoning: RLD-60, RR-Acre
 Property Use: Single family residential

East: Land Use: LDR
 Zoning: RLD-60, RLD-90, RR-Acre
 Property Use: Single family residential

West: Land Use: LDR
 Zoning: RR-Acre
 Property Use: Equestrian club, 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.

Impact Assessment Baseline Review

Development Analysis		
Development Boundary	Suburban Area	
Roadway Frontage Classification / State Road	Walden Road- local	
Plans and/or Studies	Southwest Vision Plan	
Site Utilization	Current: Residential	Proposed: RV Park
Land Use / Zoning	Current:	Proposed:

Development Analysis		
	LDR/RR-Acre	ROS/PUD
Development Standards for Impact Assessment	Current: 5 DU/acre	Proposed: 0.15 FAR
Development Potential	Current: 11 DUs	Proposed: 14,832 Sq. Ft.
Net Increase/Decrease in Maximum Density	Decrease of 11 DUs	
Net Increase/Decrease in Potential Floor Area	Increase of 14,832 Sq. Ft.	
Population Potential	Current: 29 people	Proposed: Not applicable
Special Designation Areas		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	500' – Cecil Airport	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	Low and high	
Historic District	No	
Coastal High Hazard/Adaptation Action Area	No	
Groundwater Aquifer Recharge Area	0-4 inches	
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	Not applicable	
Water Provider	JEA	
Potential Water Impact	Decrease of 1,885 gallons per day	
Sewer Provider	JEA	
Potential Sewer Impact	Decrease of 1,414 gallons per day	
Potential Solid Waste Impact	Decrease of 4 tons per year	
Drainage Basin/Sub-basin	Ortega River / Unnamed Branch	
Recreation and Parks	McGirts Creek Park Expansion	
Mass Transit Access	No	

Development Analysis	
Natural Features	
Elevations	54-57 feet
Land Cover	1100: Residential Low Density
Soils	14;71;58
Flood Zones	No
Wetlands	No
Wildlife (applicable to sites greater than 50 acres)	Not applicable

Utility Capacity

The calculations to determine the water and sewer flows contained in this report and/or this spreadsheet have been established by the City of Jacksonville Planning and Development Department and have been adopted by JEA solely for 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).

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, which is on file with the Department, and determined that the proposed amendment will result in no increase of 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 6.

Subject site is accessible via Walden Road, a local facility. The proposed ROS development will have zero net new trips and will not have any significant impacts on the external roadway network.

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low 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 Cecil Airport. Zoning will limit development to a maximum height of less than 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.

Aquifer Recharge

The site is located within an area identified as being in the 0 to 4 inch per year aquifer recharge area. This range is below the threshold of 12 inches or more per year which would constitute a prime recharge area as defined in the Infrastructure Element – Aquifer Recharge Sub-Element (IE-AR). Prime aquifer recharge areas are the primary focus of groundwater resource protections. However, development resulting from the proposed land use amendment will be reviewed during the site plan review and permitting process for compliance with the land development regulations that have been established to protect groundwater resources. Such regulations address issues such as drainage systems, septic systems, and landscape/irrigation regulations.

Infrastructure Element – Aquifer Recharge Sub-Element (IE-AR)

Policy 1.2.8 Within two years of establishment by the SJRWMD and the Water Resources Management Plan of prime recharge areas for the Floridian Aquifer, the Planning and Development Department shall prepare maps of such designated areas showing the special zoning and land use consideration the City has established for such areas as designated by the latest update of the Floridian Aquifer Recharge GIS grid coverage.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on June 23, 2021, the required notices of public hearing signs were posted. Fifty-one (51) 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 June 14, 2021. One members of the public attended in opposition of the proposed amendment and shared concerns regarding the commercial nature of the proposed use in a residential area.

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.

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.

Policy 3.2.1 The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

Policy 3.2.4 The City shall permit expansion of commercial uses adjacent to residential areas only if such expansion maintains the existing residential character, does not encourage through traffic into adjacent residential neighborhoods, and meets design criteria set forth in the Land Development Regulations.

Pending Property Rights Element (Ordinance 2021-334)

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 FLUE, the Low Density Residential (LDR) land use designation in the Suburban Development Area is intended to provide for low density residential development of up to seven dwelling units per acre. The principal uses is single-family homes.

Recreation and Open Space (ROS) is primarily intended for outdoor recreation. Principal uses include: Parks, Playgrounds; Golf courses; Driving ranges; Marinas; Fairgrounds and spectator sports facilities in public and private ownership; carbon sinks; Pastoral open space managed by the Parks, Recreation and Community Services Department is also included. Travel trailer parks are considered a secondary use in the ROS land use category.

The area surrounding the subject site is developed with single-family residential in the LDR land use category. The only exception to this development pattern is the legal-nonconforming equestrian center to the west of the amendment site that is also located within the LDR land use category. The proposed amendment, as indicated by the companion Planned Unit Development (PUD) rezoning, is intended to permit development of a commercial RV/travel trailer campground in the middle of the LDR designated residential area. While permitted within the ROS land use category, the proposed use of an RV/travel trailer park can be considered commercial in nature and would result in an incompatible land use pattern within a predominately residential area and would add non-residential traffic into a single-family area and onto Walden Road, a residential serving road. Therefore the proposed amendment is inconsistent with Goals 1 and 3, and Policies 3.2.1 and 3.2.4 of the FLUE.

The proposed small scale amendment would have a negligible impact on the amount of ROS and LDR designated land throughout the City. Thus, the proposed amendment is consistent with FLUE Policies 1.1.5 and 1.1.21.

Both the existing and proposed land use designation maintain the private property rights of the owner of record; have 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, private property rights, as identified in PRE Goal 1, Objective 1.1 and Policies 1.1.1 and 1.1.2, are not impacted under either land use category.

Vision Plan

The subject property is located within the boundaries of the *Southwest Jacksonville Vision Plan*. While the vision plan does not make any specific recommendations for the subject site, Theme 2, Option 3 encourages the protection of the character of existing corridors. The proposed use of the site an RV park is a commercial use that would be inconsistent with the existing character of the residential community surrounding Walden Road, and is therefore inconsistent with the Southwest Jacksonville Vision Plan.

Strategic Regional Policy Plan

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

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

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

LAND USE AMENDMENT
FIELD / LOCATION / CURRENT LAND USE MAP

