



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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January 18, 2024

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

**RE: Planning Commission Advisory Report / Ordinance No. 2023-848/Application No. L-5825-23A**

Dear Honorable Council President Salem, Honorable Council Member and LUZ Chairman Carrico and Honorable Members of the City Council:

Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **APPROVED** Ordinance 2023-848 on January 18, 2024.

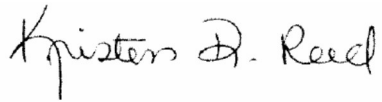
P&DD Recommendation	APPROVE
PC Issues:	None
<b>PC Vote:</b>	<b>7-0 APPROVE</b>

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

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

Planning Commission Report  
January 18, 2024  
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Sincerely,

A handwritten signature in black ink that reads "Kristen D. Reed". The signature is written in a cursive style with a large initial 'K' and a distinct 'D'.

**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**

**Large-Scale Future Land Use Map Amendment – January 12, 2024**

<b>Ordinance/Application No.:</b>	<b>2023-848/ L-5825-23A</b>
<b>Property Location:</b>	0 Arnold Road, between Arnold Road and Lannie Road
<b>Real Estate Number(s):</b>	019608 0050
<b>Property Acreage:</b>	200 Acres
<b>Planning District:</b>	District 6, North
<b>City Council District:</b>	District 8
<b>Applicant:</b>	Paul Harden, Esquire
<b>Current Land Use:</b>	Agriculture (AGR)
<b>Proposed Land Use:</b>	Light Industrial (LI) - 180.7 Acres and Conservation (CSV) - 19.30 acres
<b>Development Boundary:</b>	Rural Development Area
<b>Proposed Development Boundary:</b>	Suburban Development Area
<b>Current Zoning:</b>	Agriculture (AGR)
<b>Proposed Zoning:</b>	Industrial Light (IL) - 180.7 Acres and Conservation (CSV) - 19.30 acres
<b>Recommendation:</b>	<b>APPROVE</b>

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

To develop consistent with adjoining industrial lands.

**BACKGROUND**

The 200-acre subject site is located north of Arnold Road, between Arnold Road and Lannie Road. According to the City’s Functional Highways Classification Map, this segment of Arnold Road is an unclassified private road.

The subject site currently includes undeveloped land. The applicant seeks an amendment to the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan from Agriculture (AGR) in the Rural Development Area to Light Industrial (LI) and Conservation (CSV) in the Suburban Development Area to allow for industrial and conservation uses. While the subject property is located within the Rural Development Area, it is surrounded on three sides by land in the Suburban Development Area.

The adoption round of this land use application includes a companion zoning application from AGR to IL pursuant to Ordinance 2023-849.

The 1,013-acre Light Industrial (LI) land use category abutting the subject site to the southwest was changed from AGR-II, AGR-III and AGR-IV to LI with Ordinance 2009-0152-E. Additionally, on the south side of Arnold Road there were three land use amendments that were changed to Light Industrial. Ordinance 2009-0150-E, changed 134.99 acres from AGR-III to LI and a neighboring 327.83 acre property was changed from AGR-II, AGR-III, AGR-IV and Public Buildings and Facilities (PBF) to LI with Ordinance 2009-0146-E. Ordinance 2020-0172-E changed a 6.30 acre parcel from AGR-IV to IL. Light Industrial is one of the prominent land uses surrounding the amendment site. More specific uses along with the zoning and land use categories are listed below.

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

North: Land Use: Multi-Use (MU) for the Palmetto Bay Regional Activity Center (RAC) and Recreation and Open Space (ROS)  
Zoning: Planned Unit Development (PUD) and Recreation and Open Space (ROS)  
Property Use: Undeveloped Land, Single-Family Residential (Property was previously AGR, Ord. 2009-0148-E changed it to MU), Thomas Creek Preserve & Fish Camp

South: Land Use: Low Density Residential (LDR), Light Industrial (LI), Agriculture (AGR)  
Zoning: PUD, Agriculture (AGR), and Industrial Light (IL)  
Property Use: Undeveloped Land and Single-Family Residential

East: Land Use: LDR and MU for the Palmetto Bay RAC  
Zoning: PUD  
Property Use: Undeveloped Land and Seaton Creek Historic Preserve

West: Land Use: AGR, ROS, and LI  
Zoning: AGR, PUD, and ROS  
Property Use: Single-Family Residential, Undeveloped Land, Thomas Creek Preserve & Fish Camp

## **IMPACT ASSESSMENT**

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

### **Impact Assessment Baseline Review**

<b>Development Analysis</b>	<b>Current:</b>	<b>Proposed:</b>
Development Boundary	Rural Area	Suburban Area
Roadway Frontage Classification / State Road	Unclassified private road	
Plans and/or Studies	North Jacksonville Vision Plan	
Site Utilization	Current: Undeveloped	Proposed: Industrial Uses and Conservation
Land Use / Zoning	Current: AGR/AGR	Proposed: LI & CSV/IL & CSV
Development Standards for Impact Assessment	Current: 1 Unit/2.5 acres	Proposed: LI: 0.4 FAR CSV: No Impacts
Development Potential	Current: 80 Dwelling Units	Proposed: 3,148,516.8 sq. ft. of LI uses
Net Increase or Decrease in Maximum Density	Decrease of 80 DUs	
Net Increase or Decrease in Potential Floor Area	Increase of 3,148,516.8 sq. ft. of LI uses	
Population Potential	Current: 212 People	Proposed: N/A
<b>Special Designation Areas</b>		
Aquatic Preserve	No	
Evacuation Zone	Zone C	
Airport Environment Zone	150' Height Restriction Zone for Jacksonville International Airport	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	Low	
Historic District	No	
Coastal High Hazard	No	
Adaptation Action Area	Yes	
Groundwater Aquifer Recharge Area	Discharge	

<b>Development Analysis</b>	<b>Current:</b>	<b>Proposed:</b>
Wellhead Protection Zone	No	
Boat Facility Siting Zone	No	
Brownfield	No	
<b>Public Facilities</b>		
Potential Roadway Impact	Increase of 14,579 net new daily trips	
Potential Public School Impact	N/A	
Water Provider	JEA	
Potential Water Impact	Increase of 92,696 gpd	
Sewer Provider	JEA	
Potential Sewer Impact	Increase of 69,522 gpd	
Potential Solid Waste Impact	Increase of 9,552 tpy	
Drainage Basin/Sub-basin	Nassau River/Unnamed Branch	
Recreation and Parks	Seaton Creek Historic Preserve, Thomas Creek Preserve & Fish Camp	
Mass Transit Access	N/A	
<b>Natural Features</b>		
Elevations	5 to 16 feet above mean sea level	
Land Cover	3300: Mixed upland nonforested, 6170: Mixed wetland hardwoods, 6210: Cypress, 6250: Hydric pine flatwoods, 6300: Wetland forested mixed, 7410: Rural land in transition without positive indicators of intended activity	
Soils	66: Surrency Loamy Fine Sand, Depressional, 67 Surrency Loamy fine sand, 78: Yonges Fine Sand Loam, 79: Yulee Clay, 82: Pelham fine sand	
Flood Zones	0.2 PCT Annual Chance Flood Hazard, AE, and AE-Floodway	
Wetlands	Category II & III	
Wildlife (applicable to sites greater than 50 acres)	Yes – Wildlife and habitat assessment provided by the applicant. No listed species observed.	

**Utility Capacity**

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

A JEA letter of availability dated May 10, 2023, was provided with the application. JEA does not have a water main or a sewer main within ¼ mile of this property at this time. According to the application, the applicant has indicated that JEA central services will be utilized for the site.

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

### Future Land Use Element

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

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

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

### **Transportation**

The subject site is 200 acres and is accessible from Arnold Rd, a minor arterial facility. The proposed land use amendment is located within the Rural Development Area and Mobility Zone 4. The applicant proposes to change the existing land use from AGR to Light Industrial (LI) and Conservation (CSV) along with an extension of the Suburban Development Area to include the site.

**Comprehensive Plan Consistency:**

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

Transportation Element

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

Objective 2.4 The City shall coordinate the mobility circulation system with the future land uses shown on the Future Land Use Map series in order to ensure that roads, road improvements and other mobility alternative improvements are provided as necessary to support development in an economically efficient and environmentally sound manner.

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

**Trip Generation Estimation:**

Table A provides the daily trip generation comparison between the current and proposed comprehensive plan land uses and the potential transportation impacts on the roadway network. The current land use would result in 754 daily trips. If the land use is amended to allow for this proposed LI development, this will result in 15,333 daily trips.

**Transportation Planning Division RECOMMENDS the following:**

The difference in daily trips for the proposed land use amendment will result in 14,579 net new daily trips when compared to the existing land use. The Transportation Planning Division recommends ongoing coordinating efforts with the City of Jacksonville Traffic Engineer to determine if a traffic operational analysis is needed.

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

Current Land Use Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
AGR	210	80 SF DUs	T = 9.43 (X)	754	0	754
				<i>Existing Scenario Total</i>		<b>754</b>
Proposed Land Use Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
LI	110	3,148,516 SF	T = 4.87(X) / 1000	15,333	0	15,333
				<i>Proposed Scenario Total</i>		<b>15,333</b>
<b>Proposed Net New Daily Total</b>						<b>14,579</b>

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



### **Archaeological Sensitivity**

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low sensitivity for the presence of archaeological resources. 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 site is located within the 150-foot Height and Hazard Zone for the Jacksonville International Airport. Zoning will limit development to a maximum height of less than 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.

### **Wildlife**

The applicant submitted a listed wildlife and habitat assessment report of the subject site for the Lauren Street and Kite Property, dated June 15, 2022, which includes the land use amendment (L-5825-A) application site. The report is on file with the Planning and Development Department. The assessment report is an evaluation of the property to identify on-site habitats and vegetative communities and to identify and document the presence of state or federally protected wildlife species occurring on-site. According to the report, no state or federally listed wildlife species were identified during the on-site assessment of the property. If USACE, SJRWMD, FDEP and/or local government permits are required for the project, USFWS and/or FWC may be notified and allowed to comment on listed species with the potential to occur on the subject property. During this comment period, additional information may be requested from the applicant to document whether the project proposes to impact any potentially occurring listed wildlife species. This request for additional information may take the form of informal correspondence or formal consultation. The species that are more likely to trigger a request for additional information will depend on the nature of the work being proposed and may include, but are not limited to, gopher tortoise, eastern indigo snake, wood stork and the frosted flatwoods salamander.

### **Conservation Coastal Management Element**

Excerpt from

Policy 3.6.5

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

### **Wetlands**

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

Wetlands classified as Category II are proposed for protection under the CSV land use category.

Wetlands Characteristics:

Approximate Size: 16.98 acres of Category II Wetlands (proposed for CSV land use); and  
67.60 acres of Category III Wetlands (proposed for LI land use)

General Location(s): Category II wetlands (16.98 acres) are located at the southeast border of the application site and is associated with the AE-Floodway of Houston Creek and are proposed to be protected under the CSV land use category. The Category III wetlands (67.60 acres) are scattered throughout the rest of the property.

Quality/Functional Value: The Category II wetlands have an extremely high functional value for water filtration attenuation and flood water capacity, are located within the 100-year AE floodway zone and have a direct impact on the City's waterways.

The Category III wetlands have a medium to high functional value for water filtration attenuation and stormwater capacity. Some of these wetlands are located in isolated pockets and not associated with flood zones. Some wetlands are in the AE Flood Zone and the 0.2 Percent Flood Hazard Area associated with the wetlands of Houston Creek but have an indirect impact to the City's waterways. The soils of these wetlands are depressional and, if flooded, the floodwaters do not drain back into the creek but dissipate by percolation into the soil and high-water table.

A small portion of the Category III wetlands is a Cypress Swamp (0.80 of an acre), and is located in the center of the property and is unique to the other wetlands because of the vegetation and is a natural stormwater retention basin due to its topography. Because of that and its high water filtration attenuation, the cypress swamp has a high functional value.

Soil Types/  
Characteristics: Category II Soils  
(67) Surrency Loamy fine sand - The Surrency series consists of nearly level, very poorly drained soils. These soils formed in thick sandy and loamy marine sediments. The soils are moderately permeable moderately slowly permeable. In

areas flood plains. The high water table generally is at or above the soil surface and is subject to frequent flooding for long periods.

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

#### Category III Soils

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

(78) Yonges fine sandy loam – the Yonges series consists of nearly level poorly drained soils. The soils are slowly permeable and occur on low-lying areas of coastal plain and formed in loamy marine sediments. The high water table is at a depth of 10 inches for 2 to 6 months during most years.

(82) Pelham fine sand, depressional – The Pelham series consists of nearly level, poorly drained soils. These soils are formed in marine deposits of sandy and loamy sediments. The soil is moderately permeable and moderately slowly permeable. They are located in broad flatwood areas and the high water table is at a depth of 10 inches for 2 to four months of the year and 10 to 20 inches for 4 months or longer periods.

Wetland Category: Category II and III

Consistency of Permitted Uses: Category II Wetlands: Uses permitted subject to the limitations of CCME Policy 4.1.5 shown below – conservation uses permitted. The Category II wetlands are proposed for CSV land use consistent with CCME Policy 4.1.5.  
Category III Wetlands: All uses subject to CCME Policy 4.1.6. The proposed uses are consistent with CCME Policy 4.1.6, subject to mitigation requirements.

Environmental Resource Permit (ERP): Not provided by the applicant.

Wetlands Impact: Category II wetlands are proposed for protection under the CSV land use category. Insufficient information has been provided to determine impacts to the Category III wetlands.

Associated Impacts: The Category II wetland area coincides with the AE-floodway and the Adaptation Action Area (AAA). Some of the Category III wetlands are associated with the AE Flood Zone and the 0.2 Percent Chance Hazard Area and the Adaptation Action Area (AAA) while others are not.

Relevant Policies: CCME Policies 4.1.3, 4.1.5 and 4.1.6

**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:

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

- i Issuance of a Management and Storage of Surface Waters permit pursuant to Chapter 40C-4 or 40C-40, F.A.C. or a stormwater permit issued pursuant to Chapter 40C-42, F.A.C., provides assurances necessary for compliance with subsections (i) - (iv) above provided the stormwater management system is constructed in accordance with the permit; and
  - ii Regular monitoring and maintenance program on an annual basis for the performance of stormwater treatment systems
- (e) Septic tanks  
Septic tanks, drainfields and/or greywater systems are located outside the Category I, II, or III wetland area and not within 75 feet of the mean high water line of tidal bodies or within 75 feet of any wetland unless the Duval County Health Department grants a variance for a hardship case pursuant to the provisions of Section 381.0065, F.S. Where public utilities are available, development is required to connect to these facilities; and
- (f) Hydrology  
The design of the fill shall include measures to maintain the wetlands hydrology of the site.

**Conservation /Coastal Management Element 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):

- (1) 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 arial extent of the vegetation outside the development area may be altered or removed; and

- (2) Residential uses, provided the following standards are met:

- (a) Density/Dredge and fill

Where lots, except for lots of record as defined in the Future Land Use

Element, are located totally within the wetlands:

- i density shall not exceed one (1) dwelling unit per five (5) acres; and
- ii buildings shall be clustered together to the maximum extent practicable; and
- iii dredging or filling shall not exceed 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 arial 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 arial 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.

**Conservation /Coastal Management Element 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.

**Flood Zones**

Approximately 16.27 acres of the subject site is within the AE-Floodway, 24.53 acres is within the AE Flood Zone and 21.07 acres is located in the 0.2 Percent Chance Annual Hazard Area. Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). FEMA defines the various flooding characteristics of different lands based on a 100-year storm. The 100-year storm or Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. This does not mean that a storm of this type will happen every 100 years. There is a 1-percent chance that a storm of this magnitude will occur in any given year.



The AE-Floodway are areas within the 100-year floodplain or SFHA where flood insurance is mandatory if construction is allowed within the floodway. Areas located within AE Floodway zones should be left intact as construction and filling within these areas is severely restricted. The AE-Floodway, along with a 25 foot wide buffer, is proposed for protection under the CSV land use category.

The AE Flood Zone are areas within the 100-year floodplain or SFHA where flood insurance is mandatory.

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

Development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

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

Policy 2.6.1 The City shall continue to define the surface hydrology of the area to determine flood plain vulnerability and sensitivity and will determine appropriate protection measures.

Policy 2.6.3 The City shall protect appropriate floodplain areas for the public benefit and restore degraded floodplain areas by:

- A. Land acquisition or conservation easement acquisition;
- B. Regulation, including setbacks, buffer zones, designated wildlife corridors, low density zoning, performance standards and open space requirements; and
- C. Incentives, including tax benefits and transfer of development rights.

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

- A. Minimize unnecessary disruption of commerce, access and public service during times of flooding;
- B. Require the use of construction practices that will prevent or minimize future flood damage;
- C. Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and

other development which may increase flood damage or erosion potential;

- D. Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
- E. Minimize damage to public and private facilities and utilities;
- F. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;
- G. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and
- H. Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.

### **Adaptation Action Area (AAA)**

Approximately 67.20 acres of the amendment site is located within the AAA. The AAA boundary is a designation in the City's 2045 Comprehensive Plan which identifies areas that experience coastal flooding due to extreme high tides and storm surge, and that is vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure needs and adaptation planning. The AAA is defined as those areas within the projected limit of the Category 3 storm surge zone, those connected areas of the 100-year and 500-year Flood Zone, and additional areas determined through detailed flood analysis.

The applicant is encouraged to consider site design measures, such as clustering development away from the AAA, to protect development from the impacts of flooding.

### Conservation/Coastal Management Element

Policy 13.1.2 The City shall recognize existing regulations, programs and policies that overlap with the AAA and that are currently in place to limit public investment and address appropriate development and redevelopment practices related to flooding. These regulations, programs and policies include but are not limited to the floodplain management ordinance, CHHA policies, the Local Mitigation Strategy and the Post Disaster Redevelopment Plan and shall only be applied in cases where such regulation would otherwise apply to a development or redevelopment project.

Policy 13.3.1 The City shall consider the implications of the AAA when reviewing changes to the use, intensity and density of land lying within the AAA.

Policy 13.3.6 In order to guide development away from the Adaptation Action Area (AAA) towards areas that are already high, dry, and connected, the Planning and Development Department shall explore the feasibility of offering density bonuses, transfers of development rights, clustering development entitlements, or other strategies to limit new development within the AAA or environmentally sensitive or special flood hazard areas, or as an incentive for a development's use of low impact development stormwater solutions.

## **PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on August 11, 2023, the required notices of public hearing signs were posted. Eleven (11) 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 August 14, 2023. No members of the public were present to speak on the proposed amendment.

## **CONSISTENCY EVALUATION**

### **Consistency with 2045 Comprehensive Plan Goals, Objectives and Policies**

#### **Future Land Use Element (FLUE)**

##### *Development Area*

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

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

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

Policy 1.1.3 The Development Areas should be reviewed for expansion during updates to the Comprehensive Plan planning timeframe and during updates to the mobility system. In addition, because the development capacity of the Future Land Use map fluctuates with time, Development Areas will be periodically reevaluated as part of the Plan review and amendment process.

Policy 1.1.7 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

Policy 1.1.19 Expansion of the Development Areas shall result in development that would be compatible with its surroundings. When considering land areas to add to the Development Areas, after demonstrating that a need exists in accordance with FLUE Policy 1.1.21, inclusion of the following areas is discouraged:

1. Preservation Project Lands
2. Conservation Lands
3. Agricultural Lands, except when development proposals include Master Planned Communities or developments within the Multi-Use Future Land Use Category, as defined in this element

The following areas are deemed generally appropriate for inclusion in development Areas subject to conformance with Policy 1.1.21:

1. Land contiguous with the Development Area and which would be a logical extension of an existing urban scale and/or has a functional relationship to development within the Development Area.
2. Locations within one mile of a planned node with urban development characteristics.
3. Locations within one-half mile of the existing or planned JTA premium transit station.

4. Locations having projected surplus service capacity where necessary facilities and services can be readily extended.
5. Public water and sewer service exists within one-half mile of the site.
6. Large Scale Multi-Use developments and Master Planned Communities which are designed to provide for the internal capture of daily trips for work, shopping and recreational activities.
7. Low density residential development at locations up to three miles from the inward boundary of the preservation project lands. Inward is measured from that part of the preservation project lands closest to the existing Suburban Area such that the preservation lands serves to separate suburban from rural. The development shall be a logical extension of residential growth, which furthers the intent of the Preservation Project to provide passive recreation and low intensity land use buffers around protected areas. Such sites should be located within one-half mile of existing water and sewer, or within JEA plans for expansion.

Policy 1.1.21 Rezoning and amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business with the intent that this balance of uses shall:

- A. Fosters vibrant, viable communities and economic development opportunities;
- B. Addresses outdated development patterns;
- C. Provides sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.

The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site

limitations, and the likelihood of furthering growth management and mobility goals.

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

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

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

Policy 1.5.10        In accordance with the Conservation/Coastal Management Element, the City shall encourage environmentally sensitive areas to be placed in a Conservation land use category, Conservation zoning district, and/or conservation easement.

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

#### Property Rights Element (PRE)

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

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

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

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

Conservation lands are areas with valuable environmental resources, such as sensitive vegetation, high value habitat, wetlands, high aquifer recharge potential, carbon sinks and unique coastal areas. Some resource systems are highly sensitive and easily destroyed by indiscriminate human activity. These will be protected through public or private nonprofit ownership and management over time.

The applicant is proposing a land use change from AGR in the Rural Development Area to LI and CSV in the Suburban Development Area. The proposed amendment and development area extension results in a compatible land use pattern based on adjacent and surrounding industrial land uses and the fact that the site is surrounded on three sides by land in the Suburban Development Area. The proposed amendment would provide for additional LI designated land near existing industrial areas and in an area with convenient access to I-95. Additionally, the amendment would support real estate market

flexibility for industrial uses. Therefore, the proposed amendment is consistent with FLUE Goal 1, Policies 1.1.3, 1.1.7, 1.1.19, 1.1.21 and 3.2.1.

A justification for expansion of the Suburban Development Area and a market analysis identifying the need for additional industrial land in the area was provided by the application. A copy of the justification is included as attachments to this report. The justification indicates that the development area extension complies with FLUE Policies 1.1.18, 1.1.9 and 1.1.21 based on the entitlements on surrounding lands, the need for additional industrial uses in the area, the anticipated public services immediately adjoining the site and the fact that the site will be accessed through lands currently having available services. The market analysis, on file with the Planning and Development Department, indicates that there is a scarcity of vacant industrial land within a 5-mile radius of the site and that this demonstrates a need for more developable industrial land to meet growing demand.

The eastern portion of the property consists of environmentally sensitive lands that are in the AE-Floodway, the AAA, and Category II wetlands. This environmentally sensitive land is proposed for protection under the CSV land use category. Therefore, the amendment is consistent with FLUE Policy 1.5.10.

According to a JEA Availability Letter dated May 10, 2023, JEA does not provide a water main or a sewer main within ¼ mile of this property, and therefore the amendment is consistent with FLUE Policy 1.2.8. According to the application, the development will connect to JEA central water and sewer facilities which would provide protection for nearby environmentally sensitive lands. According to Florida Statutes Chapter 381, construction permits may not be issued for an onsite sewage treatment and disposal system in any area used or zoned for industrial or manufacturing purposes where a publicly owned or investor-owned sewage treatment system is available (located within one-fourth mile) or where the system will receive toxic, hazardous, or industrial waste. The applicant should contact the Florida Department of Environmental Protection for additional information.

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 Rural Area of the North Jacksonville Vision Plan. The Plan offers no specific recommendations for the subject site but mentions an implementation strategy for the vision to change the economic paradigm. Having additional industrial uses in this area will allow a mix of uses.



The Plan also includes a strategy to “preserve conservation areas in a systems approach.” The proposed land use amendment of the portion of the site to CSV is also consistent with the intent of the Vision Plan.

### **Strategic Regional Policy Plan**

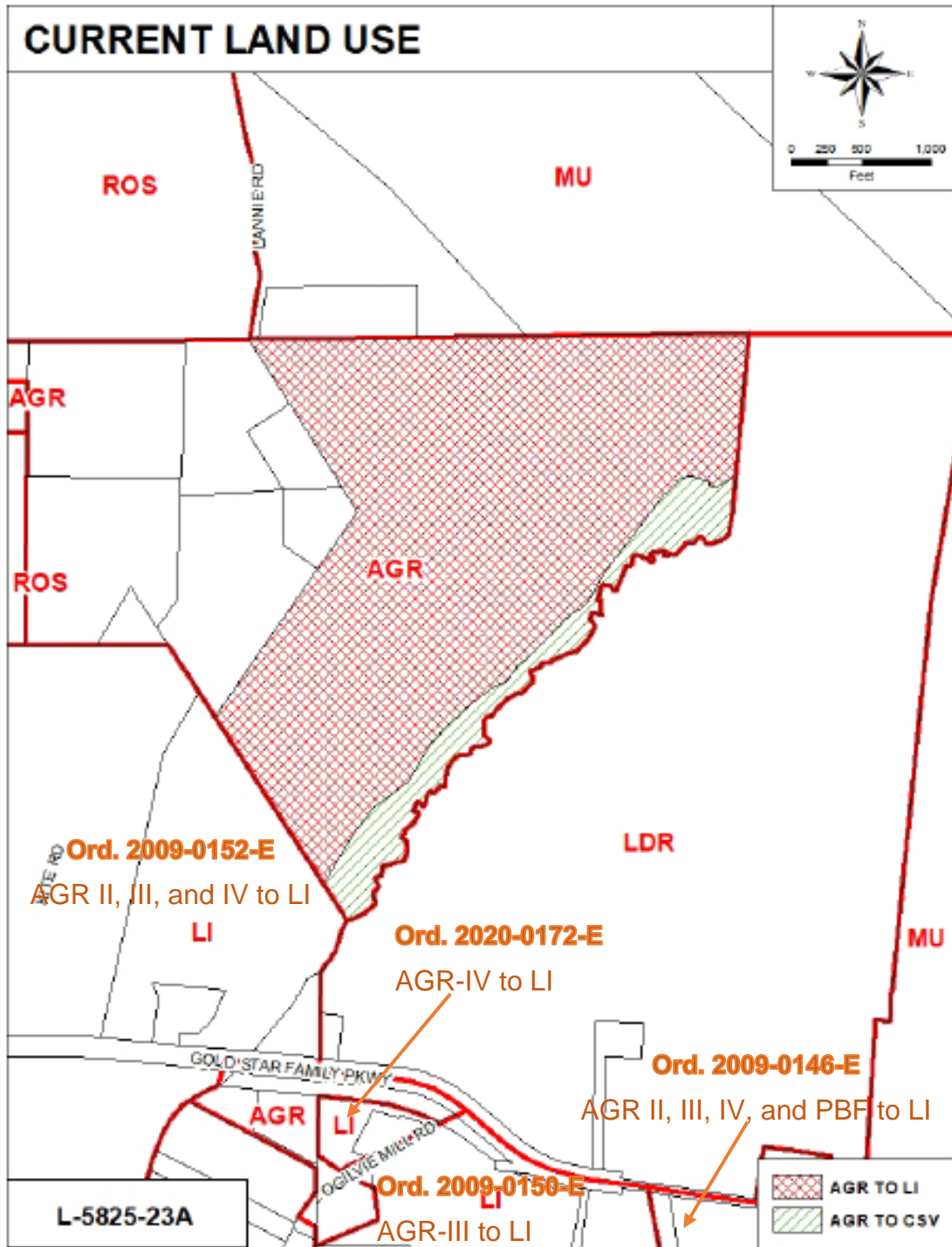
The intended use of the site ties into the existing roadway infrastructure, thus making use of an appropriate mode of transportation for the movement of goods to support industry in the area with access to I-95 to the east, therefore the amendment is consistent with the following goal of the Strategic Regional Policy Plan:

#### **Goal:**

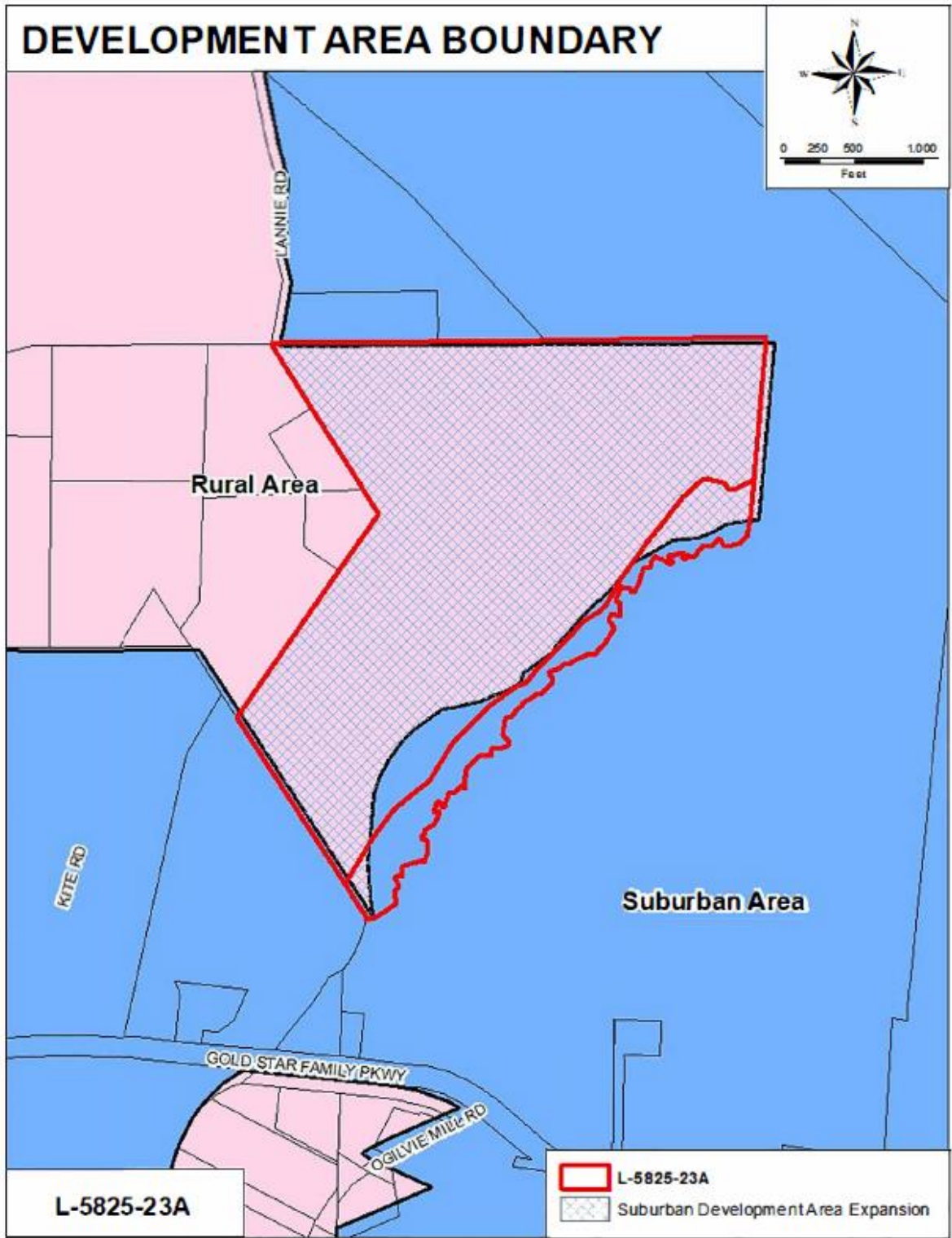
In order to promote a diversified and vibrant regional economy, the Region supports an efficient multi-modal transportation framework to move people and goods, and NEFRC and its partners support over time the infrastructure investments needed to make it work. The framework maintains an environment that includes mobility options to move goods and people to support business and industry.



# Current Land Use Map



# Development Boundary Map



## **Applicant Justification for Expansion of Suburban Development Area**

In accordance with policies 1.1.18, 1.1.19, and 1.1.21, the extension of the development area to include the lands proposed in this application are supported.

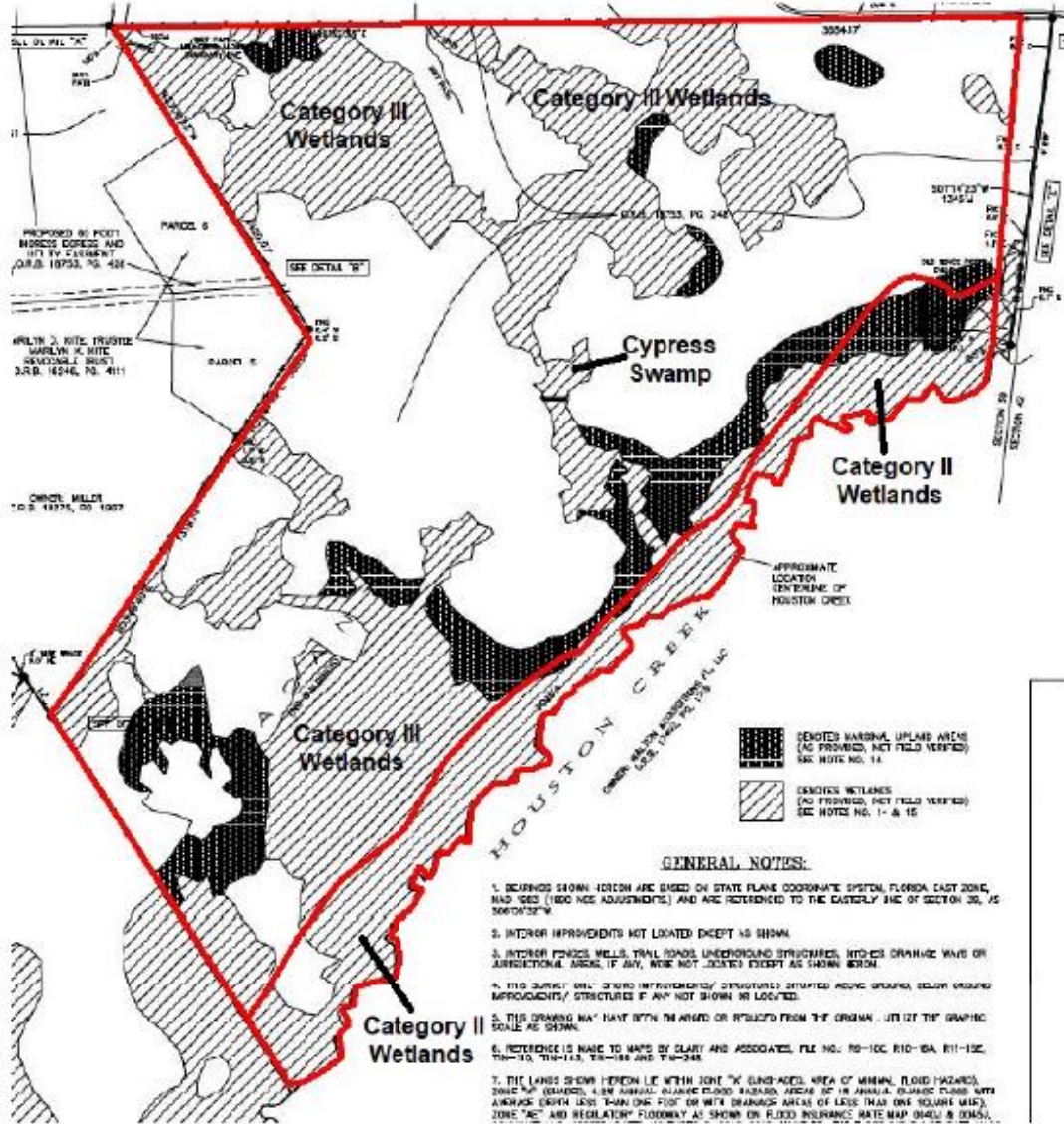
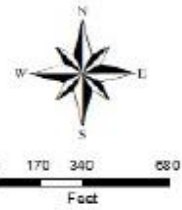
While the land in question is AGR, where normally development expansion would be discouraged, surrounding lands are all in development designated land uses.

The site is a logical extension of existing development and in an area where there is a need for additional industrial uses. There are projected public services immediately adjoining. Access to the site is through lands currently having available services.

In accordance with Policy 1.1.21, the land proposed for development expansion would be required to accommodate anticipated industrial growth in the general vicinity and the community as a whole. These lands would also provide for adequate choices for continued growth needs in the area, as the land is proximate to compatible uses, development scale and is likely to further the growth management and mobility goals of the City of Jacksonville.

# Wetlands Delineation Map

## WETLANDS Map: L-5825-23A



L-5825-23A