

# City of Jacksonville, Florida

*Donna Deegan, Mayor*

City Hall at St. James  
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Jacksonville, FL 32202  
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October 5, 2023

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, Florida 32202

**RE: Planning Commission Advisory Report / Ordinance No. 2023-533/Application No. L-5823-23C**

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 **DENIED** Ordinance 2023-533 on October 5, 2023.

P&DD Recommendation                      APPROVE

PC Issues:                                      Two citizens spoke in opposition to the amendment. They indicated that the intensity of the proposed uses is not compatible with the character of the area and the need to protect residential property rights.

The Planning Commissioners indicated that the proposed amendment would be intrusive to the single-family neighborhood and would introduce commercial traffic on a local residential road.

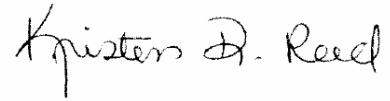
**PC Vote:                                      7-0 DENY**

Ian Brown, Chair	Aye
Jason Porter, Secretary	Absent
Marshall Adkison	Aye
Daniel Blanchard	Aye
Charles Garrison	Aye
David Hacker	Aye
Morgan Roberts	Aye
Jack Meeks	Aye

Planning Commission Report  
October 5, 2023

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

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 the Community Planning Division  
City of Jacksonville - Planning and Development Department  
214 North Hogan Street, Suite 300  
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**Report of the Jacksonville Planning and Development Department**

**Small-Scale Future Land Use Map Amendment – September 15, 2023**

**Ordinance/Application No.:** 2023-533 / L-5823-23C

**Property Location:** 6826 Richardson Road at the intersection of Richardson Road and New Kings Road.

**Real Estate Number(s):** 041512 0000

**Property Acreage:** 3.08

**Planning District:** District 5, Northwest

**City Council District:** District 10

**Applicant:** Lyudmyla Kolyesnik, Esquire

**Current Land Use:** Residential-Professional-Institutional (RPI)

**Proposed Land Use:** Community/General Commercial (CGC)

**Development Area:** Urban Development Area

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

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

***RECOMMENDATION: Approve***

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

A land use amendment from RPI to CGC that would allow for an automotive service station and outside storage facility is a necessary step to meet the growing demand for automotive services and storage facilities in the area. The proposed use of the land will benefit the community by providing a convenient location for residents and businesses to access necessary auto services and storage solutions.

**BACKGROUND**

The 3.08-acre subject site is located at 6826 Richardson Road, at the northeast intersection of Richardson Road and New Kings Road. According to the City’s Functional Highways Classification Map, Richardson Road is an unclassified roadway and New Kings Road is a principal arterial roadway.

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 Residential-Professional-Institutional (RPI) to Community/General Commercial (CGC). The proposed amendment site is adjacent to property in the CGC land use category that is across Richardson Road from the site at the southeast intersection of Richardson Road and New Kings Road. The land use amendment site is currently vacant with single family residential uses to the east and a mix of vacant, commercial and church uses along the New Kings Road corridor. In addition, a companion PUD rezoning application is pending concurrently with the land use application via Ordinance 2023-534, which seeks a zoning change on the subject site from Planned Unit Development (PUD) to PUD.

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

North:

Land Use: Residential-Professional-Institutional (RPI), Low Density Residential (LDR)  
Zoning: Residential Medium Density-A (RMD-A), Residential Low Density-60 (RLD-60)  
Property Use: Church, single family dwellings, elementary school

South:

Land Use: CGC, LDR  
Zoning: Commercial Community/General-1 (CCG-1), Public Buildings and Facilities-1 (PBF-1) and RLD-60  
Property Use: funeral home, auto parts store, single-family dwellings, elementary school

East:

Land Use: LDR  
Zoning: RLD-60  
Property Use: Single family dwellings

West:

Land Use: LDR  
Zoning: RLD-60  
Property Use: Church, single family dwellings and vacant land

## **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 L-5823-23C**

<b>Development Analysis</b>		<b>L-5823-23C / 3.08 acres</b>	
Development Boundary	Urban Boundary		
Roadway Frontage Classification / State Road	Richardson Road-unclassified roadway; New Kings Road- major arterial roadway		
Plans and/or Studies	Northwest Jacksonville Vision Plan		
Site Utilization	Current: vacant	Proposed: Automotive service station with an outdoor storage facility	
Land Use / Zoning	Current: RPI / PUD	Proposed: CGC / PUD	
Development Standards for Impact Assessment	Current: Scenario 1: 0.50 FAR Scenario 2: residential at 23 units/acre	Proposed: Scenario 1: 0.35 FAR Scenario 2: residential at 30 units/acre	
Development Potential	Current: Scenario 1: 67,082.4 sq. ft. Scenario 2: 70 units	Proposed: Scenario 1: 46,957.68 sq. ft. Scenario 2: 92 units	
Net Increase or Decrease in Maximum Density	Scenario 1: N/A Scenario 2: Increase of 22 units		
Net Increase or Decrease in Potential Floor Area	Scenario 1: Decrease of 20,124.72 sq. ft. Scenario 2: N/A		
Population Potential	Current: Scenario 1: N/A Scenario 2: 164 people	Proposed: Scenario 1: N/A Scenario 2: 216 people	
<b>Special Designation Areas</b>			
Aquatic Preserve	No		
Septic Tank Failure Area	No		
Evacuation Zone	Zone C		
Airport Environment Zone	No		
Industrial Preservation Area	No		
Cultural Resources	No		
Archaeological Sensitivity	High and Medium Sensitivity		
Historic District	No		
Coastal High Hazard	No		
Adaptation Action Area	Yes		
Groundwater Aquifer Recharge Area	No - Discharge		
Wellhead Protection Zone	No		
Boat Facility Siting Zone	No		
Brownfield	No		

<b>Development Analysis</b>		<b>L-5823-23C / 3.08 acres</b>
<b>Public Facilities</b>		
Potential Roadway Impact	Scenario 1: Increase of 1,176 Daily Trips Scenario 2: Increase of 148 Daily Trips	
Potential Public School Impact	21 new students	
Water Provider	JEA	
Potential Water Impact	Scenario 1: Decrease of 2,359.7 gallons per day Scenario 2: Increase of 5,170 gallons per day	
Sewer Provider	JEA	
Potential Sewer Impact	Scenario 1: Decrease of 1,769.7 gallons per day Scenario 2: Increase of 3,877.5 gallons per day	
Potential Solid Waste Impact	Scenario 1: Decrease of 32.19 tons per year Scenario 2: Increase of 57.2 tons per year	
Drainage Basin/Sub-basin	Trout River / Ribault River	
Recreation and Parks	Singleton Park approximately 1/10 <sup>th</sup> of a mile east of the site	
Mass Transit Access	Route 4: Stops 3613 and 5311 on New Kings Road and Richardson Road	
<b>Natural Features</b>		
Elevations	14-18 feet	
Land Cover	1100: Residential, low density - less than 2 dwelling units/acre	
Soils	63: Sapelo fine sand, 0 to 2 percent slopes; 66: Surrency loamy fine sand, depressional, 0 to 2 percent slopes	
Flood Zones	No	
Wetlands	No	
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 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 established shall continue to be based on JEA’s Water, Sewer and Reuse for New Development Projects document (latest edition).

According to the application, the applicant intends to use JEA central water and sewer services for the site. Additionally, the City’s GIS System identifies water lines and sewer lines running along the right-of-way of the subject site on both Richardson Road and New Kings Road.

**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 3.08 acres and is accessible from Richardson Rd, a local facility. The proposed land use amendment is located within the Urban Development Area and Mobility Zone 9. The applicant proposes to change the existing land use from Residential Professional Institutional (RPI) to Community General Commercial (CGC).

### **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

Objective 2.4 The City shall plan for future multi-modal transportation needs, including the need for right-of-way, in order to support future land uses shown on the Future Land Use Map series.

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.

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 727 or 472 daily trips, depending on the scenario. If the land use is amended to allow for this proposed CGC development, this will result in 1,903 or 620 daily trips depending on the scenario.

**Transportation Planning Division RECOMMENDS the following:**

The difference in daily trips for the proposed land use amendment is an increase of 1,176 or 148 net new daily trips when compared to the existing land use. The Transportation Planning Division recommends ongoing coordinating efforts with FDOT and 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 1	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
RPI	710	67,082 SF	T = 10.84 (X) / 1000	727	0	727
				<b>Total Trips for Existing Land Use- Scenario 1</b>		<b>727</b>
Current Land Use-Scenario 2	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
RPI- R	220	70 MF DUs	T = 6.74 (X)	472	0	472
				<b>Total Trips for Existing Land Use- Scenario 2</b>		<b>472</b>
Proposed Land Use-Scenario 1	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC	821	46,958 SF	T = 67.52 (X) / 1000	3,171	1,268	1,903
				<b>Total Trips for Proposed Land Use- Scenario 1</b>		<b>1,903</b>
Proposed Land Use-Scenario 2	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC- R	220	92 MF DUs	T = 6.74 (X)	620	0	620
				<b>Total Trips for Proposed Land Use- Scenario 2</b>		<b>620</b>
				<b>Scenario 1 Difference in Daily Trips</b>		<b>1,176</b>
				<b>Scenario 2 Difference in Daily Trips</b>		<b>148</b>

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



## **School Capacity**

Based on the impact assessment standards detailed in FLUE Policy 1.2.16, the 3.08 acre proposed land use map amendment has a development potential of 92 dwelling units. The proposed development was analyzed in accordance with the adopted level of service standards (LOS) for school capacity as established in the Interlocal Agreement (ILA) and the Public Schools and Facilities Element. The ILA was entered into in coordination with the Duval County Public School System (DCPS) and the other municipalities within Duval County.

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

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

<b>Application Review Request:</b> COJ PDD: School Impact Analysis <b>Proposed Name:</b> L-5823-23C Richardson Road <b>Requested By:</b> Ed "Luka" Lukacovic <b>Reviewed By:</b> W. Randall Gallup <b>Date:</b> 8/14/2023							
Analysis based on maximum dwelling units: <b>92</b>							
School Type	CSA <sup>1</sup>	2022-23 Enrollment/CSA	Current Utilization (%)	New Student/Development <sup>2</sup>	5-Year Utilization (%)	Available Seats - CSA <sup>3</sup>	Available Seats - Adjacent CSA 2, 7E8
Elementary	1	11,216	56%	11	57%	7,199	4,805
Middle	1	6,876	80%	4	86%	335	98
High	1	7,054	72%	6	66%	284	2,260
<b>Total New Students</b>				<b>21</b>			

**NOTES:**

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

<sup>2</sup> Student Distribution Rate

ES-125

MS-051

HS-074

0.250

The Student Distribution Rate is calculated for each school type by dividing the total number of public school students enrolled in that school type in Duval County (104,757) by the number of total permitted housing units (418,708) for the same year, generating a yield of 0.250.

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

The available seats in the CSA and adjacent CSAs include concurrency 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 3.1 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.

#### Supplemental School Information:

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

<b>Application Review Request:</b> COJ PDD: Baseline Checklist Review <b>Proposed Name:</b> L-5823-23C Richardson Road <b>Requested By:</b> Ed "Luke" Lukacovic <b>Reviewed By:</b> W. Randall Gallup <b>Due:</b> 8/14/2023  Analysis based on maximum dwelling units: <u>92</u>						
SCHOOL <sup>1</sup>	CSA	STUDENTS GENERATED (Rounded) <sup>2</sup>	SCHOOL CAPACITY <sup>3</sup> (Permanent/Portables)	CURRENT ENROLLMENT 20-Day Count (2022/23)	% OCCUPIED	4 YEAR PROJECTION
Rufus E. Payne #163	1	11	677	222	33%	39%
Matthew Gilbert #146	1	4	799	676	85%	89%
William Raines #165	1	6	1829	1196	65%	72%
		21				

**NOTES:**

<sup>1</sup> Attendance school may not be in proposed development's Concurrency Service Area (CSA).

<sup>2</sup> Student Distribution Rate  
 ES-125  
 MS-.051  
 HS-.074  
 0.250

The Student Distribution Rate is calculated for each school type by dividing the total number of public school students enrolled in that school type in Duval County (104,757) by the number of total permitted housing units (418,708) for the same year, generating a yield of 0.250.

<sup>3</sup> Does not include ESE & room exclusions

## **Evacuation Zone**

The subject site is within Evacuation Zone C. As such, the land use application was routed to the City's Emergency Preparedness Division (EPD) for review and comment. EPD was provided with the land use application and the development potential of the proposed land use amendment change. Per EPD's review, it was determined that the impact of the subject small scale land use amendment on countywide evacuation timing would be negligible. Their complete analysis is provided below.

### EPD Response:

The proposed property in land use amendment L-5823-23C will be in close proximity to New Kings Road and Edgewood Avenue, indicating sufficient access to I-295 (2.37 road miles) and I-95 (4.86 road miles), primary evacuation routes.

In consideration of the surrounding evacuation zones (Zone C, Zone A, Zone D, and Zone E), nearest evacuation routes, and the estimate of 148 – 1,176 additional daily trips, the development of the proposed property could create a localized impact to the traffic flow on I-295 and I-95 during an emergency evacuation scenario. The changes proposed through land use amendment application L-5823-23C would have a minimal impact on countywide evacuation clearance time within Duval County. Site design techniques that minimize disruption to existing traffic flow are encouraged. Any development should incorporate appropriate mitigation techniques to reduce flood vulnerability and minimize impacts to the floodplain.

### Conservation /Coastal Management Element (CCME)

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

## **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.

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

The amendment site is 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 submittal of the sign posting affidavit and accompanying photos, the required notices of public hearing signs were posted on July 31, 2023. Fifty (50) notices were mailed out to adjoining property owners informing them of the proposed land use change and pertinent public hearing and meeting dates.

A Citizen Information Meeting was held on August 28, 2023, via a virtual Zoom meeting. No members of the public attended to discuss the proposed amendment.

## **CONSISTENCY EVALUATION**

Consistency with 2045 Comprehensive Plan Goals, Objectives and Policies

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

#### *Development Area*

*Urban Area (UA):* The UA is the second tier Development Area and generally corresponds the densely developed portions of the City that have been in residential or with employment generating uses prior to consolidation. It also includes major corridors which connect the other Development Areas. Similar to the Urban Priority Area (UPA), the intent of the UA is to encourage revitalization and the use of existing infrastructure through redevelopment and infill development, but at moderate urban densities which are transit friendly. Also similar to the UPA, the UA is intended to support multi-modal transportation and the reduction of per capita greenhouse gas emissions and vehicle miles traveled. Development is encouraged to employ urban development characteristics as further described in each land use plan category.

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 1.1.9      Promote the use of Planned Unit Developments (PUD) zoning districts, cluster developments, and other innovative site planning and smart growth techniques in order to allow for appropriate combinations of complementary land uses, densities and intensities consistent with the underlying land use category or site specific policy, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations. These techniques should consider the following criteria in determining uses, densities, intensities, and site design:

- Potential for the development of blighting or other negative influences on abutting properties
- Traffic Impacts
- Site Access
- Transition of densities and comparison of percentage increase in density above average density of abutting developed properties
- Configuration and orientation of the property
- Natural or man-made buffers and boundaries
- Height of development
- Bulk and scale of development

- Building orientation
- Site layout
- Parking layout
- Opportunities for physical activity, active living, social connection, and access to healthy food

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 1.1.22 Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

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

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 3.1.2 Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

Objective 3.2 Promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

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

Policy 3.2.6 The City shall apply the locational criteria in the land use categories and the operative provisions of this element when reviewing commercial and industrial development and redevelopment for consistency with the character of the areas served, the availability of public facilities, and market demands.

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 shall 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.

RPI in the Urban Area is intended to provide compact medium density development. Development which includes medium density residential and professional office uses is preferred. Limited commercial retail and service establishments which serve a diverse set of neighborhoods are also encouraged in order to reduce the number of Vehicles Miles Traveled.

Community/General Commercial (CGC) is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods in order to reduce the number of Vehicle Miles Traveled. CGC also allows for multi-family residential at densities up to 40 units per acre in the Urban Area. Single-use multi-family development is permitted when 50 percent or more of the contiguous CGC category land area within up to one quarter of a mile radius is developed for non-residential uses. Multi-family developments that do not comply with the single-use provisions shall provide a mix of uses within the development site and multi-family uses shall not exceed 80 percent of a development.

The 3.08 acre subject site is currently vacant. The applicant is proposing a change from RPI to CGC to allow for commercial use on the site. According to the companion PUD rezoning (Ordinance 2023-534), the site is proposed to accommodate an outside storage facility and auto service station to serve residents in the surrounding area. Uses in the PUD should be reviewed for compatibility with the character of the area. The proposed CGC is a logical extension of the CGC area located adjacent to the subject site to the south. Additionally, the site is located on a principal arterial state road with a mix of

commercial, vacant and church uses along the corridor in the immediate area. The proposed land use change encourages corridor development of commercial uses along New Kings Road maintaining compatible land use patterns. The proposed amendment to CGC would be consistent with the development pattern in the area. Therefore, the proposed amendment is consistent with FLUE Goal 3, Objectives 1.1 and 3.2 and Policies 1.1.22 and 3.2.1.

The site abuts single family residential in the LDR land use category to the east. Providing consistency with Policies 1.1.9, 1.1.21 and 3.1.2, the companion PUD rezoning (Ordinance 2023-534) includes buffer requirements along with site design techniques to provide a scale transition and gradation of uses in order to protect the neighborhood from potential negative impacts.

According to the application, the applicant intends to use JEA central water and sewer services for the site. Additionally, the City's GIS System identifies water lines and sewer lines running along the right-of-way of the subject site on both Richardson Road and New Kings Road providing consistency with FLUE Policy 1.2.8.

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.

### **Northwest Jacksonville Vision Plan (2003)**

The application site lies within the Northwest Jacksonville Vision Plan, within an area identified as the Beaver Street Character Area and within the Suburban Area of the Plan. While the Vision Plan does not specifically address the commercial areas throughout the district, the Plan recommends strategies to improve the visual appearance of corridors with landscaping, street trees, gateways and signs. These methods should be considered in infill development. Additionally, the proposed amendment would allow for the commercial development of a vacant site, thus promoting revitalization, consistent with Theme 1 of the Vision Plan.

### **Strategic Regional Policy Plan**

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

Policy 4: The Region supports strategies identified by the Regional Community Institute as they worked on First Coast Vision, including:

- Infill and redevelopment.

The proposed amendment would allow for the development of a currently vacant property. The proposed amendment would therefore allow for an additional infill development opportunity, consistent with Policy 4 of the Strategic Regional Policy Plan.

