



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 322-2
(904) 630-CITY
www.coj.net

December 7, 2023

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

**RE: Planning Commission Advisory Report
Ordinance No.: 2023-745**

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

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve**

Planning Commission Recommendation: **Approve with**

Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: **8-0**

Charles Garrison, Chair	Aye
Tina Meskel, Vice Chair	Aye
Mark McGowan, Secretary	Aye
Lamonte Carter	Aye
Amy Fu	Aye
Julius Harden	Aye
Mon'e Holder	Aye

Ali Marar

Aye

Jack Meeks

Absent

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

Sincerely,



Bruce E. Lewis

City Planner Supervisor – Current Planning Division

City of Jacksonville - Planning and Development Department

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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2023-0745

DECEMBER 7, 2023

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee, and City Council its comments and recommendation regarding Application for Rezoning Ordinance **2023-0745**.

Location: 9412 Feagles Farm Road, between Jones Road and Imeson Road

Real Estate Number: 003447-0000

Current Zoning District: Planned Unit Development (PUD-2021-684)

Proposed Zoning District: Conservation (CSV)

Current Land Use Category: Low Density Residential (LDR)

Proposed Land Use Category: Conservation (CSV)

Planning District: District 5 — Northwest

Applicant: City of Jacksonville
117 West Duval Street
Jacksonville, Florida. 32202

Owner: Scott Keiling
9440 Philips Highway, Suite 7
Jacksonville, FL 32256

Staff Recommendation: **Approve**

GENERAL INFORMATION

Application for Rezoning Ordinance **2023-0745** seeks to rezone 221.06 ± acres of undeveloped property from Planned Unit Development (PUD) to Conservation (CSV) to preserve the nature area. The Planning and Development Department finds that the subject property is located in the Low Density Residential (LDR) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2045 Comprehensive Plan. A companion Small Scale Land Use Amendment 2023-0744 was

filed in order to change the Land Use Category to Conservation. The Planning and Development Department is also recommending approval on the Land use Amendment.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to Section 656.125 of the Zoning Code, an applicant for a proposed rezoning bears the burden of proving, by substantial competent evidence, that the proposed rezoning is consistent with the City's comprehensive plan for future development of the subject parcel. In determining whether a proposed rezoning is consistent with the 2045 Comprehensive Plan, the Planning and Development Department considers several factors, including (a) whether it is consistent with the functional land use category identified in the Future Land Use Map series of the Future Land Use Element; (b) whether it furthers the goals, objectives and policies of the Comprehensive Plan; and (c) whether it conflicts with any portion of the City's land use regulations. Thus, the fact that a proposed rezoning is permissible within a given land use category does not automatically render it consistent with the 2045 Comprehensive Plan, as a determination of consistency entails an examination of several different factors.

1. Is the proposed rezoning consistent with the 2045 Comprehensive Plan?

Yes. The 221.06-acre site is undeveloped. The site is on Feagles Farm Road, between Jones Road and Imeson Road and is surrounded to the north, south, and east by undeveloped properties. To the west, the area is being developed as a single-family subdivision. There is a single-family residential subdivision nearby to the northwest.

The site is part of a 481.92-acre site that was subject to a land use change in 2021 pursuant to Ordinance 2021-684 E from Agriculture-3 (AGR 3) to Low Density Residential (LDR) with a zoning change from Agriculture to PUD along with the extension of the Suburban Development Area in order to allow for residential develop.

There have been several proximate land use amendments over the years near the subject site. 98.86 acres of land was amended from AGR-2 to LDR to develop a single-family subdivision, per Ordinance 2005-1208-E. There have been three other land use amendments close to the site. In 2006, 227.63 acres were amended from AGR-3 and AGR-4 to LDR to allow for a single-family subdivision, pursuant to 2006-468-E. 33.27 acres from the same site were later amended from LDR to Neighborhood Commercial (NC) in 2010, pursuant to Ordinance 2010-627-E. An additional 28.87 acres of land from the same site were amended from LDR to Conservation (CSV) in 2018 pursuant to Ordinance 2018-856-E.

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 proposed rezoning to CSV is consistent with the proposed land use amendment to the CSV land use category.

2. ***Does the proposed rezoning further the goals, objectives and policies of the 2045 Comprehensive Plan?***

Yes. This rezoning does further the Goals, Objectives and Policies of the 2045 Comprehensive Plan, including the following:

Future Land Use Element

Policy 1.5.2 Permit no new development, expansion, or replacement of existing development in areas designated on the Future Land Use Map series as Conservation, unless development is undertaken by federal, state or local government in the public interest, and the impacts are mitigated.

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.

Conservation/Coastal Management Element

Policy 4.4.1 The City shall encourage the placement of all watercourses, water bodies, buffer areas, and wetlands having high functional values to be placed in a Conservation land use category, Conservation zoning district and/or conservation easement as part of an application for a land use amendment, rezoning and/or site plan approval.

Policy 4.4.2 The City shall act as applicant for property owners who voluntarily place their high functional valued wetland into the Conservation land use category and/or Conservation zoning district.

Adaptation Action Area

163 acres of the 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.

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.

3. *Does the proposed rezoning conflict with any portion of the City's land use regulations?*

No. The proposed rezoning does not conflict with any portions of the City's land use regulations. If approved, the subject property will be reserved as a nature area where no development will be permitted.

SURROUNDING LAND USE AND ZONING

The subject site is located east of Jones Road, but does not have any access to a completed right of way. Nevertheless the surrounding Zoning Districts and Land Use Categories are as followed:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	AGR/CSV	PUD	Vacant
South	AGR	PUD	Vacant, Wasteland
East	AGR/CSV	PUD	Vacant
West	LDR	PUD	Vacant, Mobile Home

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on October 24, 2023 by the Planning and Development Department, the required Notice of Public Hearing sign **was** posted.

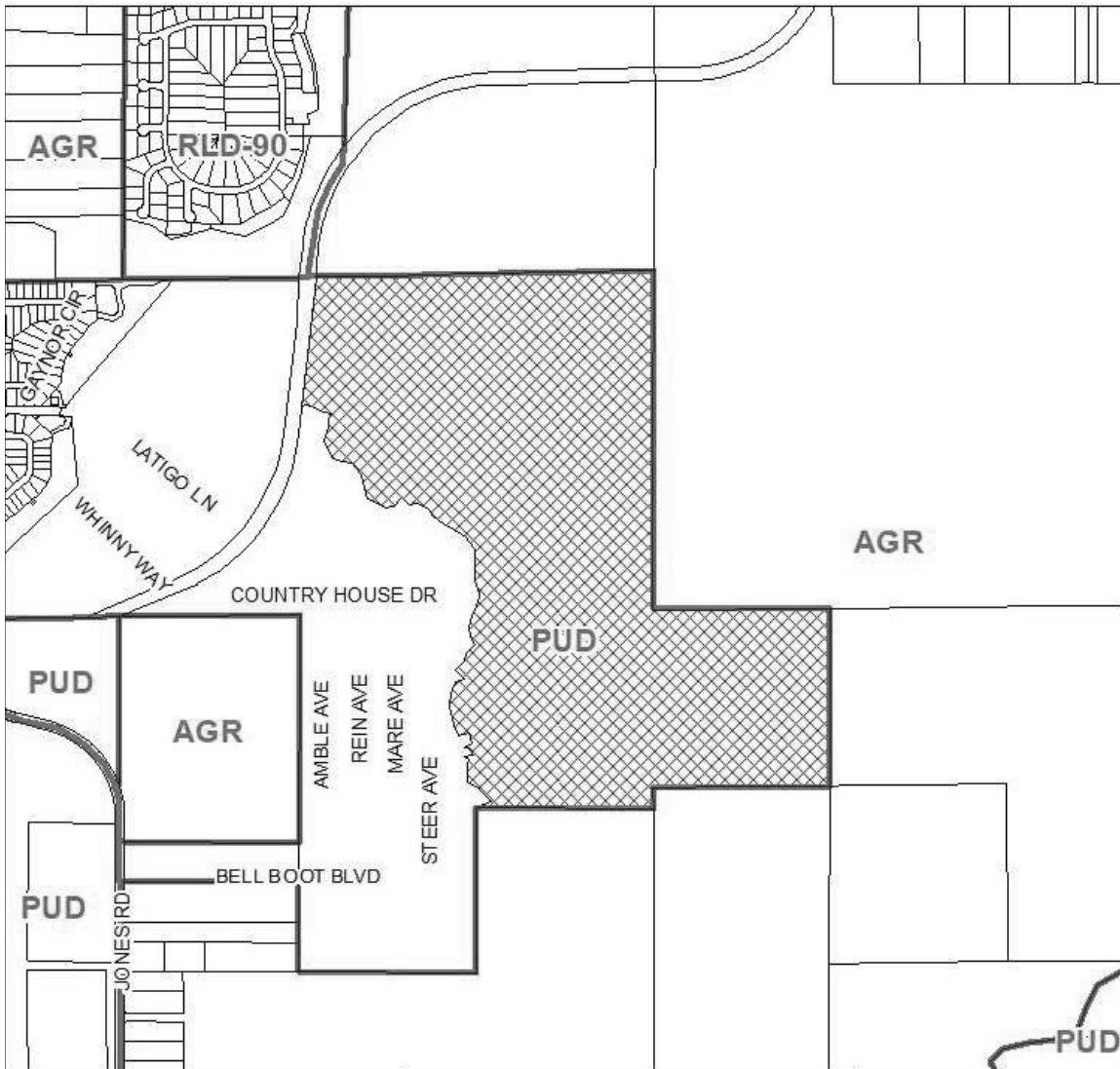


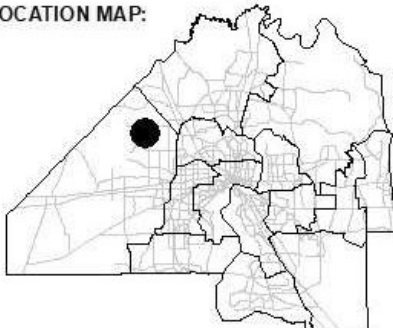

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2023-0745** be **Approved**.



Aerial View



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: CSV</p>	<p>LOCATION MAP:</p> 	 <p>0 400 800 1,600</p> <p>Feet</p> <p>COUNCIL DISTRICT:</p> <p>12</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2023-0745</p>	<p>TRACKING NUMBER</p> <p>T-2023-5168</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Legal Map