

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 32202
(904) 630-CITY
www.coj.net

August 19, 2021

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

RE: Planning Commission Advisory Report / Ordinance No. 2021-405/Application No. L-5328-18A

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairman Diamond and Honorable Members of the City Council:

Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **APPROVED** Ordinance 2021-405 on August 19, 2021.

P&DD Recommendation	APPROVE
PC Issues:	None
PC Vote:	6-0 APPROVE

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

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

Sincerely,

Kristen D. Reed

Kristen D. Reed, AICP
Chief of Community Planning Division
City of Jacksonville - Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7837
KReed@coj.net

Report of the Jacksonville Planning and Development Department

Large-Scale Future Land Use Map Amendment – August 13, 2021

Ordinance/Application No.: 2021-405 / L-5328-18A

Property Location: 3800 St. Johns Bluff Road South; between St. Johns Industrial Parkway South and Alumni Way

Real Estate Number(s): 167461-0150

Property Acreage: 36.76 Acres

Planning District: District 3, Southeast

City Council District: District 4

Applicant: Steve Diebenow, Esquire

Current Land Use: Public Buildings and Facilities (PBF), 33 acres and Low Density Residential (LDR), 3.76 acres

Proposed Land Use: Regional Commercial (RC) with FLUE Site Specific Policy 4.4.15

Development Area: Suburban

Current Zoning: Residential Low Density -60 (RLD-60) and Planned Unit Development (PUD)

Proposed Zoning: PUD

RECOMMENDATION: APPROVE

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

Applicant requests the RC land use designation for this unique infill redevelopment project in order to create a truly walkable intergenerational development with a mix of students, conventional apartment/condominium dwellers, and potentially seniors, in one condensed space with shared lifestyle amenities, retail, and entertainment. An adaptive reuse of the Morocco Shrine building will be the central feature of the project containing a food hall, workspace, and venues for health, art and entertainment. The requested density is essential to establishing an interconnected space for residents of varying age, race and social demographics to socialize, collaborate, play and study together. The creative sense

of place will also draw those who live outside of the project to gather for specific events and become engaged in the community.

The RC designation is appropriate for this distinctive development in order to achieve a carefully tailored combination of uses and the residential density required to support the mixed-use development while ensuring that the project remains compatible with the surrounding development. This could not be achieved through another land use category such as High Density Residential, which would not allow for the desired mix of uses and would also permit density in excess of what is appropriate for the area, or Community/General Commercial, which would permit a mix of uses but insufficient residential density to establish the walkable community that is key to the project's success.

Also of note, utilizing the RC land use category allows Applicant to preserve wetlands that exist on the western portion of the property because the desired density can be achieved while directing development away from and avoiding any impact on the environmentally sensitive areas.

BACKGROUND

The 36.76 acre subject site is located on the west side of St. Johns Bluff Road, between St. Johns Industrial Parkway and Alumni Way. St. Johns Bluff Road South, classified as a minor arterial roadway, is a four lane right-of-way with a center median and has sidewalks on both sides of the road.

The applicant proposes a future land use map amendment from Public Buildings and Facilities (PBF) and Low Density Residential (LDR) to Regional Commercial (RC) with Site Specific Policy 4.4.15. A companion rezoning application is pending concurrently with the land use application via Ordinance 2020-405, which seeks to change the zoning district rezoning from Residential Low Density-60 (RLD-60) and Planned Unit Development (PUD) to PUD.

Ordinance 2020-044-E amended the text of the RC future land use category. The changes allow for a creative integration of uses to facilitate innovative site planning, adaptive reuse, infill development and smart growth techniques within the RC land use category. New RC category requests are required be accompanied by a site specific policy that identifies the list of permitted uses and density and intensity of uses along with any additional information deemed necessary.

The subject site is currently occupied by the Morocco Shrine Center Auditorium. As indicated in the applicant's justification, the intent is to provide a multi-use development with a dense residential component to the area. While development plan descriptions may reference University of North Florida (UNF) facilities, the project is not associated with UNF. The surrounding properties provide a diverse range of land uses ranging from Medium Density Residential (MDR) to the east, Low Density Residential (LDR) to the west, Residential Professional Institutional (RPI) to the south and Community General Commercial (CGC) and Business Park (BP) to the North.

The subject site is located in close proximity to several large scale developments that include: the University of North Florida located one mile to the east, Saint John's Town Center located one mile to the south and Florida State College at Jacksonville (FSCJ) located one and a half miles to the northeast. The closest bus stops include: Jacksonville Transit Authority bus route eight, located one half of a mile to the south of the property and bus routes 8, 23, and 109 are located .7 of a mile to the north. The preceding routes connect UNF, the Saint John's Town Center and FSCJ. This development would easily be integrated into the transportation system.

The proposed large-scale land use amendment will be subject to Future Land Use Element (FLUE) Site Specific Policy 4.4.15. The proposed Site Specific Policy is included in Exhibit 3 to Ordinance 2021-405 as well as below:

FLUE Policy 4.4.15

Pursuant to Ordinance 2021-405, a large scale amendment is approved that designates a 36.76 acre RC land use category site on the Future Land Use Map. In order to implement a creative integration of uses to facilitate innovative site planning, infill development with vertical and horizontal integration of mixed uses, and smart growth techniques as called for in the RC land use category, development is subject to the following site specific conditions:

(1) Development shall allow for the following uses: (a) all public facilities and non-residential principal and secondary uses in the Community/General Commercial (CGC) land use category; (b) multifamily residential; (c) housing for the elderly and adult congregate living facilities; (d) colleges, universities, and related uses including administration facilities and student housing; and (e) all principal and secondary uses in the Recreation and Open Space (ROS) land use category.

(2) Development shall be limited to a maximum of 1,025 multifamily residential dwelling units and 115,000 square feet of public facility and non-residential uses, not including outdoor recreational uses.

(3) Development shall not encroach upon the wetlands located along the western portion of the property.

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

North: Land Use: CGC / BP
Zoning: CCG-1 / IBP
Property Use: Warehousing / Offices

South: Land Use: RPI
Zoning: CRO
Property Use: Multi-Family / Offices

East: Land Use: MDR
 Zoning: RMD-D
 Property Use: Multi-Family

West: Land Use: LDR
 Zoning: RLD-60/PUD
 Property Use: Single-Family

IMPACT ASSESSMENT

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

Impact Assessment Baseline Review

Development Analysis		
Development Boundary	Suburban	
Roadway Frontage Classification / State Road	Minor Arterial Roadway (St. Johns Bluff Road South)	
Plans and/or Studies	Southeast Vision Plan	
Site Utilization	Current: Public Facilities	Proposed: Multi-Family, retail, dining and entertainment venues
Land Use / Zoning	Current: LDR and PBF / RLD-60 and PUD	Proposed: RC/PUD
Development Standards for Impact Assessment	Current: 5 dwelling units per acre / 0.3 FAR	Proposed Pursuant to Site Specific Policy 4.4.15: 1,025 DU and 115,000 Square Feet of non- residential uses
Development Potential	Current: 19 dwelling units and 431,244 Square Feet of non-residential uses	Proposed: 1,025 DU and 115,000 Square Feet of non-residential uses
Net Increase/Decrease in Potential Floor Area	Decrease of 316,244 square feet	
Net Increase/Decrease in Maximum Density	Increase of 1,006 dwelling units	
Population Potential	Current: 50 people	Proposed: 2,408 people
Special Designation Areas		
Aquatic Preserve	None	
Septic Tank Failure Area	None	
Airport Environment Zone	None	
Industrial Preservation Area	None	
Cultural Resources	None	
Archaeological Sensitivity	Low, Medium and High	

Development Analysis	
Historic District	None
Coastal High Hazard/Adaptation Action Area	None
Groundwater Aquifer Recharge Area	0-4 inches
Wellhead Protection Zone	None
Boat Facility Siting Zone	None
Brownfield	Not applicable
Public Facilities	
Potential Roadway Impact	180 net new daily external trips
Potential Public School Impact	341 new students
Water Provider	JEA
Potential Water Impact	Increase of 211,308 gallons per day
Sewer Provider	JEA
Potential Sewer Impact	Increase of 158,481 gallons per day
Potential Solid Waste Impact	Increase of 2,109.6 tons per year
Drainage Basin/Sub-basin	Intracoastal Waterway / Mill Dam Branch
Recreation and Parks	None
Mass Transit Access	None
Natural Features	
Elevations	27-39 feet above mean sea level
Land Cover	1300- Residential, high density 1700- Institutional 5300- Reservoir 6170- Mixed wetland hardwoods
Soils	22- Evergreen-Wesconnett Complex 32- Leon Fine Sand 99- Water
Flood Zones	AE and AE Floodway
Wetlands	6170- Mixed wetland hardwoods
Wildlife (applicable to sites greater than 50 acres)	Not applicable

Utility Capacity

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

As indicated on the land use amendment application and according to the City of Jacksonville Infrastructure GIS map, the site has access to centralized water and sewer infrastructure. The water line runs within the northern portion of the property and the sewer connection is just east of the subject property within the St. Johns Bluff Road South right-of-way. The applicant must submit a JEA availability letter with the zoning application during the adoption round.

Future Land Use Element:

Policy 1.2.9 Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

Transportation

The Planning and Development Department completed a transportation analysis (on file) and determined that the proposed amendment has the potential to result in 180 net new daily external trips. This analysis is based upon the comparison of what potentially could be built on that site (as detailed in FLUE Policy 1.2.16 Development Standards for Impact Assessment) versus the maximum development potential. Trips generated by the new development will be processed through the Concurrency and Mobility Management System Office.

Transportation Element

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

Capital Improvements Element

Policy 1.6.1 Upon adoption of the Mobility Plan implementing ordinance, the City shall cease transportation concurrency and use a quantitative formula for purposes of assessing a landowner's mobility fee for transportation impacts generated from a proposed development, where the landowner's mobility fee shall equal the cost per vehicle miles traveled (A); multiplied by the average vehicle miles traveled per Development Area (B); multiplied by the daily trips (C); subtracted by any trip reduction adjustments assessed to the development.

Supplemental Transportation Information

Objective 2.4 of the Transportation Element (TE) of the 2030 Comprehensive Plan requires that the City shall coordinate the mobility circulation system with the future land uses shown on the Future Land Use Map series in order to ensure that roads, road improvements and other mobility alternative improvements are provided as necessary to support development in an economically efficient and environmentally sound manner.

Policy 2.4.2 of the TE of the 2030 Comprehensive Plan requires that the City shall amend the adopted Comprehensive Plan to incorporate the data and analysis generated by a periodic regional transportation model and study and facilitate the implementation of the study recommendations.

These two Comprehensive Plan policies ensure that the transportation impact related to land use amendments are captured in the Long Range Transportation Plan (LRTP) that is conducted every 5 years. This analysis includes the cumulative effect of all land use amendments that were approved within this time period. This plan identifies the future transportation needs and is used to create cost feasible roadway needs that can be funded by the City's Mobility Strategy Plan.

Mobility needs vary throughout the city and to quantify these needs, the city was divided into 10 Mobility Zones. The Mobility Strategy Plan identifies specific transportation strategies and improvements to address traffic congestion and mobility needs for each mode of transportation. The project site is in Mobility Zone 2.

The proposed land use amendment based on impact assessment standards has the development potential of 115,000 SF of non-residential space, which could generate 2,598 daily trips and 1,025 multi-family dwelling units, which could generate 7,503 daily trips onto the roadway network. The subject site is accessible via St. Johns Bluff Road, a 4-lane arterial facility between Beach Boulevard and Town Center Parkway.

The Transportation Planning Division previously recommended, during the transmittal round of the land use amendment, that a traffic operational analysis be completed. The following items were recommended by a professional traffic engineer and are included in the companion PUD:

- Extend the northbound turn lane by approximately 90 feet to provide a total turn lane length of 360 feet, including 310 feet of full width turn lane and a 50-foot taper.
- Reconstruct the southbound right-turn lane to provide a standard right-turn lane based on the FDOT Design Manual. The turn lane should be designed to include 135 feet of full-width turn lane and a 50-foot taper.
- Signal timing optimization.
- Construct a southbound right-turn lane deceleration lane at this intersection. This right-turn lane should be designed to include 135 feet of full-width turn lane and a 50-foot taper.

School Capacity

Based on the impact assessment standards detailed in FLUE Policy 1.2.16, the 36.76 acre proposed land use map amendment has a development potential of 1,025 multi-family 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:

- Elementary School
 - Concurrency Service Area (CSA) 3
 - 2019/2020 enrollment: 8,207
 - Current utilization: 77%
 - New student development from amendment: 171
 - 5-year utilization: 79%
 - Available seats in CSA 3: 57
 - Available seats in adjacent CSA(s): 6 and 4 is 789

- Middle School
 - CSA 4
 - 2019/2020 enrollment: 1,462
 - Current utilization: 90%
 - New student development from amendment: 75
 - 5-year utilization: 79%
 - Available seats in CSA 4: 224
 - Available seats in adjacent CSA(s): 5 and 3 is 24

- High School
 - CSA 3
 - 2019/2020 enrollment: 4,793
 - Current utilization: 95%
 - New student development from amendment: 95
 - 5-year utilization: 89%
 - Available seats in CSA 3: 98
 - Available seats in adjacent CSA(s): 6 and 4 is 159

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

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 ESE space requirements.

- Windy Hill Elementary School #94
 - CSA 3
 - Amendment student generation: 171
 - School Capacity including permanent spaces and portables: 652
 - Current enrollment 20 day count for 2019/2020: 502
 - Percent Occupied: 77%
 - 4-year projection: 68%

- Twin Lakes Academy Middle School #253
 - CSA 4
 - Amendment student generation: 74
 - School Capacity including permanent spaces and portables: 1,462
 - Current enrollment 20 day count for 2019/2020: 1,226
 - Percent Occupied: 84%
 - 4-year projection: 72%

- Englewood High School #90
 - CSA 3
 - Amendment student generation: 96
 - School Capacity including permanent spaces and portables: 1,864
 - Current enrollment 20 day count for 2019/2020: 1,978
 - Percent Occupied: 106%
 - 4-year projection: 101%

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low, medium and high sensitivity for the presence of archaeological resources. Projects that move forward through the Site Review process may be required to perform a Professional Archaeological Reconnaissance Survey on the portion of the site that is in a high sensitivity area. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Historic Preservation Element

Policy 1.2.6 The Planning and Development Department shall maintain and update for planning and permitting purposes, a U.S.G.S. series of topographic maps upon which recorded archaeological sites are shown.

Aquifer Recharge

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

IE-AR Policy 1.2.8

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

Flood Zones

Approximately 11.96 acres of the subject site is located within the AE flood zone and approximately 2.21 acres of the subject site is located within the AE-Floodway flood zone. 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 flood zone is defined as areas within the 100-year floodplain or SFHA where flood insurance is mandatory. The AE Floodway is defined as 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. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

Conservation /Coastal Management Element (CCME)

- Policy 1.4.4 The City shall require all development within the 100-year flood plain to be in strict conformance with all applicable federal, State, regional and local development regulations.

- Policy 2.7.1 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 2.7.3 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.

Wetlands

Review of City data indicates the potential existence of wetlands on the subject site and as such, based upon the city’s geographic information data, the Planning and Development Department has determined the general location, type(s), size, quality and functional value of all wetlands located within the boundaries of the application site. Based on the information noted below, the proposed amendment may be consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

This amendment was reviewed and approved in a vote of 10 to 2 by the Waterways Commission on March 11, 2020.

Wetlands Characteristics:

- Approximate Size: 3.13 Acres

- General Location(s): The wetlands are located along the western boundary of the subject site

- Functional Value: The wetland has an extremely high functional value for water filtration attenuation and flood water capacity, is located within the 100 year flood zone, and has a direct impact on the City’s waterways.

- Soil Types: Evergreen-Wesconnett: nearly level, very poorly drained soils. Generally found in depressions. The soils are moderately slowly permeable to rapidly permeable. The high water table is at or above the surface for very long periods of time.

- Wetland Category: Category 2

Consistency of Permitted Uses: Proposed Site Specific Policy 4.4.15 prohibits development in wetlands and it consistent with use restrictions in Category 2 wetlands.

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

Wetlands Impact: None as the proposed site specific policy prohibits development in wetlands.

Associated Impacts: The wetlands are associated with Mill Damn Branch and are associated with the AE and AE Floodway flood zones.

Relevant Policies:

Conservation/Coastal Management Element

Policy 4.1.3

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

(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;

(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.

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.

Future Land Use Element

Policy 4.1.10

The City hereby incorporates Map L-5 that depicts Salt Water Marshes, Riverine/Estuarine Wetlands and All Other Wetlands. Notwithstanding the permitted land uses according to the Future Land Use Map series (FLUMs), the permitted land uses within such areas shall be limited to the permitted land uses and associated standards of Objectives 4.1, 4.2, 4.3 and 5.1 and related policies of the Conservation/Coastal Management Element.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on January 29, 2020, the required notices of public hearing signs were posted. Seventy-eight (78) 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 February 3, 2020. One member of the public spoke regarding traffic impacts, flooding and drainage issues, impacts on wetlands and concerns with the proposed density.

CONSISTENCY EVALUATION

Consistency with 2030 Comprehensive Plan Goals, Objectives and Policies

Future Land Use Element (FLUE):

Development Area:

Suburban Area (SA): The SA is the third tier Development Area and generally corresponds with the urbanizing portions of the City in areas that have usually been

developed after consolidation. Development should generally continue at low densities with medium density development at major corridor intersections and transit stations. Development at these locations should promote a compact and interconnected land development form and is therefore encouraged to employ urban development characteristics as further described in each land use plan category.

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 the proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination

Policy 1.1.5 The amount of land designated for future development should provide for a balance of uses that:

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

Policy 1.1.12 Promote the use of Planned Unit Developments (PUDs), cluster developments, and other innovative site planning and smart growth techniques in all commercial, industrial and residential plan categories, in order to allow for appropriate combinations of complementary land uses, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations.

Policy 1.1.13 Ensure that mixed and multi-use projects enhance, rather than detract from, the character of established developed areas by requiring site plan controlled zoning such as Planned Unit Developments (PUDs), TODs or TNDs for all mixed and multi-use projects and conforming with the following criteria:

- 1. The type of land use(s), density, and intensity is consistent with the provisions of the land use category, particularly the category's predominant land use;
- 2. The proposed development is in conformity with the goals, objectives, policies, and operative provisions of this and other elements of the 2030 Comprehensive Plan; and
- 3. The proposed development is compatible with surrounding existing land uses and zoning.

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 1.2.9 Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

Objective 3.1 Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.

Policy 3.4.2 The City will evaluate opportunities to promote and encourage development and redevelopment opportunities for mixed and multi-use projects. The Land Development Regulations should be amended, as appropriate, to incorporate such incentives.

Policy 4.1.8B The City shall evaluate all proposed amendments to the Comprehensive Plan as to their compliance with the area's vision plan and any existing neighborhood plans and studies. Priority shall be given to those amendments with the greatest potential to further the goals and objectives of the vision plans and neighborhood plans and studies.

Objective 6.3 The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

Recreation and Open Space Element (ROSE):

Policy 2.2.2 The City shall require that all new single family and multi-family developments (residential developments) dedicate land for public parkland (active recreation parks) or provide monetary contribution to the appropriate department.

Policy 2.2.5 All multiple-family developments of 100 units or more shall provide 150 square feet of active recreation area per dwelling unit. There may be one area for each 100 units, or the areas may be combined, subject to approval by the Planning and Development.

Pending Property Rights Element (Ordinance 2021-334)

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

Objective 1.1 Local decision making shall be implemented and applied with sensitivity for private property rights and shall not be unduly restrictive.

Policy 1.1.1 The City will ensure that private property rights are considered in local decision making.

Policy 1.1.2 The following rights shall be considered in local decision making:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

According to the Category Description of the FLUE, the Low Density Residential (LDR) land use category in the Suburban Development Area is intended to provide for low density residential development at up to seven dwelling units per acre. The Public Buildings and Facilities (PBF) land use category is a broad land use category that is intended to accommodate major public use or community service activities.

Regional Commercial (RC) uses are intended to accommodate development and redevelopment of areas pursuant to a master plan that is implemented through a Planned Unit Development (PUD) Zoning District or a Transit Oriented Development (TOD) Zoning Overlay. The RC designation shall be implemented to facilitate innovative site planning, adaptive reuse, infill development and smart growth techniques and to allow for flexible

and creative integration of uses that would not otherwise be accommodated under other land use categories. New development within the RC category shall be for sites under 250 acres in size, shall generally include a mix of both residential and non-residential uses, and are discouraged in the Rural Development Area.

The RC land use category description establishes a methodology for allowing an integration of uses with projects that exhibit innovative and creative development concepts and that cannot otherwise be accommodated under other land use categories. With each new RC category designation, a site specific policy providing a list of permitted uses and the density and intensity of uses is required. Additionally, development in the RC category will be implemented through a PUD Zoning District or TOD Zoning Overlay.

Additional criteria regarding development typology and land development regulations are included in the RC category description and are summarized as described below:

- Preferred in locations are those which are supplied with full urban services, located in close proximity to a roadway classified as a collector or higher and located within the Suburban Development Area.
- Enables innovation and creativity in development that could not otherwise be accommodated under other land use categories.
- Furthers smart growth practices as defined in FLUE Policy 1.1.25
- Directs development away from environmentally sensitive lands.

The subject property is located within the Suburban Development Area and is surrounded by a mix of commercial, industrial and residential land uses that are compatible with the proposed amendment and associated site specific policy. Pursuant to the site specific policy, wetlands will remain undisturbed and, due to their location within the site, will act as a buffer area between the proposed development and the abutting residential development in the LDR land use category. The scale and mix of uses proposed with this land use amendment will complement existing large scale developments in the general area including the University of North Florida (UNF), Florida State College at Jacksonville (FSCJ) and the Saint John's Town Center and can serve to build on the existing mass transit system. Therefore, the proposed land use amendment results in a compact and compatible land use pattern that discourages sprawl by providing a mix of uses, including additional housing options, on the subject site while encouraging redevelopment and is consistent with FLUE Objectives 1.1, 3.1 and 6.3 and FLUE Policies 1.1.5, 1.1.12, 1.1.13, 1.1.22 and 3.4.2 as well as with CCME Policies 4.1.3 and 4.1.5.

According to the application, the site will have access to JEA potable water and sanitary sewer. Consistent with FLUE Policy 1.2.9, a JEA letter of availability should be provided with the zoning application during the adoption round of the land use application.

As called for in the Southeast Vision Plan, the proposed amendment will allow for a compact mixed-use redevelopment project in the Suburban Development area, consistent with FLUE Policy 4.1.8B.

The site specific policy and information provided within the applicant's justification for the amendment contemplate the provision of recreational uses which must, at a minimum, comply with ROSE Policies 2.2.2 and 2.2.5 concerning the adequate provision of open space for residential development.

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 application site lies within the Southeast Vision Plan area. Guiding Sub-Principle 2.1 states "Provide For and Promote Compatible Mixed-Use Development, Infill and Redevelopment in Stable and Declining Areas and Create a Range Of Housing Opportunities and Choices, Where Appropriate." The proposed land use change to RC provides the opportunity to encourage redevelopment while offering a mix of uses including new housing opportunities to the area, thereby illustrating the proposed land use amendment's consistency with the Southeast Jacksonville Vision Plan.

Strategic Regional Policy Plan

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

Policy 19: The Region supports strategies identified by the Regional Community Institute as they worked on First Coast Vision, including:

- Local governments as they identify areas appropriate for mixed-use development.
- Communication of the benefits of density and mixed-use development, including demonstration of property value increase.
- Emphasis on balance between individual and common spaces and the transition of densities, so that residents of the Region see the benefits, regardless of the lifestyle choices they make.
- Incentives for dense and/or mixed use development.
- Incentives to private landowners to maintain wise forestry practices and maintain ecosystem services on their lands.
- Maintenance of a diversity of land use in the Region.
- Conservation of natural resources through public land acquisition to preserve ecosystem services.
- Reduction of impervious surfaces in the Region.
- Infill and redevelopment.
- Use of low impact development practices.
- Balance between land use and parking policies.
- Learning from other communities and Regions.
- Sensitivity to communities in road and mobility infrastructure design.

- Communities that are planned for people first, not cars.
- Giving residents great places to walk to safely. Encouraging developers and local governments to promote mixed-use communities that provide alternative forms of transportation, such as sidewalks, bike paths and transit stops in locations with highest density.
- Provision of reliable transit options.
- Designation of areas for *Transit Oriented Development* (TOD) and the offering of cost effective incentives within them for development that is affordable, dense, and/or green.

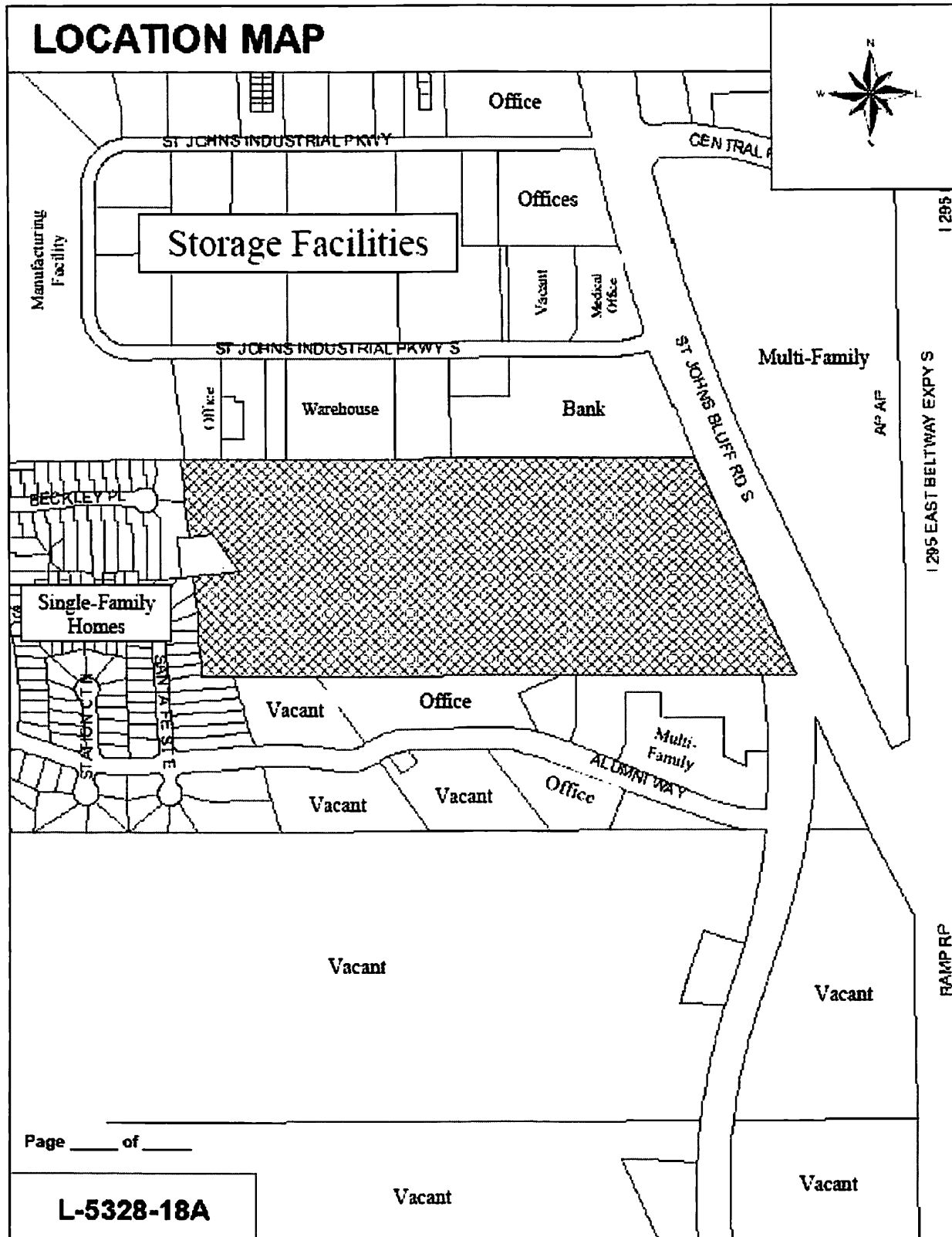
The proposed land use amendment is consistent with Policy 19 of the Regional Transportation section of the Northeast Florida Regional Council's Strategic Regional Policy Plan as it facilitates development of a mix of uses and greater density in an already developed area of the northeast Florida region that is located in close proximity to other large scale developments and has the potential to foster and efficient mass transportation network.

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

Policy 21: The Region supports diverse and sufficient housing stock to provide choices for all households, from single persons to extended families with children.

The proposed land use amendment is consistent with Policy 21 of the Regional Health section of the Northeast Florida Regional Council's Strategic Regional Policy Plan as it would provide an additional housing choice in the area and would provide reuse of an existing site and greater density in an already developed area of the northeast Florida region.

LOCATION AND LAND UTILIZATION MAP



LAND USE MAP

