

City of Jacksonville, Florida

Donna Deegan, Mayor

City Hall at St. James
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Jacksonville, FL 32202
(904) 630-CITY
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September 7, 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. 2023-0411/Application No. L-5830-23C

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

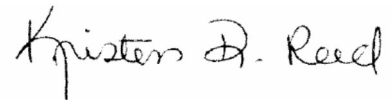
Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **APPROVED** Ordinance 2023-0411 on September 7, 2023.

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

Alexander Moldovan, Chair	Aye
Ian Brown, Vice-Chair	Aye
Jason Porter, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Aye
David Hacker	Aye
Morgan Roberts	Aye

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'.

Kristen D. Reed, AICP
Chief of the Community Planning Division
City of Jacksonville - Planning and Development Department
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Report of the Jacksonville Planning and Development Department
Small-Scale Future Land Use Map Amendment – September 1, 2023

Ordinance/Application No.	2023-411 / L5830-23C
Property Location:	620 Chaffee Road, between Crystal Springs Road and Interstate-10 (SR-8)
Real Estate Number(s):	001848 0000 (portion of)
Property Acreage:	0.47 of an acre
Planning District:	District 5, Northwest
City Council District:	District 12
Applicant:	Steve Diebenow, Esq.
Current Land Use:	Medium Density Residential (MDR)
Proposed Land Use:	Community/General Commercial (CGC)
Development Boundary:	Suburban Development Area
Current Zoning:	Residential Medium Density – MH (RMD-MH)
Proposed Zoning:	Commercial Community/General – 1 (CCG-1)
RECOMMENDATION:	APPROVE

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

The applicant seeks this land use amendment to rearrange the existing gas station and provide a patio in order to improve functionality of the site.

BACKGROUND

The 0.47 of an acre subject site is a portion of a parcel located at 620 Chaffee Road, RE# 001848 0000, which is currently being used as a gas station and car wash. The applicant seeks to amend the Future Land Use Map of the Future Land Use Element (FLUE) from MDR to CGC to increase the size of the gas station. In addition, a companion rezoning is pending concurrently with this land use application via Ordinance 2023-412. The gas station and car wash occupy a portion of the parcel abutting Chaffee Road. The subject

site is undeveloped and abuts a powerline easement running east-west along the south side of the parcel. A retention pond is north and west of the property. The western boundary of the parcel is next to a single-family subdivision. The area west of the subject site up to the property line is undeveloped.

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

<u>North:</u>	Land Use:	Medium Density Residential (MDR)
	Zoning:	Residential Medium Density – MH (RMD-MH)
	Property Use:	Directly north of the site is undeveloped. A 3-acre retention pond is 100 feet northwest of the site.
<u>South:</u>	Land Use:	Low Density Residential (LDR) and Community/General Commercial (CGC) 300 feet south of the site
	Zoning:	Rural Residential – Acre (RR-Acre) and Commercial Community/General – 1 (CCG – 1) approximately 300 feet south of the site.
	Property Use:	Utility easement, undeveloped
<u>East:</u>	Land Use:	CGC
	Zoning:	CCG-1
	Property Use:	Partially undeveloped east of the south half and partially cleared east of the north half.
<u>West:</u>	Land Use:	MDR
	Zoning:	RMD-MH
	Property Use:	Undeveloped

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 - Application Number L-5830-23C

Development Analysis	0.47 acres / 20,473 sq. ft.
Development Boundary	Suburban Development Area
Roadway Frontage Classification / State Road	Chaffee Road – Minor Arterial

Development Analysis		0.47 acres / 20,473 sq. ft.
Plans and/or Studies	NW Jax Vision Plan	
Site Utilization	Current: Gas station/Car wash	Proposed: Rearrange existing facility to include a patio and improve functionality
Land Use / Zoning	Current: MDR / RMD-MH	Proposed: CGC / CCG-1
Development Standards for Impact Assessment	Current: 15 DU / Acre	Proposed: Scenario 1: 0.35 FAR Scenario 2: 15 DU / Acre
Development Potential	Current: 7 MF DU	Proposed: Scenario 1: 7,165 sq. ft. Scenario 2: 7 MF DU
Net Increase or Decrease in Maximum Density	Scenario 1: Decrease of 7 DU Scenario 2: None	
Net Increase or Decrease in Potential Floor Area	Scenario 1: Increase of 7,165 sq. ft. Scenario 2: None	
Population Potential	Current: 16 people	Proposed: Scenario 1: 0 Scenario 2: 16 people
Special Designation Areas		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Evacuation Zone	No	
Airport Environment Zone	150' – OLF Whitehouse Military Notice Zone	
Industrial Preservation Area	No	
Cultural Resources	None	
Archaeological Sensitivity	Low	
Historic District	No	
Coastal High Hazard	No	
Adaptation Action Area	Yes – Entire Site	
Groundwater Aquifer Recharge Area	0-4 Inches	
Wellhead Protection Zone	No	
Boat Facility Siting Zone	No	
Brownfield	No	
Public Facilities		
Potential Roadway Impact	Scenario 1: 187 net new daily trips Scenario 2: 0 net new daily trips	
Potential Public-School Impact	N/A	
Water Provider	JEA	
Potential Water Impact	Scenario 1: Decrease of 1,287 gpd Scenario 2: None	

Development Analysis		0.47 acres / 20,473 sq. ft.
Sewer Provider	JEA	
Potential Sewer Impact	Scenario 1: Decrease of 965 gpd Scenario 2: None	
Potential Solid Waste Impact	Scenario 1: Decrease 6.74 tons per year Scenario 2: None	
Drainage Basin/Sub-basin	Ortega River (both)	
Recreation and Parks	Whitehouse Park	
Mass Transit Access	None	
Natural Features		
Elevations	55' to 57'	
Land Cover	6170: Mixed wetland hardwoods 6460: Mixed scrub-shrub wetland	
Soils	14:Boulogne fine sand, 0-2% slopes 22: Evergreen-Wesconnett complex, depressional, 0-2% slopes	
Flood Zones	AE – Entire Site	
Wetlands	Yes – Category III	
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 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 addition).

According to a JEA letter of availability, dated July 24, 2023, there is an existing 20-inch water main within the Chaffee Road South right-of-way. There is an existing 10-inch sewer force main abutting the property, also within the Chaffee Road South right of way. The letter provides that connection to the JEA-owned sewer system for the project will require the design and construction of an onsite, privately owned and maintained pump station, and a JEA dedicated forced main (min. 4” diameter).

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 or 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 $\frac{1}{4}$ mile from the proposed subdivision.
 - b. Each lot is a minimum of $\frac{1}{2}$ acre unsubmerged property.
 - c. Installation of greyline sewer systems shall be installed when programmed improvements are identified in the Capital Improvements Element which will make connections.

Transportation

The subject site is 0.47 of an acre and is accessible from Chaffee Rd, a minor arterial facility. The proposed land use amendment is located within the Suburban Development Area and Mobility Zone 6. The applicant proposes to change the existing land use from Medium Density Residential (MDR) to Community General Commercial (CGC)

Comprehensive Plan Consistency:

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

Transportation Element

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

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

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 may result in 47 daily trips, depending on the scenario. If the land use is amended to allow for this proposed CGC development, this could result in 234 or 47 daily trips.

Transportation Planning Division RECOMMENDS the following:

The difference in daily trips for the proposed land use amendment will result in 187 or 0 net new daily trips when compared to the existing land use. The Transportation Planning Division recommends ongoing coordinating efforts with the City of Jacksonville Traffic Engineer to determine if a traffic operational analysis is needed.

**Table A
Trip Generation Estimation Scenarios**

Existing Land Use-Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
MDR	220	7 MF DUs	T = 6.74(X)	47	0	47
Existing Scenario Total						47
Proposed Land Use-Scenario 1	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC	822	7,165 SF	T=54.45(X) / 1000	390	156	234
Proposed Scenario 1 Total						234
Proposed Land Use-Scenario 2	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC	220	7 MF DUs	T = 6.74(X)	47	0	47
Proposed Scenario 2 Total						47
Scenario 1 Difference in Daily Trips						187
Scenario 2 Difference in Daily Trips						0

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

Schools

The proposed amendment does result in a change in the potential number of people on the subject site under scenario 1 or 2; therefore the proposed development will have no impact on school capacity.

Wetlands (see Attachment A)

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, size, quality and functional value of all wetlands located within the boundaries of the application site. Based on the information noted below, the proposed amendment is consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

Wetlands Characteristics:

Approximate Size: 0.25 of an acre

General Location(s): The wetlands on site is a small portion of a larger wetland system associated with McGirts Creek. However, the wetland is located on the southern portion of the subject property and approximately 700 feet away from McGirts Creek. The flat elevations prove that the wetlands in this vicinity are depressional where flood waters at this location will not recede into McGirts Ctreek but percolate into the groundwater table.

Quality/Functional Value:

The wetland has a high functional value for water filtration attenuation and flood water capacity and is located in flood zones yet has an indirect impact on the City's waterways.

Soil Types/
Characteristics:

(22) Evergreen-Wesconnett complex, depressional – The Evergreen series consists of nearly level, very poorly drained soils. These soils formed in decomposed organic materials underlain by thick sandy marine sediments. They are located in depressions. The soil is moderately slowly permeable to rapidly permeable. Generally, the high water table is at or above the surface for very long periods.

Wetland Category: Category III

Consistency of
Permitted Uses:

Category III Wetlands: Uses permitted subject to the limitations of CCME Policy 4.1.6 shown below – conservation uses permitted.

Environmental Resource Permit (ERP):

A previous application to the St. Johns River Water Management District was permitted for the fueling station located to the east (ERP # 25560-2) was expired on 10/29/2001). A new permit for the new encroachment is not provided by the applicant and none exists according to the St. Johns River Water Management District web site.

Wetlands Impact:

None anticipated at this time although the wetlands along the southern boundary area have been impacted by the overhead power lines as shown by aerial view.

Associated Impacts:

AE flood zone associated with McGirts Creek and the Adaptation Action Area (AAA).

Relevant Policies:

CCME Policies 4.1.3 and 4.1.6

Conservation/Coastal Management Element

Policy 4.1.3 The following performance standards shall apply to all development, except public utilities and roadways, permitted within Category I, II, and III wetlands:

- (a) Encroachment
Encroachment in Category I, II, or III wetlands is the least damaging and no practicable on-site alternative exists; and

- (b) No net loss
Development is designed and located in such a manner that there is no net loss to the wetland functions including but not limited to:
 - i the habitat of fish, wildlife and threatened or endangered species,
 - ii the abundance and diversity of fish, wildlife and threatened or endangered species,
 - iii the food sources of fish and wildlife including those which are threatened or endangered,
 - iv the water quality of the wetland, and
 - v the flood storage and flood conveyance capabilities of the wetland; and

- (c) Floodplain protection
Buildings are built at an elevation of sufficient height to meet the designated

flood zone standards as set forth by the Federal Emergency Management Agency. The design must be in conformance with Chapter 652 (Floodplain Regulations) of the Ordinance Code; and

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

Conservation/Coastal Management Element

Policy 4.1.6 The permitted uses within Category III wetlands shall be limited to the following land uses and associated standards, provided such use is consistent with the Future Land Use Map series (FLUMs)

- (1) Any use not otherwise listed below, provided all of the basic requirements outlined in Policy 4.1.3 above are met:
 - (a) Silvicultural uses, provided the following standards are met:

Best Management Practices: Silviculture

Such activities are conducted in compliance with the provisions of the "Silvicultural Best Management Practices Manual", as may be amended, published by the Florida Division of Forestry, Department of Agriculture and Consumer Services.

(b) Agricultural uses, provided the following standards are met:

Best Management Practices: Agriculture

Such activities are to be in compliance with Chapter 40C-44, F.A.C.

- (2) Any use that can be shown to be clearly in the public interest, subject to the requirements of (a), (b), (d) and (f) as noted in the performance standards outlined in Policy 4.1.3 above.

Flood Zones

The entire 0.47 of an acre of the subject site is located within the AE Flood zone associated with McGirts Creek. 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 are areas within the 100-year floodplain or SFHA where flood insurance is mandatory.

Conservation/Coastal Management Element

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

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

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

rights.

- Policy 13.7.10 The City has adopted and shall maintain a floodplain management ordinance that establishes engineering requirements to safeguard the public health, safety, and general welfare and minimizes public and private losses due to flooding through regulation and development of flood hazard areas. The ordinance shall include development and redevelopment regulations that:
- A. Minimize unnecessary disruption of commerce, access and public service during times of flooding;
 - B. Require the use of construction practices that will prevent or minimize future flood damage;
 - C. Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
 - D. Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
 - E. Minimize damage to public and private facilities and utilities;
 - F. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;
 - G. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and
 - H. Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.

Adaptation Action Area (AAA)

The amendment site of 0.47 of an acre is entirely 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.

Airport Environment Zone

Height Restriction Zone

The site is located within the 150-foot Height and Hazard Zone for OLF Whitehouse. Zoning will limit development to a maximum height of 150 feet, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

Future Land Use Element

Objective 2.6 Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities in accordance with the requirements of Section 163.3177, F.S.

Policy 2.6.16 Airport Height and Hazard zones (HH) exist around all military and civilian airports within the city limits of Jacksonville. The horizontal limits of the zones and limitations on heights of obstructions within these zones are defined for each military airport in Naval Facilities Engineering Command (NAVFAC) P-80.3 01/82, on file with the Planning and

Development Department, and for each civilian airport in Title 14, Code of Federal Regulations (CFR), Part 77 guidelines, on file with the Planning and Development Department. In order to assure that Title 14, CFR, Part 77 guidelines and NAVFAC P-80.3 01/82 guidelines are not exceeded and that no structure or obstruction is permitted that would raise a minimal obstruction clearance altitude, a minimum vectoring descent altitude or a decision height, all cell towers and any structure or obstruction that would extend into an Airport (HH) requires, in writing, comment from the U.S. Navy. Although written documentation from the U.S. Navy for military HH and from the FAA or JAA for civilian HH is not required for proposed structure heights below the listed height, United States Code (USC) Title 14, CFR Part 77 still applies.

Notice Zone

The site is also located in a Military Influence Zone for OLF Whitehouse

Military Influence Zones

Known as Airport Notice Zones in the Land Development Regulations. They encompass all lands within accident potential zones, the lighting regulation zone for OLF Whitehouse, the 60-64.99 DNL noise contour, and the one hundred fifty (150) foot Height and Hazard Zone or inner horizontal and conical surface zones as shown on the Military and Civilian Influence Zones.

Execution of an Airport Notice Zone Acknowledgement for properties located within these zones is required pursuant to Section 656.1010, Ordinance Code.

Future Land Use Element

Policy 2.6.14 To ensure safety and education of citizens occupying properties that are located near military and civilian airports, the City requires disclosure of airport proximity to prospective owners or lessees in the Military and Civilian Influence Zones depicted on the Military and Civilian Influence Zones Map.

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 protection. However, development resulting from the proposed land use amendment will be reviewed during the site plan review and permitting process for compliance with the land development regulations that have been established to protect groundwater resources. Such regulations address issues such as drainage systems, septic systems, and landscape/irrigation regulations.

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

- Policy 1.2.3 The City shall continue to coordinate with the SJRWMD and utilize the best available resources and information including the latest update of the Floridian Aquifer Recharge GIS grid coverage to protect the functions of the natural groundwater aquifer recharge areas and to discourage urban sprawl.
- Policy 1.2.7 Within two years of establishment by the SJRWMD and the Water Resources Management Plan of prime recharge areas for the Floridian Aquifer, the Planning and Development Department shall prepare maps of such designated areas showing the special zoning and land use consideration the City has established for such areas as designated by the latest update of the Floridian Aquifer Recharge GIS grid coverage.

Procedural Compliance

Upon site inspection by the Planning and Development Department on July 20, 2023, the required notices of public hearing signs were posted. Fifteen (15) 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 July 31, 2023, for the adoption of the small-scale land use amendment. Other than the applicant, no members of the public attended.

Consistency Evaluation

Consistency with 2045 Comprehensive Plan Goals, Objectives and Policies

Future Land Use Element (FLUE)

Development Area

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

- 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 1.1.21 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.

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

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 Statues.

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 improve⁴ 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 Category Descriptions of the Future Land Use Element (FLUE), Medium Density Residential (MDR) in the Urban Area and Suburban Development Areas is intended to provide compact medium density development.

Plan amendment requests for new CGC designations are preferred in locations which are supplied with full urban services; abut a roadway classified as a collector or higher on the Functional Highway Classification Map; and which are located in areas with an existing mix of non-residential uses. Nodal sites with two or more boundaries on a transportation right-of-way shall be considered preferred locations for these uses.

The 0.47 of an acre subject site is undeveloped and contains trees. The applicant is proposing a change from MDR to CGC on a portion of the property owned by the applicant. This will expand the existing CGC land use westward to allow for the expansion of commercial uses associated with an existing gas station / car wash. The proposed land use is a logical extension of the CGC area abutting the subject site to the east. The property is located on a minor arterial road with commercial uses across Chaffee Road, which include a grocery store, a gas station, and a fast-food restaurant. An on-ramp / off-ramp to I-10 is northwest of the property. The land west of the subject site is part of the same parcel and is undeveloped. The western end of the parcel abuts a residential subdivision. The proposed amendment to CGC would be consistent with the development pattern in the area. Further, the proposed amendment would be compatible with the uses along Chaffee Road and the adjacent CGC land use category east of the subject site. Therefore, the proposed amendment is consistent with FLUE Goal 3 and Policy 3.2.6.

In accordance with FLUE Policy 1.1.21, the proposed land use amendment on 0.47 of an acre would have a negligible impact on the balance of uses in the area. The subject site abuts CGC land use to the east and the proposed land use change encourages corridor development of commercial uses maintaining compact and compatible land use patterns, consistent with FLUE Objective 3.2 and Policies 1.1.22 and 3.2.1.

The proposed amendment to CGC promotes a compatible land development pattern on the property and is a logical extension of the abutting CGC land use in conformance with Objective 1.1.

A JEA availability letter, dated July 24, 2023, has been provided for the subject site as part of the companion rezoning application. In accordance with FLUE Policy 1.2.8, there is an existing 20-inch water main within the Chaffee Road South right-of-way. There is an existing 10-inch sewer force main abutting the property, also within the Chaffee Road South right of way. The letter provides that connection to the JEA-owned sewer system for the project will require the design and construction of an onsite, privately owned and maintained pump station, and a JEA dedicated forced main (min. 4" diameter).

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 boundary of the Northwest Vision Plan. The property is in the suburban zone, identified in the plan. The plan does not identify specific recommendations for the subject site. A focus of the plan is to create centers to increase development and redevelopment within the district while protecting existing neighborhoods. The proposed development promotes a use consistent with abutting and surrounding uses while maintaining a buffer between commercial uses and residential uses to the west. Therefore, the amendment is consistent with the Vision Plan.

Strategic Regional Policy Plan

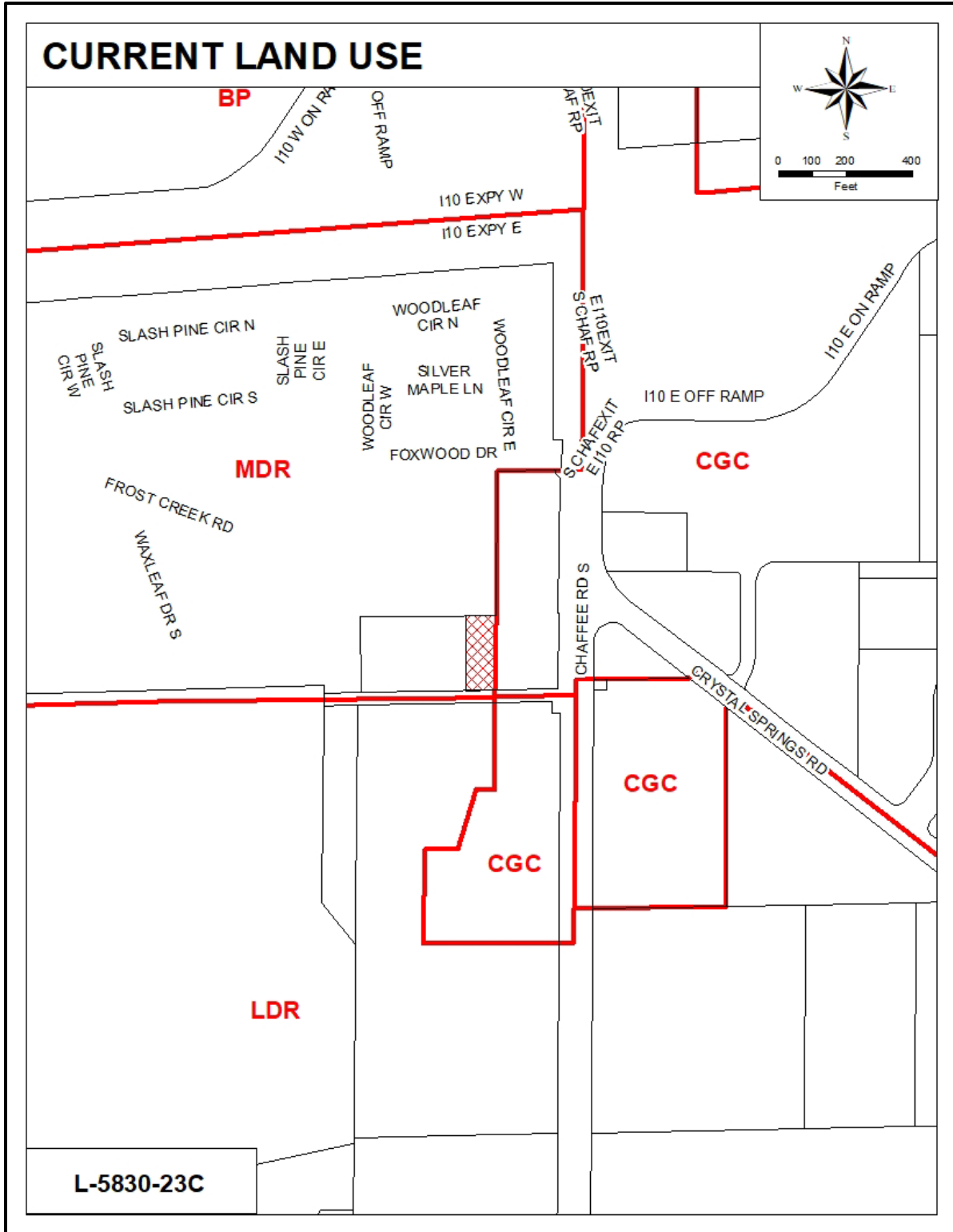
The proposed amendment is consistent with the following Policy of the Strategic Regional Policy Plan:

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 undeveloped land that is part of a commercially developed parcel. The proposed amendment would therefore allow for an additional infill redevelopment opportunity, consistent with Policy 4 of the Strategic Regional Policy Plan.

CURRENT LAND USE MAP



LAND UTILIZATION MAP

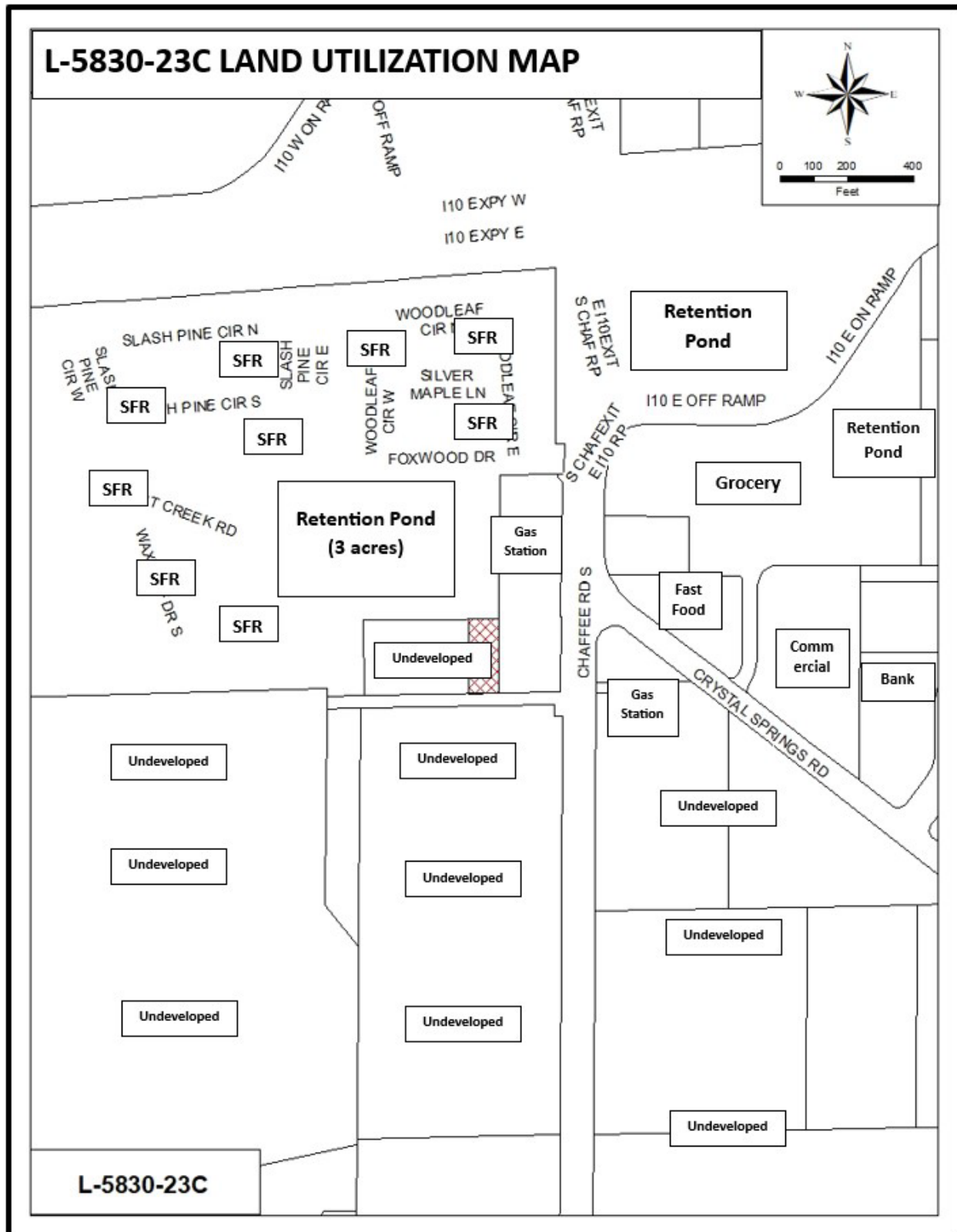


EXHIBIT A – CATEGORY III WETLANDS

