



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

City Hall at St. James
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Jacksonville, FL 32203
(904) 630-CITY

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January 9, 2025

The Honorable Randy White
The Honorable Kevin Carrico, LUZ Chair
And Members of the City Council
117 West Duval Street
Jacksonville, FL 32202

RE: Planning Commission Advisory Report / Ordinance No. 2024-910/Application No. L-5981-24C

Dear Honorable Council President White, 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 2024-910 on January 9, 2025.

P&DD Recommendation APPROVE

PC Issues: One speaker was in opposition siting concerns for a commercial building at this location. The concern was addressed and discussed with the Planning Commission and the applicant.

PC Vote: 6-0 APPROVE

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

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

Sincerely,



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Report of the Jacksonville Planning and Development Department
Small-Scale Future Land Use Map Amendment – January 3, 2025

Ordinance/Application No.	2024-910 / L-5981-24C
Property Location:	0 SR A1A, between Beach Preserve Way and Montreal Street
Real Estate Number(s):	168374-0000
Property Acreage:	7.12 acres
Planning District:	District 2, Greater Arlington/Beaches
City Council District:	District 13
Applicant:	Hayden Phillips, 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 – C (RMD-C)
Proposed Zoning:	Planned Unit Development (PUD)
RECOMMENDATION:	APPROVE

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

To allow for development consistent with the market.

BACKGROUND

The 7.12-acre subject site is located on the west side of SR A1A, across the street from Mayport Elementary School. Puckett Creek and Pucreekett Creek are accessed directly from the subject site. A narrow easement of land, owned by the City of Atlantic Beach, lies between the subject site and SR A1A. A1A is classified as a minor arterial. The subject site is located between Mayport Road and Wonderwood Drive, both of which are also classified as minor arterial roadways. The applicant seeks to amend the Future Land Use Map (FLUM) of the Future Land Use Element (FLUE) from MDR to CGC to permit the development of commercial uses consistent with the CGC land use category. In

addition, a companion rezoning is pending concurrently with this land use application via Ordinance 2024-911 to change the zoning designation from RMD-C to PUD. The subject site abuts multi-family homes to the south and to the west.

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

<u>North:</u>	Land Use:	MDR and Public Buildings and Facilities (PBF)
	Zoning:	RMD-C, RMD-Mobile Home (RMD-MH), RMD-D, and Public Buildings and Facilities-1 (PBF-1)
	Property Use:	Church, multi-family, and school (Mayport Elementary)
<u>South:</u>	Land Use:	MDR
	Zoning:	PUD and RMD-C
	Property Use:	Multi-family
<u>East:</u>	Land Use:	PBF, Low Density Residential (LDR), and MDR
	Zoning:	PBF-1, Residential Low Density-60 (RLD-60), and PUD
	Property Use:	School, single-family residential, and multi-family
<u>West:</u>	Land Use:	MDR and LDR
	Zoning:	RMD-C and RLD-60
	Property Use:	Multi-family and 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.

Development Analysis		7.12 Acres
Development Boundary	Suburban Area	
Roadway Frontage Classification / State Road	SR A1A – Minor Arterial	
Plans and/or Studies	Greater Arlington/Beaches Vision Plan	
Site Utilization	Current: Undeveloped	Proposed: Commercial uses
Land Use / Zoning	Current: MDR / RMD-C	Proposed: CGC / PUD
Development Standards for Impact Assessment	Current: 15 DU/Acre	Proposed: Scenario 1: 0.35 FAR Scenario 2: 15 DU/Acre
Development Potential	Current: 106 DU	Proposed: Scenario 1: 108,551 Sq. Ft. Scenario 2: 106 DU
Net Increase or Decrease in Maximum Density	Scenario 1: Decrease of 106 DU Scenario 2: No change	
Net Increase or Decrease in Potential Floor Area	Scenario 1: Increase of 108,551 Sq Ft Scenario 2: N/A	
Population Potential	Current: 249 people	Proposed: 249 people
Special Designation Areas		
Aquatic Preserve	No	
Evacuation Zone	Zone B	
Airport Environment Zone	150 Feet for NAS Mayport and Military Notice Zone	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	Medium and High	
Historic District	No	
Coastal High Hazard	Yes	
Adaptation Action Area	Yes	
Groundwater Aquifer Recharge Area	Discharge	
Wellhead Protection Zone	No	
Boat Facility Siting Zone	No	
Brownfield	No	
Public Facilities		
Potential Roadway Impact	Scenario 1: 2,364 net new daily trips Scenario 2: No net new daily trips	
Potential Public School Impact	25 new students	
Water Provider	City of Atlantic Beach Utilities	
Potential Water Impact	Scenario 1 = Decrease 19,482 gallons per day Scenario 2 = No change	
Sewer Provider	City of Atlantic Beach Utilities	
Potential Sewer Impact	Scenario 1 = Decrease 14,612 gallons per day Scenario 2 = No change	
Potential Solid Waste Impact	Scenario 1 = Decrease 101.9 tons per year Scenario 2 = No change	
Drainage Basin/Sub-basin	Intracoastal Waterway / Sherman Creek	
Recreation and Parks	Modesky Park and Kathryn Abbey Hanna Park	
Mass Transit Access	No nearby routes on JTA	

Development Analysis		7.12 Acres
Natural Features		
Elevations	1 – 9 feet	
Land Cover	6410: freshwater marshes; 4340: upland mixed coniferous/hardwood; 1300: residential, high density – 6 or more dwelling units/acre	
Soils	32: Leon fine sand, 0 to 2 percent slopes 68: Tisonia mucky peat 0 to 2 percent slopes 71: Urban land-Leon-Boulogne Complex 0 to 2 percent slopes	
Flood Zones	0.2% Annual Chance Flood Hazard and AE Flood Zone	
Wetlands	Yes	
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).

The applicant provided a letter, dated August 9, 2024, confirming that water and sewer facility capacity is available to serve the property through the City of Atlantic Beach Utilities. According to the letter, the property has a water main at the proposed entrance to the site, and a gravity sewer is available. The developer will be responsible for installing gravity sewer to connect to the City of Atlantic Beach lift station.

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 7.12 acres and is located on State Road A1A (SR-A1A) between Beach Preserve Way and Montreal Street. The proposed land use amendment is located within the Suburban Development Area and Mobility Zone 2. 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 MDR land use would result in 714 daily trips. If the land use is

amended to allow for this proposed CGC development, this will result in 3,078 or 714 daily trips.

Transportation Planning Division RECOMMENDS the following:

The difference in daily trips for the proposed land use amendment has 2,364 or zero net new daily trips when compared to the existing land use. The Transportation Planning Division recommends ongoing coordinating efforts with the City of Jacksonville Traffic Engineer to determine if a traffic operational analysis is needed.

**Table A
Trip Generation Estimation Scenarios**

Current Land Use-Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
PBF	220	106 DUs	T = 6.74 (X)	714	0	714
				Total Trips for Existing Land Use- Scenario		714
Proposed Land Use-Scenario 1	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC	821	36,590 SF	T = 67.52 (X) / 100	7,329	4,251	3,078
				Total Trips for Proposed Land Use- Scenario 1		3,078
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	106 DUs	T = 6.74 (X)	714	0	714
				Total Trips for Proposed Land Use- Scenario 2		714
				Scenario 1 Difference in Daily Trips		2,364
				Scenario 2 Difference in Daily Trips		0

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

School Capacity

The 7.12-acre proposed land use map amendment has a development potential of 106 dwelling units and 25 new students. 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:

Application Review Request: COJ PDD: School Impact Analysis							
Proposed Name: L-5981-24C SR A1A and Montreal St							
Requested By: Susan Kelly							
Reviewed By: LeVonne Griggs							
Due: 11/25/2024							
Analysis based on maximum dwelling units: 106							
School Type	CSA ¹	2024-25 Enrollment/CSA	Current Utilization (%)	New Student/Development ³	5-Year Utilization (%)	Available Seats - CSA ²	Available Seats - Adjacent CSA 5 & 7
Elementary	6	3,623	76%	13	64%	1,250	631
Middle	6	2,017	89%	5	79%	568	76
High	6	2,204	108%	7	80%	143	599
Total New Students				25			

NOTES:

¹ Proposed Development's Concurrency Service Area (CSA)

² Available CSA seats include current reservations

³ Student Distribution Rate

ES-.119

MS-.050

HS-.078

0.248

The Student Distribution Rate is calculated for each school type by dividing the total number of public school students enrolled in that school type in Duval County (102,110) by the number of total permitted housing units (411,541) for the same year, generating a yield of 0.248.

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

The analysis of the proposed residential development reveals no deficiency for school capacity within the CSA and adjacent CSAs. Potential school capacity impacts will be addressed through the Concurrency and Mobility Management System Office.

Public School Facilities Element

Policy 2.3.2 The City will coordinate with DCPS to establish plan review procedures to manage the timing of Future Land Use Map amendments and other land use decisions so that these decisions coordinate with adequate school capacity.

Policy 2.3.3 The City will take into consideration the DCPS comments and findings on the availability of adequate school capacity in the evaluation of comprehensive plan amendments, and other land use decisions as provided in Section 163.3177(6)(a), F.S. and development of regional impacts as provided in 1380.06, F.S

Objective 3.2 Adopted Level of Service (LOS) Standards
Through the implementation of its concurrency management systems and in coordination with the DCPS, the City shall ensure that the

capacity of schools is sufficient to support new residential developments at the adopted level of service (LOS) standards within the period covered in the five-year schedule of capital improvements and the long range planning period. These standards shall be consistent with the Interlocal Agreement agreed upon by the DCPS, the City and the other municipalities. Minor deviations to the LOS standards may occur, so long as they are limited, temporary and with scheduled capacity improvements, school capacity is maximized to the greatest extent feasible.

Policy 3.1.1 The LOS standards set forth herein shall be applied consistently for the purpose of implementing school concurrency, including determining whether sufficient school capacity exists to accommodate a particular development application, and determining the financial feasibility of DCPS Five-Year Capital Facilities Plan and the City’s Capital Improvement Plan.

Supplemental School Information:

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

Application Review Request: COJ PDD: Baseline Checklist Review Proposed Name: L-5981-24C SR A1A and Montreal St Requested By: Susan Kelly Reviewed By: Levonne Griggs Due: 11/25/2024 Analysis based on maximum dwelling units: <u>106</u>						
SCHOOL ¹	CSA	STUDENTS GENERATED (Rounded) ³	SCHOOL CAPACITY ² (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2024/25)	% OCCUPIED	4 YEAR PROJECTION
Mayport ES#227	6	13	808	427	53%	43%
Mayport MS#254	6	5	1017	825	81%	74%
Duncan Fletcher HS#223	6	7	2048	2204	108%	109%
		25				

NOTES:

¹ Attendance school may not be in proposed development's Concurrency Service Area (CSA)

² Does not include ESE & room exclusions

³ Student Distribution Rate

ES-.119

MS-.050

HS-.078

0.248

The Student Distribution Rate is calculated for each school type by dividing the total number of public school students enrolled in that school type in Duval County (102,110) by the number of total permitted housing units (411,541) for the same year, generating a yield of 0.248.

Adaptation Action Area (AAA)

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

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

Conservation/Coastal Management Element

- Policy 13.1.2 The City shall recognize existing regulations, programs and policies that overlap with the AAA and that are currently in place to limit public investment and address appropriate development and redevelopment practices related to flooding. These regulations, programs and policies include but are not limited to the floodplain management ordinance, CHHA policies, the Local Mitigation Strategy and the Post Disaster Redevelopment Plan and shall only be applied in cases where such regulation would otherwise apply to a development or redevelopment project.
- Policy 13.3.1 The City shall consider the implications of the AAA when reviewing changes to the use, intensity and density of land lying within the AAA.
- Policy 13.3.6 In order to guide development away from the Adaptation Action Area (AAA) towards areas that are already high, dry, and connected, the Planning and Development Department shall explore the feasibility of offering density bonuses, transfers of development rights, clustering development entitlements, or other strategies to limit new development within the AAA or environmentally sensitive or special flood hazard areas, or as an incentive for a development's use of low impact development stormwater solutions.

Airport Environment Zone

Height Restriction Zone

The site is located within the 150-foot Height and Hazard Zone for the Mayport Naval Air Station. 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.

Military Notice Zone

The site is also located in a Military Influence Zone for Mayport Naval Air Station. Military Influence Zones, known as Airport Notice Zones in the City's Land Development Regulations, encompass all lands within accident potential zones, the lighting regulation zone (for OLF Whitehouse only), the 60-64.99 DNL noise contour, and/or the 150-foot Height and Hazard Zone or inner horizontal and conical surface zones as shown on the Military and Civilian Influence Zones Map. They apply to Naval Air Station Jacksonville, Mayport Naval Air Station, and OLF Whitehouse.

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.

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of 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 1.2.2 The City shall continue to review new development for the potential of archeologically significant sites. The City shall utilize the most current version of the Archeological Sensitivity Predictive Model to identify areas of high probability for artifact concentrations.
- Policy 1.2.5 The Planning and Development Department shall maintain and update for planning and permitting purposes, a series of GIS data layers and maps depicting recorded archaeological sites, historic districts and local landmarks.

Coastal High Hazard Area (CHHA)

According to the City's GIS 2021 CHHA Map, 6.68 acres out of the 7.12 acre subject site is located within a Coastal High Hazard Area (CHHA), as defined by Sections 163.3178(2)(h) and 163.3164(1), Florida Statutes. The Coastal High Hazard Area (CHHA) is the area below the elevation (8 feet above mean sea level) of the Category 1 storm surge line established by the Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model as established by the most current Northeast Florida Hurricane Evacuation Study. It is shown on The Coastal High Hazard Areas (CHHA) and Hurricane Evacuation Zones Map.

Conservation/Coastal Management Element

- Policy 7.2.3 In the event that the Chief of Emergency Preparedness determines that the shortage of shelter space requires mitigation, then policies 7.2.5,

7.2.6 and 7.2.7 shall apply.

Policy 7.2.5 The City shall require that all new development located in the Coastal High Hazard Area in land use categories that permit residential density greater than Low Density Residential shall contribute to the cost of emergency shelter space in existing school sites.

Policy 7.2.6 For purposes of determining an owner's assessment for the cost of emergency shelter space in new and existing school sites and community centers, the City shall use a quantitative formula where:

A equals the total number of residential units proposed;

B equals number of persons per household; and

C equals average cost to retrofit one shelter space;

D owners assessment

$A \times B \times C = D$ Owner's Assessment

Policy 7.2.7 The City shall use the most recent U.S. Census data related to average household size, population in households and households. In calculating the assessment owed, the City shall use the full unit count of the proposed development, the county-wide average household size from the U. S. Census, and the average shelter retrofit cost as provided by the City's Emergency Preparedness Division in consultation with the Duval County School District Facilities Services Division. The City shall not allow a reduction of the shelter space required based on assumptions of smaller household sizes than the county-wide census data or reduced uses of public shelters for certain developments. These factors shall be updated as warranted by the City to ensure accuracy of costs and population factors.

The City will continue to enforce building standards and requirements to minimize structural damage to property in hazardous coastal areas. Future City expenditures for infrastructure improvements will be limited to meeting the needs of existing residents and resource protection. Land use decisions will direct new development to areas outside of hazardous coastal areas.

Objective 7.4 Limit development density and intensity within the Coastal High Hazard Area (CHHA) and direct it outside of the CHHA and mitigate the impact of natural hazards in the area.

Policy 7.4.8 The City shall promote, in instances where a proposed project is located within the CHHA, the clustering of uses. Such clustering will be used to limit the acreage within the CHHA that will be affected by the proposed development and will serve to limit the amount of infrastructure provided within the CHHA. To demonstrate compliance with the clustering concept identified in this policy, proposed site plans may be required to

include conditions that restrict future development on any other portion of the site within the CHHA and /or place a conservation easement on any remaining wetlands within the CHHA not already proposed for impacts.

Flood Zones

Approximately 0.49 of an acre of the subject site is within the AE-Floodway, 6.17 acres is within the AE Flood Zone, and 0.39 of an acre is located in the 0.2 Percent Chance Annual Hazard Area (X 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. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

The AE-Floodway are areas within the 100-year floodplain or SFHA where flood insurance is mandatory if construction is allowed within the floodway. Areas located within AE-Floodway zones should be left intact as construction and filling within these areas is severely restricted. The AE-Floodway is associated with Puckett Creek, an excavated ditch located along the frontage of the property along SR A1A created to control flooding of the highway.

AE Flood Zones are areas within the 100-year floodplain or SFHA where flood insurance is mandatory. This flood zone is associated with Pucrekett Creek.

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

Conservation /Coastal Management Element (CCME)

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

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

- A. Land acquisition or conservation easement acquisition;
- B. Regulation, including setbacks, buffer zones, designated wildlife

corridors, low density zoning, performance standards and open space requirements; and

- C. Incentives, including tax benefits and transfer of development rights.

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

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

Evacuation Zone

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

analysis is provided below.

EPD Response:

The proposed property in land use amendment L-5981-24C will be near SR A1A, indicating sufficient access to Wonderwood Drive (0.6 road miles), a primary evacuation route.

In consideration of the surrounding evacuation zones (Zone A and Zone B), the nearest evacuation routes, and the estimate of 2,364 new daily trips, the changes proposed through land use amendment application L-5981-24C would have a minimal impact on countywide evacuation clearance time within Duval County. Site design techniques that minimize disruption to existing traffic flow are encouraged. Any development should incorporate appropriate mitigation techniques to reduce flood vulnerability and minimize impacts to the floodplain.

Conservation /Coastal Management Element (CCME)

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

Wetlands

Review of City’s GIS data and by the applicant’s site plan indicates the potential existence of wetlands on the subject site and as such, 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. Due to the Category I wetlands on site, the Waterways Commission reviewed this application at their meeting on December 12, 2024 and recommended denial, referencing the value of salt water marshland and the potential for displaced flooding.

Wetlands Characteristics:

Approximate Size: 3.02 acres
General Location(s): Category I wetlands are located along the western and southern boundary of the property and are associated with Pucreekett Creek.

Quality/Functional

Value: Category I wetlands are salt marsh which have an extremely high functional value due to their water filtration attenuation of coastal waters and reduction of storm surge in coastal high hazard areas during cataclysmic coastal storms. They are associated with the AE and AE floodway zones and have a direct impact on the City's waterways.

Soil Types/
Characteristics: Category I Wetland Soils
(68) Tisonia mucky peat – The Tisonia series consists of nearly level, very poorly drained, organic soils. These soils formed from nonwoody, halophytic plant remains underlain by fine textured sediments. They are in tidal marshes. The soil is very slowly permeable. The high water table generally is at or near the surface, and areas are flooded twice daily by fluctuating tides for very brief periods.

Wetland Category: Category I

Consistency of
Permitted Uses: Category I Wetlands: Uses permitted subject to the limitations of CCME Policy 4.1.5 shown below – conservation uses permitted.

Environmental Resource
Permit (ERP): Not provided by the applicant and none listed on the St. Johns River Water Management District website.

Wetlands Impact: According to the site plan of the proposed development, the only impact will be a proposed crossing of Puckett Creek, a conveyance ditch, for access into the property.

Associated Impacts: The Category I wetland area coincides with the AE Flood Zone and the Adaptation Action Area (AAA). The AE-Floodway is associated with Puckett Creek, a conveyance ditch used for flood control along SR A1A.

Relevant Policies: CCME Policies 4.1.3, 4.1.5 and 4.1.6

Conservation /Coastal Management Element (CCME)

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.

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.

PROCEDURAL COMPLIANCE

The required notices of public hearing signs were posted as confirmed by receipt of the sign posting affidavit and photographs on December 9, 2024. One hundred one (101) 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 December 2, 2024, for the adoption of the small-scale land use amendment. Aside from the applicant, two (2) members of the public attended, expressing concerns with the proposed use and the required buffering needed adjacent to residential.

CONSISTENCY EVALUATION

Consistency with 2045 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 defined in the Comprehensive 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 1.1.8 Encourage that new non-residential projects be developed in designated nodal and corridor development areas as provided in the Plan Category Descriptions of the Operative Provisions, in appropriate commercial infill locations, or as a Transit Oriented Development (TOD), as described in this element.

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

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

- Natural or man-made buffers and boundaries
- Height of development
- Bulk and scale of development
- Building orientation
- Site layout
- Parking layout
- Opportunities for physical activity, active living, social connection, and access to healthy food

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

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

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

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

Policy 1.2.8 Require new development and redevelopment in the Central Business District (CBD), Urban Priority Area (UPA), Urban Area (UA), and Suburban Area (SA) to be served by centralized wastewater collection

and potable water distribution systems when centralized service is available to the site.

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

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

Goal 3 To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

Policy 3.2.1 The City shall encourage development of commercial and light/service industrial uses in the form of 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 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 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 Suburban Area is intended to provide compact medium density development at up to 30 dwelling units per acre when the site does not abut land in LDR or RR; except for sites within the CHHA where the maximum gross density shall be 20 units per acre, unless appropriate mitigation is provided consistent with the City's CHHA policies.

Community General Commercial (CGC) is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods in order to reduce the number of Vehicle Miles Traveled. Development within the category should be compact and connected and should support multi-modal transportation. All uses should be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods.

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 applicant is seeking to amend the FLUM for the 7.12-acre subject site from MDR to CGC, with a companion PUD rezoning. The entire parcel is within the CHHA. As such, densities and intensities of development are limited for reasons of public safety. Further,

the specific uses allowed on the site will be controlled by the PUD zoning district. Amending the land use of the property from residential to commercial, with a companion PUD rezoning, reduces public safety concerns as the site is less likely to be developed with residential units. As such, the proposed amendment is consistent with the CCME policies listed in the CHHA section of this report, as well as FLUE Policy 1.1.9.

The applicant provided a letter, dated August 9, 2024, confirming that water and sewer facility capacity is available to serve the property through the City of Atlantic Beach Utilities. According to the letter, the property has a water main at the proposed entrance to the site, and a gravity sewer is available. The developer will be responsible for installing gravity sewer to connect to the City of Atlantic Beach lift station. As such, the proposed land use amendment is consistent with FLUE Policy 1.2.8.

The subject site is located on the west side of SR A1A, which is classified as a minor arterial roadway on the City's Functional Highway Classifications Map. A narrow parcel of land (approximately 55-feet wide), owned by the City of Atlantic Beach, lies between the subject site and SR A1A as a conveyance ditch to control water along A1A. The subject site is located between Mayport Road and Wonderwood Drive, both of which are also classified as minor arterial roadways. The subject site abuts multi-family homes to the south and to the west, and single-family homes, a school, and a church are located across A1A from the subject site. Given the balanced mix of uses surrounding the subject site, the corridor's classification as a minor arterial, and the availability of full urban services, the proposed land use amendment to CGC offers a compatible land use with an efficient urban service delivery system to service future growth needs, consistent with FLUE Goal 3, Objective 1.1 and Policies 1.1.8, 1.1.21, 1.1.22, 3.2.1 and 3.2.6.

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 Greater Arlington/Beaches Vision Plan. While the plan does not identify specific recommendations for the subject site, the proposed land use amendment to CGC would support Objective 2.1.6: Land Use Patterns shall be consistent with the intensity and density of the affected area while respecting the hierarchy of traffic patterns and roadways. The proposed land use amendment is located along a minor arterial roadway, connecting two (2) minor arterial roadways, and as such, any commercial development on the subject site would take advantage of the existing transportation infrastructure, consistent with the Vision Plan.

Strategic Regional Policy Plan

The proposed amendment is consistent with the following Goal of the Communities and Affordable Housing section of the Northeast Florida Strategic Regional Policy Plan:

Goal: Each local government is encouraged to take the lessons learned from visioning, the public preference for multiple growth centers, the opportunities and challenges raised by resources of regional significance and the desires of their residents and determine where new growth should go, ideally in locations allowing it to take advantage of existing infrastructure, be mixed use, compact and connected to other centers. These mixed use growth and redevelopment centers are supported in all seven Counties and have the potential to increase transit ridership, reduce car dependency, maintain water and air quality and conserve water. Once these locations are chosen, governments should do all they can to support quality development there that will appreciate in value and achieve multiple community and economic goals.

Given the balanced mix of uses surrounding the subject site, the corridor's classification as a minor arterial, and the availability of full urban services, the proposed land use amendment to CGC offers a compatible land use with an efficient urban service delivery system to service future growth needs, consistent with the Strategic Regional Policy Plan.

CURRENT LAND USE AND LAND UTILIZATION MAP

