

City of Jacksonville, Florida

Lenny Curry, Mayor

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Jacksonville, FL 32202
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November 4, 2021

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

RE: Planning Commission Advisory Report / Ordinance No. 2021-733/Application No. L-5532-21A

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

Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **APPROVED** Ordinance 2021-733 on November 4, 2021.

P&DD Recommendation	APPROVE
PC Issues:	None
PC Vote:	5-0 APPROVE

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

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

Sincerely,

Kristen D. Reed

Kristen D. Reed, AICP
Chief of Community Planning Division
City of Jacksonville - Planning and Development Department
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Report of the Jacksonville Planning and Development Department

Large-Scale Future Land Use Map Amendment – October 29, 2021

Ordinance/Application No.: 2021-733 / L-5532-21A

Property Location: 0 Owens Road, 905 Owens Road, 0 I-95, and 0 Sharon Owens Road; on the north side of Owens Road between International Airport Boulevard and I-95

Real Estate Number(s): 106256-0010, 106256-1000, 106256-2000, 106260-0000, and 108138-0000

Property Acreage: 131.20 Acres

Planning District: District 6, North

City Council District: District 7

Applicant: Paul Harden, Esquire

Current Land Use: Light Industrial (LI)

Proposed Land Use: Medium Density Residential (MDR)

Development Area: Suburban Area

Current Zoning: Industrial Light (IL)

Proposed Zoning: Planned Unit Development (PUD)

RECOMMENDATION: APPROVE

APPLICANT'S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

To develop for residential uses.

BACKGROUND

The 131.20 acre subject site is located on the north side of Owens Road and on the west side of Interstate-95. Owens Road is an unclassified roadway. The application site consists of five (5) parcels.

The site is currently undeveloped and contains a pond. The applicant proposes an amendment to the Future Land Use Map series (FLUMs) of the Future Land Use Element

(FLUE) of the 2030 Comprehensive Plan from LI to MDR and a companion rezoning from IL to PUD in order to develop multi-family residential units.

Properties in the immediate vicinity of the subject site remain undeveloped. Ordinance 2008-789-E for a land use amendment from LI to CGC along with a companion PUD rezoning was approved south of the amendment site to permit multi-family residential and commercial uses. Various uses are located farther south about ½ mile along Airport Road; these uses include commercial, medical, industrial, and residential.

The adjacent land use categories, zoning districts and property uses of the land use amendment site are as follows:

North: Land Use: LI
 Zoning: IL
 Property Use: Undeveloped

South: Land Use: LI and Community / General Commercial (CGC)
 Zoning: IL, PUD, and Commercial Community General-1 (CCG-1)
 Property Use: Undeveloped (PUD allowing multi-family and commercial uses), hotel, and airport parking

East (across I-95): Land Use: LI and CGC
 Zoning: IL and PUD
 Property Use: Undeveloped, apartments, and medical

West: Land Use: LI, CGC, and Public Buildings and Facilities (PBF)
 Zoning: IL, PUD, and Public Buildings and Facilities-3 (PBF-3)
 Property Use: Undeveloped and Jacksonville International Airport (JIA)

IMPACT ASSESSMENT

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

Impact Assessment Baseline Review

Development Analysis	131.20 acres	
Development Boundary	Suburban Area	
Roadway Frontage Classification / State Road	Owens Road (local) and I-95 (limited)	
Plans and/or Studies	North Vision Plan	
Site Utilization	Current: Undeveloped	Proposed: Multi-family housing
Land Use / Zoning	Current: LI / IL	Proposed: MDR / PUD

Development Analysis		131.20 acres
Development Standards for Impact Assessment	Current: 0.4 FAR	Proposed: 15 DU/Acre
Development Potential	Current: 2,282,370 Sq. Ft.	Proposed: 1,965 multi-family units
Net Increase or Decrease in Maximum Density	Increase of 1,965 units	
Net Increase or Decrease in Potential Floor Area	Decrease of 2,282,370 Sq. Ft.	
Population Potential	Current: Not applicable	Proposed: 4,617 people
Special Designation Areas		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	150 feet – JIA; 4.67 acres in 60 dbl and civilian notice zone	
Industrial Preservation Area	Industrial Situational Compatibility Zone	
Cultural Resources	No	
Archaeological Sensitivity	Low	
Historic District	No	
Coastal High Hazard/Adaptation Action Area	No	
Groundwater Aquifer Recharge Area	No, discharge	
Wellhead Protection Zone	No	
Boat Facility Siting Zone	No	
Brownfield	No	
Public Facilities		
Potential Roadway Impact	3,063 net new trips	
Potential Public School Impact	653 students	
Water Provider	JEA	
Potential Water Impact	Increase of 383,718 gpd	
Sewer Provider	JEA	
Potential Sewer Impact	Increase 287,788 gpd	
Potential Solid Waste Impact	Decrease of 1,966.3 tons per year	
Drainage Basin/Sub-basin	Broward River / Seaton Creek	
Recreation and Parks	Seaton Creek Historic Preserve; Oceanway Center and Park	
Mass Transit Access	Not served	
Natural Features		
Elevations	20 - 28 feet	
Land Cover	4410 (pine plantation); 4430 (forest regeneration); 6170 (mixed wetland hardwoods); 5300 (reservoirs – pits, retention ponds, dams); 6460 (mixed scrub-shrub wetland); 6300 (wetland forested mixed); 1100 (residential, low density – less than 2 dwelling units/acre)	
Soils	(14) Boulogne fine sand, 0-2% slopes; (38) Mascotte fine sand, 0-2% slopes; (44) Mascotte-Pelham complex, 0-2% slopes; (51) Pelham fine sand, 0-2% slopes; (66) Surrency loamy fine sand, depressionnal, 0-2% slopes; (81) Stockade fine sandy loam, depressionnal, 0-2%	
Flood Zones	AO; AE; and 0.2 % Annual Chance Flood Hazard	

Development Analysis	131.20 acres
Wetlands	6170 (mixed wetland hardwoods); 6430 (wet prairies); 6300 (wetland forest mixed); 6460 (mixed scrub-shrub wetland)
Wildlife (applicable to sites greater than 50 acres)	Wildlife survey provided; summarized in staff report

Utility Capacity

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

The applicant indicated in the land use amendment application that the site will be served by JEA. A JEA letter of service availability dated October 14, 2019 was submitted with the PUD rezoning identifying connection points for both water and sewer hook ups.

Transportation

The Planning and Development Department completed a transportation analysis, which is on file with the Planning and Development Department. In accordance with development standards for impact assessments established in the Future Land Use Element Policy 1.2.16, the existing LI land use has a development potential of 2,282,370 square feet of industrial space (ITE Land Use Code 110), which could generate 11,321 gross daily trips. The proposed MDR land use category development impact assessment (per FLUE Policy 1.2.16) has a development potential of 1,965 multi-family dwelling units (ITE Land Use Code 220), which could generate 14,384 gross daily trips.

As such, the trip generation comparison between the current development potential and the proposed development potential will result in 3,063 net new trips. This analysis is based upon the comparison of what potentially could be built on that site versus the maximum development potential. Trips generated by the new development will be processed through the Concurrency and Mobility Management System Office.

Supplemental Transportation Information

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

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

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

Mobility needs vary throughout the city and in order to quantify these needs, the city was divided into 10 Mobility Zones. The Mobility Strategy Plan identifies specific transportation strategies and improvements to address traffic congestion and mobility needs for each mode of transportation. The project site is located in Mobility Zone 4.

The subject site is accessible via Owens Road, a 2-lane undivided roadway which is not functionally classified. The proposed development will have significant external traffic impacts on the roadway network. The Transportation Planning Division recommends ongoing coordinating efforts with the City's Traffic Engineering Division to ensure that a traffic operational analysis is provided to address the specific external impacts as a result of this land use amendment.

School Capacity

Based on the impact assessment standards detailed in FLUE Policy 1.2.16, the 130.99 acre proposed land use map amendment has a development potential of 1,965 multi-family dwelling units. The proposed development was analyzed in accordance with the adopted level of service standards (LOS) for school capacity as established in the Interlocal Agreement (ILA) and the Public Schools and Facilities Element. The ILA was entered into in coordination with the Duval County Public School System (DCPS) and the other municipalities within Duval County.

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

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

- Elementary School
 - Concurrency Service Area (CSA) 1
 - 2020/2021 enrollment: 11,133
 - Current utilization: 60%
 - New student development from amendment: 328
 - 5-year utilization: 67%
 - Available seats in CSA 1: 6,180
 - Available seats in adjacent CSA(s) 7 and 8: 2,989

- Middle School
 - CSA 1
 - 2020/2021 enrollment: 7,607
 - Current utilization: 89%
 - New student development from amendment: 143
 - 5-year utilization: 98%
 - Available seats in CSA 1: 618
 - Available seats in adjacent CSA(s) 7 and 2: 638

- High School
 - CSA 1
 - 2020/2021 enrollment: 8,520
 - Current utilization: 84%
 - New student development from amendment: 182
 - 5-year utilization: 76%
 - Available seats in CSA 1: 1,410
 - Available seats in adjacent CSA(s) 7 and 8: 217

The analysis of the proposed 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

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.

- Biscayne Elementary #269
 - CSA 1
 - Amendment student generation: 328
 - School Capacity including permanent spaces and portables: 667
 - Current enrollment 20 day count for 2020/2021: 656

- Percent Occupied: 98%
- 4-year projection: 100%

- Highland Middle School #244
 - CSA 1
 - Amendment student generation: 143
 - School Capacity including permanent spaces and portables: 1,071
 - Current enrollment 20 day count for 2020/2021: 751
 - Percent Occupied: 70%
 - 4-year projection: 77%

- First Coast High School #265
 - CSA 7
 - Amendment student generation: 182
 - School Capacity including permanent spaces and portables: 2,212
 - Current enrollment 20 day count for 2020/2021: 2,168
 - Percent Occupied: 98%
 - 4-year projection: 103%

Airport Environment Zone

The subject site is located within the 150-foot Height and Hazard Zone for the Jacksonville International Airport (JIA). Zoning will limit development to a maximum height of less than 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).

Approximately 4.67 acres of the amendment site is within the 60-64.99 Day-Night Sound Level (DNL) noise contour range. As such, this area is within the Civilian Notice Zone for Jacksonville International Airport. In accordance with Section 656.1010, no person shall sell, transfer, or lease land within a Civilian Influence Zone, unless the prospective owner, transferee or lessee has been given a disclosure of airport proximity in writing, at the time of contract of sale, transfer, or lease.

The Jacksonville Aviation Authority provided a review of the site and included the following comments:

The Federal Aviation Administration (FAA) does not consider noise sensitive land uses within the 60 DNL to be significantly impacted, however, aircraft noise is present and may be an annoyance to noise sensitive land uses. The FAA requires all airports to protect approach, departure, and circling airspace up to five miles from the air operations area including mitigating potential wildlife attractants. Guidance is provided in Advisory Circular 150/5200-33C *Hazardous Wildlife Attractants on or near Airports*.

While the height of development may fall below protected airspace surfaces, please submit a 7460-1 Notice of Proposed Construction through the FAA's website at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp> prior to construction. The FAA will conduct an airspace analysis to determine if the final structures or construction activities, such as the use of a crane, will interfere with flight operations. A Notice to Airmen may be required during construction.

Future Land Use Element

Objective 2.5 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.

Policy 2.5.5C Within the 60DNL or higher area as depicted on Map L-22, entertainment assembly uses are only permitted in PUD developments or pursuant to preliminary site development reviews in accordance with Section 656.1003 that were approved prior to March 27, 2007 or those uses meeting the nonconforming uses definition in Section 656.1008 of the City of Jacksonville Zoning Code. All other uses are allowed subject to disclosure requirements.

Policy 2.5.6 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 Map L-22.

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low sensitivity for the presence of archaeological resources. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Historic Preservation Element

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

Flood Zones

Approximately 15.8 acres of the subject site are located within the AO flood zone; 1.58 acres are in the 0.2 Percent Annual Chance Flood Hazard flood zone; and 5.25 acres in the AE flood zone. Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). FEMA defines the various flooding characteristics of different lands based on a 100-year storm. The 100-year storm or Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of

every 100 years. This does not mean that a storm of this type will happen every 100-years. There is a 1-percent chance that a storm of this magnitude will occur in any given year.

The AO flood zone is defined as an area of relatively shallow flooding within the 100-year floodplain or SFHA. Flood insurance is mandatory within the AO flood zone.

The AE flood zone is defined as areas within the 100-year floodplain or SFHA where flood insurance is mandatory. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

The 0.2 Percent Annual Chance Flood Hazard Flood Zone is an area 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.

Future Land Use Element (FLUE)

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

Conservation / Coastal Management (CCME)

Policy 2.7.1 The City shall continue to define the surface hydrology of the area to determine flood plain vulnerability and sensitivity, and will determine appropriate protection measures.

Policy 2.7.3 The City shall protect appropriate floodplain areas for the public benefit and restore degraded floodplain areas by:
A. Land acquisition or conservation easement acquisition;
B. Regulation, including setbacks, buffer zones, designated wildlife corridors, low density zoning, performance standards and open space requirements; and
C. Incentives, including tax benefits and transfer of development rights.

Wetlands

Review of City data indicates the potential existence of wetlands on the subject site. The Department reviewed aeriels, soils and elevations to determine quality and functional value of the wetlands. Based on the information noted below, the proposed amendment is consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

Wetlands Characteristics:

Approximate Size: 35.62 Acres

General Location(s): Wetlands are located primarily along the western boundary of the property and spread into isolated pockets into the northeast portion of the site.

Quality/Functional

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:**

(38) Mascotte fine sand, 0-2% slopes – consists of nearly level, poorly drained soils. These soils formed in thick sandy and loamy marine sediments. They are in flatwoods. The soils are moderately slowly permeable and moderately permeable. Generally, the high water table is at a depth of 6 to 18 inches.

(51) Pelham fine sand, 0-2% slopes – consists of nearly level, poorly drained soils. These soils formed in thick deposits of sandy and loamy marine sediments. They are on flats. The soils are moderately permeable and moderately slowly permeable. Generally, the high water table is at a depth of less than 12 inches on flats and at or above the surface in depressions.

(66) Surrency loamy fine sand, depressional, 0-2% slopes – consists of nearly level, very poorly drained soils. These soils formed in thick sandy and loamy marine sediments. They occur on flood plains and in depressions. The soils are moderately permeable and moderately slowly permeable. In areas on flood plains, the high water table generally is at or near the surface and the areas are subject to frequent flooding for brief periods. In areas of depressions, the high water table generally is at or above the soil surface for very long periods.

(81) Stockade fine sandy loam, depressional, 0-2% slopes – consists of nearly level, very poorly drained soils. These soils formed in thick sandy and loamy marine sediments. They are in depressions. The soils are slowly permeable and moderately slowly permeable. Generally, the high water table is at or above the surface for very long periods.

Wetland Category:

Category III

**Consistency of
Permitted Uses:**

All permitted uses. Must meet CCME Policies 4.1.3 and 4.1.6

**Environmental Resource
Permit (ERP):**

Not provided by the applicant

Wetlands Impact:

The companion PUD site plan shows minimal development impacting the wetlands.

Associated Impacts:

Some of the wetlands are in the flood zone.

Relevant Policies: CCME Policies 4.1.3 and 4.1.6 – see below

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.

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.

Industrial Situational Compatibility Zone

The subject property is located within the "Industrial Situational Compatibility" Zone. "Industrial Sanctuary" and "Industrial Situational Compatibility" Zones are areas identified on the Industrial Preservation Map (Map L-23) of the Future Land Use Map series of the Future Land Use Element of the 2030 Comprehensive Plan as strategically located industrial lands for future industrial expansion and economic development. The applicant included a justification for the amendment in relation to the industrial zones.

Future Land Use Element

Policy 3.2.33 Where there is not an adopted neighborhood plan and/or study recommending the contrary, within the “Area of Situational Compatibility”, as shown on the Industrial Preservation Map (Map L-23), lands designated Heavy Industrial or Light Industrial on the Future Land Use Map that are strategically located to provide access to rail facilities or trucking routes; serve ports; or serve airport multi-modal requirements, shall not be converted to a non-industrial land use category unless the applicant demonstrates to the satisfaction of the City that the site cannot be reasonably used for any of industrial uses. Reasonable demonstration for suitability of industrial uses may include but is not limited to the following: Access to arterial road network, access to rail, proximity to existing residential, industrial vacancy rates in the vicinity, size of parcel and potential for redevelopment. Conversion of these lands shall only be permitted for construction of mixed use development consistent with the requirements for job creation as defined by Policy 3.2.34.

Wildlife Survey

The applicant provided a wildlife site assessment, conducted on December 2020; it is on file with the Planning and Development Department. The upland and wetland habitat communities found onsite are considered common in the landscape of Duval County and northeast Florida. Listed wildlife species utilizing the subject property were not observed during the site assessment. If a U.S. Army Corps of Engineers (USACE), St. Johns River Water Management District (SJRWMD), and/or local government permits are required for the proposed development, U.S. Fish and Wildlife Service (USFWS) and/or Fish and Wildlife Conservation (FWC) may be notified and allowed to comment on listed species with the potential to occur on the subject property. During this comment period, additional information may be requested from the applicant to document whether the project proposes to impact any potentially occurring listed wildlife species.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on March 24, 2021, the required notices of public hearing signs were not yet posted. Signs were posted on April 27, 2021, and pictures of the posted signs were provided. Ten (10) 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 May 3, 2021. No members of the public were in attendance.

CONSISTENCY EVALUATION

Consistency with 2030 Comprehensive Plan Goals, Objectives and Policies

Future Land Use Element (FLUE)

Development Area

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

- Policy 1.1.5 The amount of land designated for future development should provide for a balance of uses that:
- A. Fosters vibrant, viable communities and economic development opportunities;
 - B. Addresses outdated development patterns;
 - C. Provides sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.
- Policy 1.1.21 Future 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 of the area and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business consistent with FLUE Policy 1.1.5. 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.
- 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 3.1 Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.

Policy 3.1.6 The City shall provide for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

Policy 3.2.33 Where there is not an adopted neighborhood plan and/or study recommending the contrary, within the "Area of Situational Compatibility," as shown on the Industrial Preservation Map (Map L-23), lands designated Heavy Industrial or Light Industrial on the Future Land Use Map that are strategically located to provide access to rail facilities or trucking routes; serve ports; or serve airport multi-modal requirements, shall not be converted to a non-industrial land use category unless the applicant demonstrates to the satisfaction of the City that the site cannot be reasonably used for any industrial uses. Reasonable demonstration for suitability of industrial uses may include but is not limited to the following: Access to arterial road network, access to rail, proximity to existing residential, industrial vacancy rates in the vicinity, size of parcel and potential for redevelopment. Conversion of these lands shall only be permitted for construction of mixed use development consistent with the requirements for job creation as defined by Policy 3.2.34.

Policy 3.2.34 The City shall create a formula for the calculation of capital investment and direct and indirect job creation in various commercial and industrial land uses. This formula shall be used to ensure that the conversion of industrial lands in Situational Compatibility Areas will result in the creation of mixed use developments that shall have comparable potential for support of the industrial base in the City of Jacksonville.

Recreation and Open Space Element (ROSE)

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

Policy 2.2.3 A residential subdivision development of 100 lots or more shall provide at least one acre of useable uplands for every 100 lots (and any fraction thereof), or 5% of the total useable uplands area to be platted, whichever is less, to be dedicated as common area and set aside for active recreation. There may be up to two areas for each 100 lots, and the areas shall be a minimum of 0.5 acres in size, unless otherwise approved by the Planning and Development Department, or by the City Council as part of a Planned Unit Development Zoning District.

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

Property Rights Element (PRE) (Transmittal Ordinance 2021-334-E)

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

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

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

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

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

According to the Category Description of the Future Land Use Element (FLUE), the LI land use category in the Suburban Development Area is intended to provide for the location of industrial uses which have fewer objectionable impacts than Heavy Industrial (HI) on residential areas such as noise, odor, toxic chemicals, and wastes. Principal uses in the LI category include but are not limited to light assembly and manufacturing, packaging, processing, and storage and warehousing.

MDR in the Suburban Area is intended to provide compact low to medium density mixed use development. Plan amendment requests for new MDR designations are preferred in locations which serve as a transition between commercial and residential land uses. Principal uses in the MDR category are primarily multi-family and single-family dwellings when the predominant surrounding development typology within the MDR category is single-family. The maximum gross density in the Suburban Area shall generally be 20 units per acre and the minimum gross density shall be greater than seven (7) units per acre. Commercial retail sales and service establishments are a secondary use in the MDR category when the subject site is located at the intersection of roads classified as collector or higher on the Functional Highway Classification Map. If the subject property is amended to MDR, the site characteristics do not qualify the site for non-residential development; therefore, a mixed use project could not be developed within the property boundaries.

Across Owens Road to the south of the subject site, three parcels under common ownership have been designated as CGC (Ordinance 2008-789-E) with a PUD zoning (Ordinance 2008-790-E). The property remains undeveloped but is entitled to multi-family uses and complimentary commercial uses. While properties in the immediate vicinity of the subject site remain undeveloped, a variety of uses such as commercial, medical, industrial, and residential are located about ½ mile to the south along Airport Road. The balanced land use mix of the area creates the need for a variety of housing types to accommodate anticipated growth. The proposed amendment to MDR provides housing opportunities for nearby commercial and industrial developments and enhances the combination of uses in the area. As a result, the proposed land use change is consistent with FLUE Goal 3, Objective 3.1, and Policies 1.1.5 and 3.1.6.

The subject site is located within an "Industrial Situational Compatibility Zone." Consistent with FLUE Policy 3.2.33, the applicant has provided information demonstrating that the site cannot be reasonably used for industrial uses at this time. This information shows high vacancy rates for industrial developments in the area. In addition, the site does not have access to the arterial road network, has no access to rail, and has pockets of wetlands, which could make the site layout challenging for industrial use. The applicant has provided information that indicates at least 23 industrial-designated properties are currently for sale within a 5-mile radius of the subject site. These properties have been on the market for an average time of 1,358 days. Based on the data submitted, the applicant has provided justification that the site is unsuitable for industrial purposes as called for in FLUE Policy 3.2.33 and that the proposed amendment allows for the operation of real estate markets to provide choice for projected growth, consistent with FLUE Policy 1.1.21.

The Institute of Transportation Engineers (ITE) provides an estimate of the number of employees based on square footage for different businesses. Warehouse buildings are estimated at 781 sq. ft. per employee, industrial park at 500 sq. ft. per employee, and manufacturing at 535 sq. ft. per employee. Although the number of employees per square foot by business type is used as an indicator of potential job creation, depending on the technology or product, that number can vary widely. Approximately 791 acres of

contiguous land area that is currently designated as LI land use and IL zoning, and is within the "Industrial Situational Compatibility Zone," abuts the subject site along the west side of I-95, north of Owens Road. The majority of this land is undeveloped, but given the LI development standard of 0.4 FAR, this land has a development potential of 13,782,384 sq. ft. of industrial uses. Given the aforementioned estimates for the number of employees, that development potential could create 17,647 to 27,564 jobs. Conversion of the amendment site to MDR would result in an area-wide development pattern consisting of a mix of residential and non-residential uses that positions residential in proximity to the possible industrial employment centers. The proposed amendment is therefore consistent with FLUE Goal 3 and Objective 3.1 and is in part consistent with FLUE Policies 3.2.33 and 3.2.34.

The site characteristics of the proposed MDR category do not qualify the site for non-residential development; a mixed use project could not be developed fully within the site boundaries. As a result, although the area-wide mix of uses would be established, if the amendment is approved, the amendment is inconsistent with a strict interpretation of FLUE Policies 3.2.33 and 3.2.34.

According to the PUD site plan, approximately 450 multi-family dwelling units are proposed and approximately 200 single family dwelling units with 46 townhomes are proposed at the site. Any development resulting from the proposed land use amendment shall comply with ROSE Policies 2.2.2, 2.2.3 and 2.2.5 regarding the provision of recreation and open space and will be evaluated for consistency during the site plan review.

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 Consistency

The subject site is located within the boundaries of the North Jacksonville Shared Vision and Master Plan. There are no specific recommendations for this area within the Plan. The Plan encourages a variety of development to meet the demands for future population growth and to attract employment opportunities to the area. The proposed amendment to MDR would allow for the development of housing options and will support the economic growth of the area, which is encouraged within the Plan.

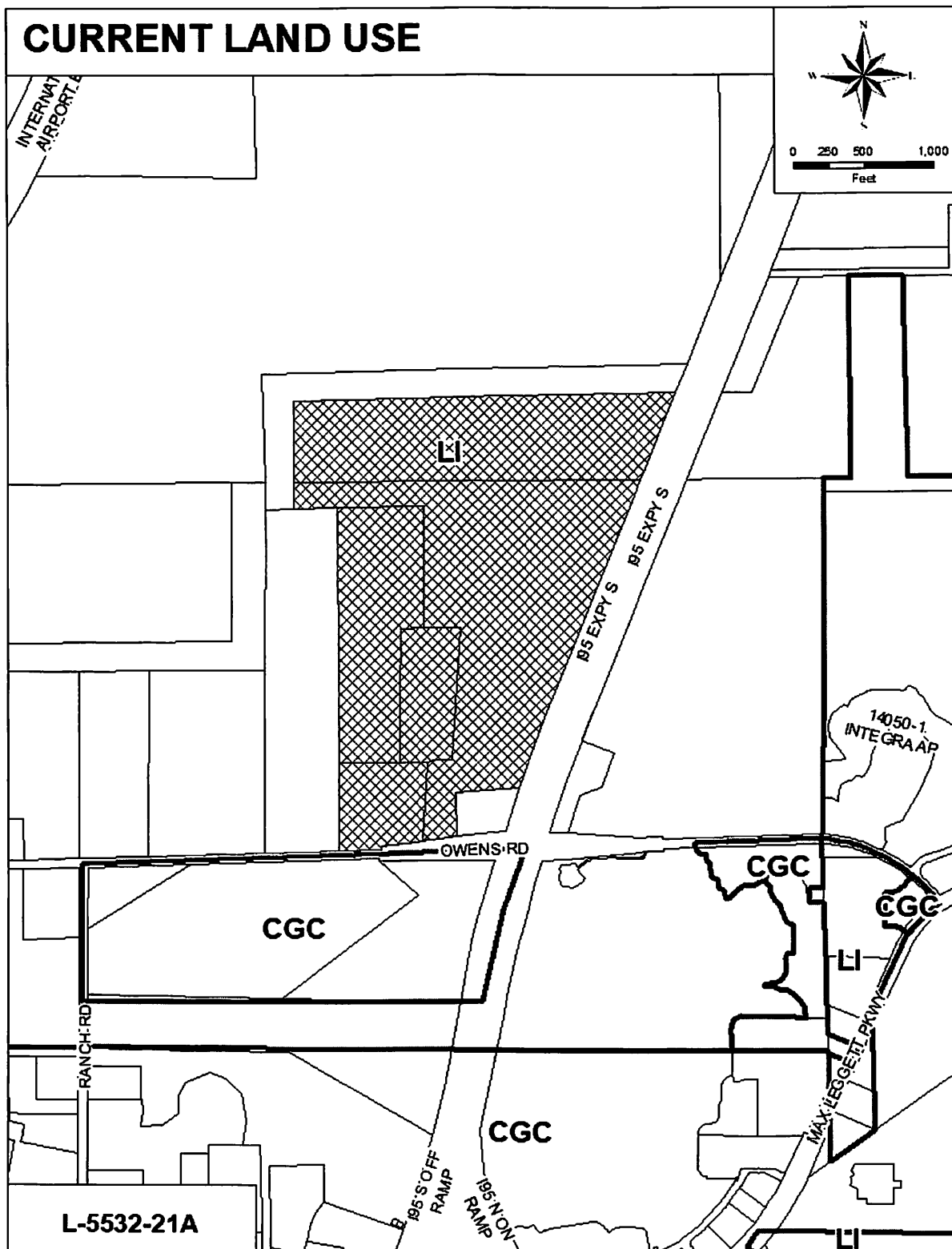
Strategic Regional Policy Plan

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

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

The proposed land use amendment would increase opportunities for residential development, providing a wider range of housing needs in the northeast Florida region and creating a location for the development of new housing stock for the area. Therefore, the proposed amendment is consistent with Policy 21 of the Strategic Regional Policy Plan.

LOCATION AND CURRENT LAND USE AMENDMENT MAP



LAND USE AMENDMENT LAND UTILIZATION MAP

