



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

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Jacksonville, FL 32203
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September 19, 2024

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. 2024-667 / Application No. L-5974-24C

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 2024-667 on September 19, 2024.

P&DD Recommendation	APPROVE
PC Issues:	None
PC Vote:	7-0 APPROVE

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

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

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Sincerely,



Helena A. Parola, MAURP

Chief of Community Planning

City of Jacksonville - Planning and Development Department

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Report of the Jacksonville Planning and Development Department
Small-Scale Future Land Use Map Amendment – September 13, 2024

Ordinance/Application No.: 2024-667 / L-5974-24C

Property Location: 0 Atlantic Boulevard, between Pablo Point Drive and the Intracoastal Waterway

Real Estate Number(s): 167140-0200

Property Acreage: 46.26 acres

Planning District: District 2, Greater Arlington/Beaches

City Council District: District 13

Applicant: City of Jacksonville

Current Land Use: Community/ General Commercial (CGC) and Agriculture (AGR)

Proposed Land Use: Conservation (CSV)

Development Boundary: Suburban Development Area

Current Zoning: Residential Rural-Acre (RR-Acre) and Planned Unit Development (PUD)

Proposed Zoning: Conservation (CSV)

RECOMMENDATION: ***APPROVE***

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

Remedial Amendment 2009-621-E anticipated the subject lands being protected with the CSV land use category and dedication to the State for preservation. The land has been deeded to the State and the Department of Environmental Protection has authorized the City to sponsor a land use amendment to CSV.

BACKGROUND

The 46.26-acre subject site is located at 0 Atlantic Boulevard on the north side of Atlantic Boulevard and west of the Intracoastal Waterway. According to the City’s

Functional Highways Classification Map, Atlantic Boulevard is a principal arterial roadway.

The City seeks an amendment to the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan from Community/General Commercial (CGC) and Agriculture (AGR) to Conservation (CSV). A companion PUD rezoning application is pending concurrently with the land use application via Ordinance 2024-668, which seeks a zoning change on the subject site from Planned Unit Development (PUD) and Residential Rural-Acre (RR-Acre) to Conservation (CSV).

The 46.26-acre site was deeded to the State of Florida Department of environmental Protections (DEP), Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (TIITF) pursuant to Remedial Amendment 2009-621-E for the purpose of preserving the land. Remedial Amendment Ordinance 2009-621-E requires conditions for the subject site and the larger site that was proposed for development of residential, commercial and marina uses. The remedial amendment included a number of conditions, including the highest level of protection of the land subject to this land use amendment with the CSV land use category. Since the adoption of Remedial Amendment 2009-621-E, the land was deeded to the State for protection and preservation, however, the land use was not amended to the CSV category and remained in the CGC and AGR categories. The proposed land use amendment to CSV would fulfill the intent of a condition of the Remedial Amendment regarding the subject parcel. Ordinance 2024-395-E removed the remedial amendment from the larger area the subject site was originally a part of and includes conditions in the companion PUD (Ordinance 2024-396-E) that are consistent with the intent of the remedial amendment. A portion of the larger area will be developed with a mix of residential, office, commercial and marina uses.

The Intracoastal Waterway abuts the site to the east. The subject site surrounds the Mixed Use Harbour PUD (Ordinance 2024-396-E) on three sides. Properties along the Atlantic Boulevard corridor include a mix of commercial and residential uses in the CGC and MDR land use categories.

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

<u>North:</u>	Land Use:	AGR, Low Density Residential (LDR)
	Zoning:	Rural Residential-Acre (RR-Acre) and PUD
	Property Use:	Vacant land-wetlands and Single-Family Residential
<u>South:</u>	Land Use:	CGC and Water Dependent-Water Related (WD-WR)
	Zoning:	PUD, Commercial Community General-1 (CCG-1), Industrial Water (IW)
	Property Use:	Undeveloped Harbour Mixed Use PUD (Ord.

2024-395-E and 2024-396-E), office, service garage, multi-family residential (across Atlantic Boulevard)

East: Land Use: CGC, Water
 Zoning: PUD, Water
 Property Use: Undeveloped Harbour Mixed Use PUD (Ord. 2024-395-E and 2024-396-E), Intracoastal Waterway

West: Land Use: CGC, LDR, CSV
 Zoning: PUD, Residential Low Density-90 (RLD-90)
 Property Use: Undeveloped Harbour Mixed Use PUD (Ord. 2024-395-E and 2024-396-E), single-family residential, multi-family residential, conservation land

IMPACT ASSESSMENT

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

Land Use Amendment Impact Assessment - Application Number L-5974-24C

Development Analysis 46.26 acres (32 acres in AGR, 14.26 in CGC)		
Development Boundary	Suburban Area	
Roadway Frontage Classification / State Road	Atlantic Boulevard / FDOT Principal Arterial roadway	
Plans and/or Studies	Greater Arlington/Beaches Vision Plan	
Site Utilization	Current: Vacant- wetlands	Proposed: Conservation land
Land Use / Zoning	Current: CGC and AGR	Proposed: CSV
Development Standards for Impact Assessment	Current: Scenario 1: CGC: 0.35 FAR AGR: 1 DU/ 2.5 Acres Scenario 2: CGC: 15 DU/Acre	Proposed: NO Impacts- Conservation Land

Development Analysis 46.26 acres (32 acres in AGR, 14.26 in CGC)		
	AGR: 1 DU/ 2.5 Acres	
Development Potential	Current: Scenario 1: CGC- 217,407 sq. ft. AGR – 12 units Scenario 2: CGC – 213 units AGR - 12 units	Proposed: No Development Potential- Conservation Land
Net Increase or Decrease in Maximum Density	Scenario 1: Decrease of 12 units Scenario 2: Decrease of 225 units	
Net Increase or Decrease in Potential Floor Area	Scenario 1: Decrease of 217,407 sq. ft. Scenario 2: N/A	
Population Potential	Current: Scenario 1: 31 people Scenario 2: 531 people	Proposed: N/A – No population potential in CSV
Special Designation Areas		
Aquatic Preserve	NO	
Evacuation Zone	Zone A	
Airport Environment Zone	300 foot Height Restriction Zone for Craig Municipal Airport and Naval Station Mayport	
Industrial Preservation Area	NO	
Cultural Resources	NO	
Archaeological Sensitivity	High, Medium and Low Sensitivity	
Historic District	NO	
Coastal High Hazard	YES	
Adaptation Action Area	YES	
Groundwater Aquifer Recharge Area	Discharge	
Wellhead Protection Zone	NO	
Boat Facility Siting Zone	Yes- Acceptable with Conditions	
Brownfield	NO	
Public Facilities		
Potential Roadway Impact	No Impact – Conservation land	
Potential Public School Impact	N/A	
Water Provider	No utility services needed-conservation land	
Potential Water Impact	No Impact	
Sewer Provider	No utility services needed-conservation land	
Potential Sewer Impact	No Impact	
Potential Solid Waste Impact	No Impact	
Drainage Basin/Sub-basin	Intracoastal Waterway	
Recreation and Parks	NO	
Mass Transit Access	Route 10 off of Atlantic Boulevard	
Natural Features		
Elevations	1 to 15 feet	

Development Analysis 46.26 acres (32 acres in AGR, 14.26 in CGC)	
Land Cover	6420: Saltwater marshes; 5100: Streams and Waterways
Soils	68: Tisonia mucky peat
Flood Zones	AE Flood Zone; VE Flood Zone
Wetlands	YES- Category I: Saltwater marsh grass, Mixed scrub-shrub wetlands; Water (High Tide)
Wildlife (applicable to sites greater than 50 acres)	N/A

Utility Capacity

No utility capacity analysis is required because the proposed land use for the subject site is Conservation. Development potential is generally limited to open space, resource and recreational uses.

Transportation

There are no transportation impacts because the proposed land use for the subject site is Conservation. Development potential is generally limited to open space, resource and recreational uses.

Schools

There is no impact to the Duval County Public School system because there is no residential component to the proposed land use category.

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of high, medium and low 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.

Airport Environment Zone

The site is located within the 300-foot Height and Hazard Zone for the Craig Municipal Airport and Mayport Naval Air Station. Zoning will limit development to a maximum height of 300 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.

Adaptation Action Area (AAA)

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

The proposed CSV land use is for the preservation of the land and will not affect the AAA.

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.

Coastal High Hazard Area (CHHA)

According to the City's GIS 2021 CHHA Map, the entire 46.26 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 as 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 25.00 acres of the subject site is within the AE-Floodway and 20.90 acres is within the VE 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 Flood Zone are areas within the 100-year floodplain or SFHA where flood insurance is mandatory.

The VE Flood Zone are areas within the 100-year coastal floodplain or SFHA that also have additional hazards associated with storm waves. Flood insurance is mandatory within these zones. Prior to approval of construction within a VE zone, the developer must demonstrate that any structures built will be able to withstand the wave action.

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.

Wetlands

Review of City's GIS data indicates the existence of wetlands on the subject site and as such, indicates the location, size, quality and functional value of all wetlands located within the boundaries of the application site. Based on the information noted below, the proposed amendment is consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

Wetlands Characteristics:

Approximate Size: 46.26 acres

- Saltwater marsh grass – 26.68 acres
- Mixed scrub-shrub wetlands – 1.82 acres
- Water (High Tide) – 17.76 acres

General Location(s): The property consists entirely of wetlands and are a portion of a larger coastal wetlands system located along the western edge of the Intracoastal Waterway. The saltwater marsh wetland can be divided into saltwater marsh grass, mixed scrub-shrub, and water at high tide. The water at low tide become mud flats. The entire area of the application site is underlain with *Tisonia* mucky peat soil.

Quality/Functional Value:

The wetlands are salt marshes with a small amount of scrub-shrub wetlands (located at the southwestern end of the application site) which has an extremely high functional value due to its water filtration attenuation of coastal waters and reduction of storm surge in coastal high hazard areas during cataclysmic coastal storms.

Soil Types/ Characteristics	(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):	None required.
Wetlands Impact:	None. The entire application site is proposed to go into the Conservation land use category.
Associated Impacts:	The Category I wetland area coincides with the AE and VE Flood Zones and the Adaptation Action Area (AAA).
Relevant Policies:	CCME Policies 4.1.3 and 4.1.5

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.

CCME 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

Due to the limited access to the subject site and lack of road frontage two signs were posted in close proximity to the subject site by the City on August 28, 2024.

Forty-two (42) notices were mailed 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 September 3, 2024, for the land use amendment. There was one member of the public in attendance that wanted to hear more information on the proposed amendment. The application was explained by City staff and the applicant was satisfied and had no comments.

Consistency Evaluation

Consistency with 2045 Comprehensive Plan Goals, Objectives and Policies

Future Land Use Element (FLUE)

Development Area

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

Goals, Policies and Objectives

Future Land Use Element

- Policy 1.5.2 Permit no new development, expansion, or replacement of existing development in areas designated on the Future Land Use Map series as Conservation, unless development is undertaken by federal, state or local government in the public interest, and the impacts are mitigated.
- Policy 1.5.10 In accordance with the Conservation/Coastal Management Element, the City shall encourage environmentally sensitive areas to be placed in a Conservation land use category, Conservation zoning district and/or conservation easement.

Conservation/Coastal Management Element

- Policy 4.4.1 The City shall encourage the placement of all watercourses, water bodies, buffer areas, and wetlands having high functional values to be placed in a Conservation land use category, Conservation zoning district and/or conservation easement as part of an application for a land use amendment, rezoning and/or site plan approval.
- Policy 4.4.2 The City shall act as applicant for property owners who voluntarily place their high functional valued wetland into the Conservation land use category and/or Conservation zoning district.

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 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 Future Land Use Element of the 2045 Comprehensive Plan, AGR is a category intended to provide for agricultural uses and to preserve the existing rural character of outlying areas of the City.

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.

Conservation lands are areas with valuable environmental resources, such as sensitive vegetation, high value habitat, wetlands, high aquifer recharge potential, carbon sinks and unique coastal areas. Some resource systems are highly sensitive and easily destroyed by indiscriminate human activity. These will be protected through public or private nonprofit ownership and management over time.

The 46.26-acre site was deeded to the State of Florida, DEP TIITF pursuant to Remedial Amendment 2009-621-E for the purpose of preserving the land. Remedial Amendment Ordinance 2009-621-E requires the highest protection for the preservation of the subject land with the CSV land use category. While the land was deeded to the State of Florida for protection, the DEP agreed to authorize the City to sponsor a land use amendment and a rezoning to CSV in accordance with FLUE Policy 1.5.10 and CCME Policy 4.4.1. The City is acting as the applicant for this land use change in accordance with CCME Policy 4.4.2.

Any development of the site will be restricted to uses authorized in accordance with provisions contained in FLUE Policy 1.5.2 and the Conservation Land Use category description, which provides that development potential in Conservation areas is generally limited to open space, resource and recreational uses. Conservation areas may include regional, state or national forests, parks, sanctuaries, preserves and Special Management Areas.

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.

Greater Arlington/Beaches Vision Plan (2010)

The subject property is located within the boundaries of the Greater Arlington/Beaches Vision Plan. The subject land use amendment to Conservation is consistent with the fifth guiding principle of the Vision Plan, to enhance conservation and natural areas and provide public access. The Vision Plan looks to protect and maintain areas with

valuable environmental resources as conservation lands. The proposed change to CSV is consistent with the Vision Plan.

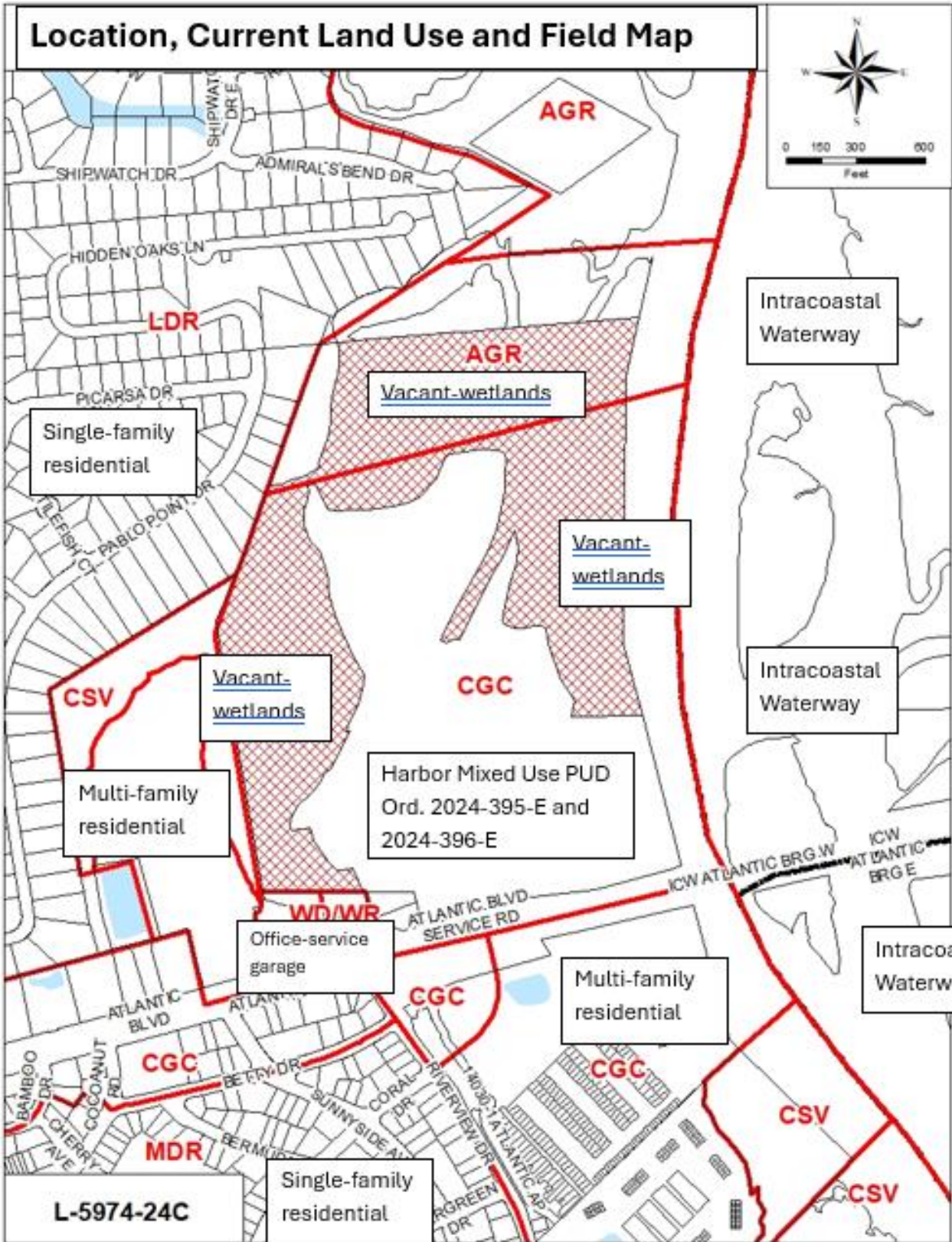
Strategic Regional Policy Plan

Policy 17 of the Strategic Regional Policy Plan provides the following selected policies:

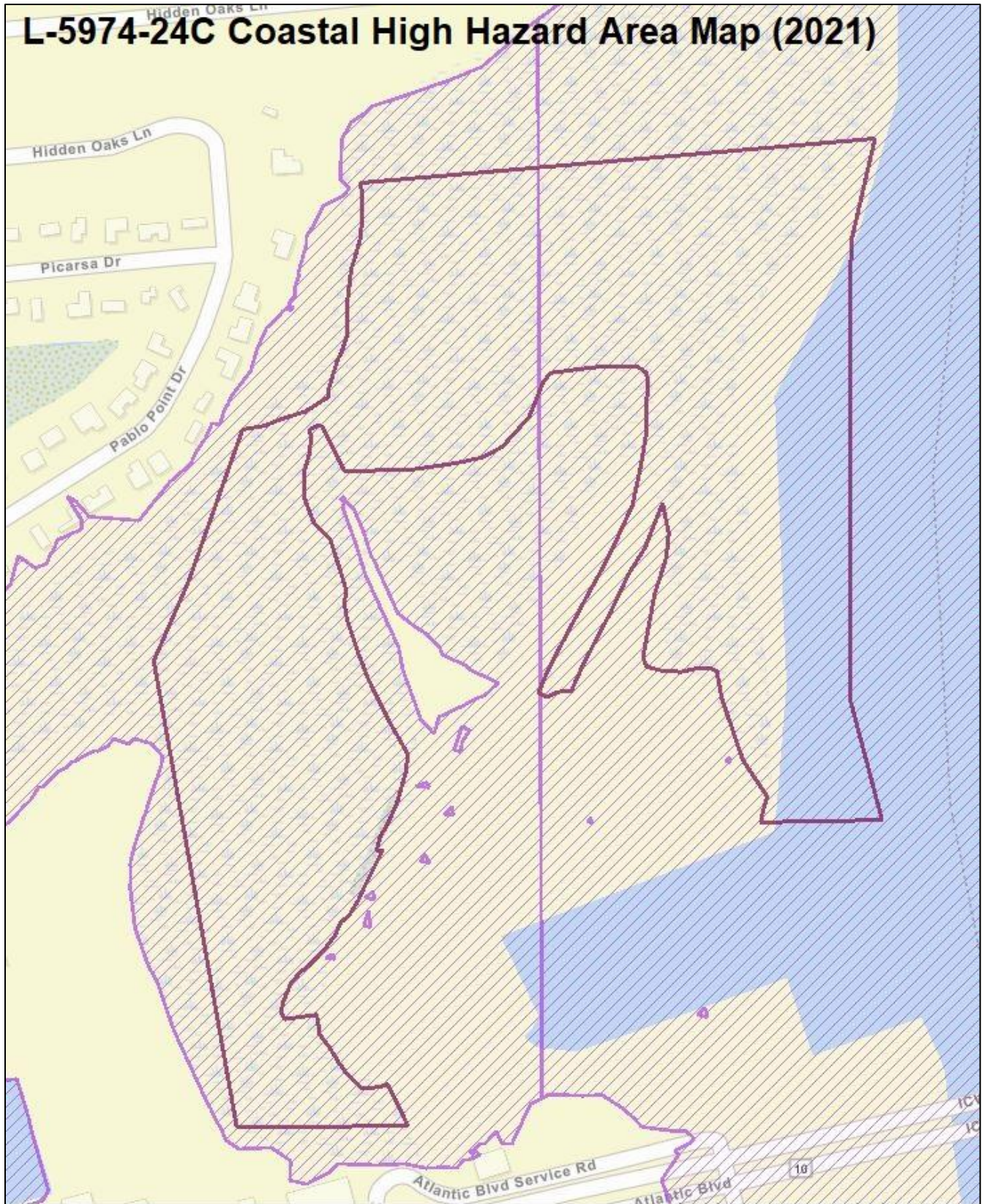
The Region supports strategies identified by the Regional Community Institute as they worked on First Coast Vision, including:

- Reduction of discharge of nutrients and pollutants into surface and groundwater.
- Reduction of new septic tank installations.
- Protection of functioning wetlands.
- Maintenance of riparian and wetland buffers.

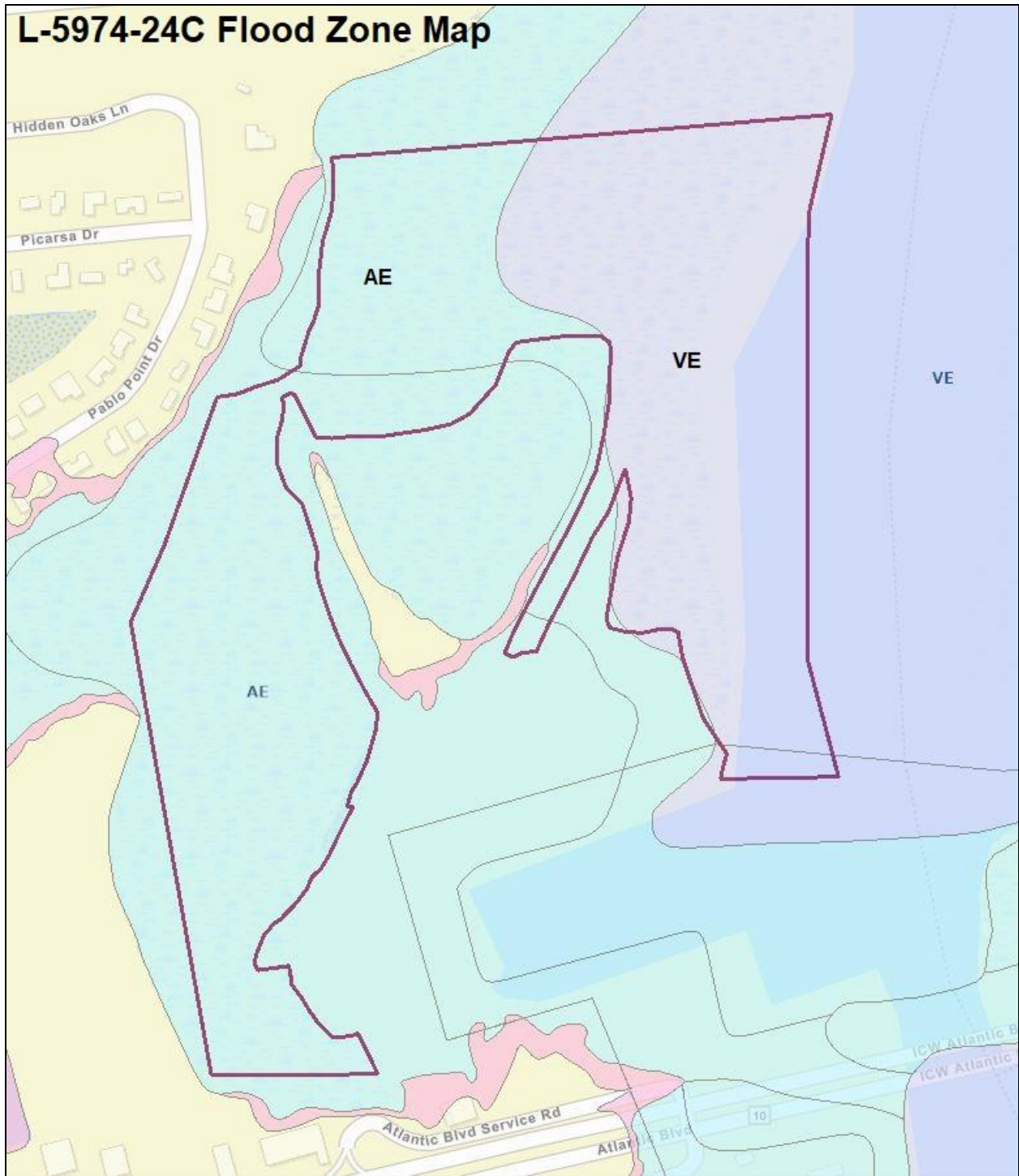
In keeping with Policy 17, putting the subject site in the conservation land use would satisfy the four identified strategies of Policy 17 of the Strategic Regional Policy Plan.



L-5974-24C Coastal High Hazard Area Map (2021)



L-5974-24C Flood Zone Map



L-5974-24C Wetlands Map

