

# City of Jacksonville, Florida

*Lenny Curry, Mayor*

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October 21, 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. 2021-630/Application No. L-5577-21A**

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 2021-630 on October 21, 2021.

P&DD Recommendation	APPROVE
PC Issues:	None
<b>PC Vote:</b>	<b>7-0 APPROVE</b>

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

Planning Commission Report  
October 21, 2021  
Page 2

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

Sincerely,

*Kristen D. Reed*

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**Report of the Jacksonville Planning and Development Department**

**Large-Scale Future Land Use Map Amendment – October 1, 2021**

**Ordinance/Application No.:** 2021-630 / L-5577-21A

**Property Location:** 13961 New Kings Road on Kings Trail and between Old Kings Road North and Braddock Road

**Real Estate Number(s):** 002472-0000

**Property Acreage:** 104.24 Acres

**Planning District:** District 6, North

**City Council District:** District 7

**Applicant:** Curtis Hart, Hart Resources, LLC

**Current Land Use:** Agriculture-3 (AGR-3) (87.84 acres) and Agriculture-4 (AGR-4) (16.40 acres)

**Development Area:** Rural

**Proposed Land Use:** Rural Residential (RR)

**Current Zoning:** Agriculture (AGR)

**Proposed Zoning:** Planned Unit Development (PUD)

***RECOMMENDATION: APPROVE***

**APPLICANT'S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT**

Surrounding property has a land use designation of LDR and CSV. The proposed change from AGR-3 and AGR-4 to RR would be a good transition and compatible with the surrounding properties.

**BACKGROUND**

The applicant proposes a future land use map amendment from Agriculture-3 (AGR-3) and Agriculture-4 (AGR-4) to Rural Residential (RR) to allow for residential development. A companion rezoning from Agriculture (AGR) to Planned Unit Development (PUD) will be filed during the adoption round of this legislation.

Although the amendment site has an address at 11961 New Kings Road, there is no road frontage on New Kings Road (US 1), a major arterial roadway. The property has frontage on Kings Trail, an unpaved access road 3,700 feet east of New Kings Road. Presently, the subject site is vacant undeveloped land proposed for residential development. The site is surrounded by timber and conservation lands with much of the timber earmarked for development in the Low Density Residential Land (LDR) Use and the Multi-Use (MU) Land Use (Ordinances 2020-471-E, 2021-390-E, and 2001-255-E). The LDR land use permits residential development at up to seven (7) dwelling units per acre and the MU land use is intended to accommodate large-scale projects that contain a broad mix of uses and that have a regional impact. The Kings Road Historic Preserve surrounds the amendment site to the north, south and west.

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

North: Land Use: Conservation (CSV)  
Zoning: CSV  
Property Use: Kings Road Historic Preserve

South: Land Use: CSV and Multi-Use (MU)  
Zoning: CSV and PUD  
Property Use: Kings Road Historic Preserve, timber and undeveloped developments (Ordinances 2020-471-E and 2001-255-E)

East: Land Use: AGR-3, AGR-4, Low Density Residential (LDR) and MU  
Zoning: AGR and PUD  
Property Use: Single family dwelling, mobile home, timber and undeveloped developments (Ordinances 2020-471-E, 2010-390-E, and 2001-255-E)

West: Land Use: CSV and Agricultural-2 (AGR-2)  
Zoning: CSV and AGR  
Property Use: Kings Road Historic Preserve and mobile home

## **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-5577-21A**

<b>Development Analysis of 104.24 acres</b>		
Development Boundary	Rural Development Area	
Roadway Frontage Classification / State Road	Kings Trail – Local Road New Kings Road (US 1) – Major Arterial Road	
Plans and/or Studies	North Jacksonville Shared Vision and Master Plan	
Site Utilization	Current: Vacant	Proposed: Single Family Residential
Land Use / Zoning	Current: AGR-3 and AGR-4 / AGR	Proposed: RR / PUD
Development Standards for Impact Assessment	Current: 1 DU / 10 Acres for AGR-3 and 1 DU / 2.5 Acres for AGR-4	Proposed: 2 DUs / acre with water
Development Potential	Current: 14 Single family DUs	Proposed: 208 Single family DUs
Net Increase or Decrease in Maximum Density	Increase of 194 dwelling units	
Net Increase or Decrease in Potential Floor Area	Not applicable	
Population Potential	Current: 37 people	Proposed: 553 people
<b>Special Designation Areas</b>		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	500 Ft. Height Restriction Zone for Jacksonville International Airport	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	Low	
Historic District	No	
Coastal High Hazard/Adaptation Action Area	No	
Groundwater Aquifer Recharge Area	Discharge Area	
Wellhead Protection Zone	No	
Boat Facility Siting Zone	No	

<b>Development Analysis of 104.24 acres</b>	
Brownfield	No
<b>Public Facilities</b>	
Potential Roadway Impact	Increase of 1,831 net new daily trips
Potential Public School Impact	Increase of 68 new students
Water Provider	JEA
Potential Water Impact	Increase of 51,604 gallons/day
Sewer Provider	JEA
Potential Sewer Impact	Increase of 38,703 gallons/day
Potential Solid Waste Impact	Increase of 504.4 tons/year
Drainage Basin/Sub-basin	Nassau River Basin and Thomas Creek Sub-Basin
Recreation and Parks	Kings Road Historic Preserve
Mass Transit Access	No bus service at this location
<b>Natural Features</b>	
Elevations	17 to 25 feet above mean sea level
Land Cover	(1100) Residential low density, (3100) Herbaceous upland nonforested, (3300) Mixed upland nonforested, (4110) Pine flatwoods, (6210) Cypress, (6300) Wetland forested mixed, and (6460) Mixed scrub-shrub wetlands
Soils	(38) Mascotte fine sand, (49) Pamlico muck, (51) Pelham fine sand, (66) Surrency loamy fine sand; depressional and (87) Dorovan muck
Flood Zones	Yes; AE and X (0.2% Chance)
Wetlands	Yes; Category III
Wildlife (applicable to sites greater than 50 acres)	Protected species report on file

**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 JEA provided a water and sewer system demand analysis for the amendment site. According to the JEA, there is capacity in the JEA water and sewer system to serve this development. However, the developer would be required to extend mains to make the appropriate system connections for full project build-out.

#### Future Land Use Element

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

#### Transportation

The Planning and Development Department completed a transportation analysis and determined that the proposed amendment will result in an increase of 1,831 net new daily external trips. This analysis is based upon the comparison of what potentially could be built on that site (as detailed in FLUE Policy 1.2.16 Development Standards for Impact Assessment) versus the maximum development potential. Trips generated by the new development will be processed through the Concurrency and Mobility Management System Office. A copy of the transportation analysis is on file with the Planning and Development Department.

#### Transportation Element

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

#### Capital Improvements Element

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

#### Supplemental Transportation Information

**Objective 2.4** of the Transportation Element (TE) of the 2030 Comprehensive Plan requires that the City shall coordinate the mobility circulation system with the future land

uses shown on the Future Land Use Map series in order to ensure that roads, road improvements and other mobility alternative improvements are provided as necessary to support development in an economically efficient and environmentally sound manner.

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

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

Mobility needs vary throughout the city and 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 proposed residential project will generate significant daily trips on to the external network. Currently, there is no roadway access to the subject site. The Transportation Planning Division recommends ongoing coordinating efforts with the Traffic Engineer to ensure that a traffic operational analysis is provided to address the specific external impacts as well as transportation improvements needed as a result of this land use amendment.

### **School Capacity**

Based on the impact assessment standards detailed in FLUE Policy 1.2.16, the 104.24 acre proposed land use map amendment has a development potential of 208 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: 34
  - 5-year utilization: 67%
  - Available seats in CSA : 6,189
  - Available seats in adjacent CSA(s): 2 & 7 is 2,711
  
- Middle School
  - CSA 1
  - 2020/2021 enrollment: 7,607
  - Current utilization: 89%
  - New student development from amendment: 15
  - 5-year utilization: 98%
  - Available seats in CSA 1: 624
  - Available seats in adjacent CSA(s): 2 and 7 is 261
  
- High School
  - CSA 1
  - 2020/2021 enrollment: 8,520
  - Current utilization: 84%
  - New student development from amendment: 19
  - 5-year utilization: 76%
  - Available seats in CSA 1: 962
  - Available seats in adjacent CSA(s): 2 and 7 is 1,174

The analysis of the proposed residential development does not reveal any deficiency for school capacity within the CSA.

#### Public School Facilities Element

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

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

**Supplemental School Information:**

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

- Dinsmore Elementary School #45
  - CSA 1
  - Amendment student generation: 34
  - School Capacity including permanent spaces and portables: 683
  - Current enrollment 20 day county for 2020/2021: 553
  - Percent Occupied: 81%
  - 4-year projection: 96%
  
- Highlands Middle School #244
  - CSA 1
  - Amendment student generation: 15
  - School Capacity including permanent spaces and portables: 536
  - Current enrollment 20 day county for 2020/2021: 445
  - Percent Occupied: 83%
  - 4-year projection: 110%
  
- Jean Ribault High School #96
  - CSA 1
  - Amendment student generation: 19
  - School Capacity including permanent spaces and portables: 1,378
  - Current enrollment 20 day county for 2020/2021: 1,683
  - Percent Occupied: 82%
  - 4-year projection: 85%

**Archaeological Sensitivity**

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

## **Airport Environment Zone**

The site is located within the 500-foot Height and Hazard Zone for the Jacksonville International Airport. Zoning will limit development to a maximum height of less than 500 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 2.5** 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.

## **Flood Zones**

Approximately 15.13 acres of the subject site is located within the 0.2 PCT Annual Chance Flood Hazard Area and 67.92 acres is located within 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 0.2 PCT Annual Chance Flood Hazard flood zone is defined as areas 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. 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.

### **Conservation /Coastal Management Element (CCME)**

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

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

**Policy 2.7.3** The City shall protect appropriate floodplain areas for the public benefit and restore degraded floodplain areas by:

- A. Land acquisition or conservation easement acquisition;
- B. Regulation, including setbacks, buffer zones, designated wildlife corridors, low density zoning, performance standards and open space

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

**Wetlands**

The applicant submitted a protected species report and a proposed site plan indicating the existence of wetlands on the subject site and identifies the location, type and size of the wetlands. The overall quality and functional value of all wetlands located within the boundaries of the application site were derived from the City's GIS data.

The majority of wetlands of the application site is a portion of a larger wetland-floodplain basin system that buffer and abuts Thomas Creek. However, within the basin approximately 1,800 north of the land use amendment site there is a rise in elevation. All wetland areas within the basin north of the rise drains towards Thomas Creek and therefore are Category II wetlands. All wetland areas south of the rise drain away from Thomas Creek and towards the application site are Category III wetlands.

Based on the information noted below, the proposed amendment is consistent with the Conservation/Coastal Management Element (CCME) wetlands policies providing mitigation is satisfied with no net loss of wetlands quality and functional value.

Wetlands Characteristics:

Approximate Size: 79.69 Acres (includes other surface waters).

General Location(s): The wetlands are located throughout the application site.

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

Soil Types/ Characteristics: Surrency loamy fine sand, depressional (66) – The Surrency series consists of nearly level, very poorly drained soils that occur in depressions. These soils formed in thick sandy and loamy marine sediments. The soils are moderately permeable moderately slowly permeable. Generally, the high water table is at or above the surface.

Dorovan muck, depressional (87) – The Dorovan series consists of nearly level, poorly drained, organic soils. These soils formed in decomposed organic materials. They are located in depressions and are moderately 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 uses consistent with CCME Policies 4.1.3 and 4.1.6

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

Wetlands Impact: Access to the non-wetlands portion of the land use amendment site for development will require some filling and or alteration of wetlands. Therefore, those impacted wetlands will require mitigation.

Associated Impacts: 0.2 PCT Annual Chance Flood Hazard and AE flood zones

Relevant Policies: CCME Policies 4.1.3 and 4.1.6

Conservation Coastal Management Element (CCME)

Goal 4

To achieve no further net loss of the natural functions of the City's remaining wetlands, improve the quality of the City's wetlands resources over the long-term and improve the water quality and fish and wildlife values of wetlands.

Objective 4.1

The City shall protect and conserve the natural functions of its existing wetlands, including estuarine marshes. In order to achieve this objective and its associated policies, the City shall continue to work with the applicable regional, state and federal agencies charged with these regulatory responsibilities.

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.

### **Wildlife**

The applicant submitted a Protected Species Report (September 2021) of the site identifying existing habitat types and wildlife survey fieldwork results. This report is on file in the Planning and Development Department office. According to the report, certain species that are known to occur in Duval County were not considered in the protected species survey because there is no habitat for those species onsite. No threatened or endangered state or federally listed wildlife species were documented during the assessment.

### **Conservation Coastal Management Element**

**Policy 3.5.5** The City shall maintain a land development review process for the assessment and protection of listed species and their habitat, which shall apply to issuance of development permits and land clearing, excluding bona fide silvicultural and agricultural activities. Projects which contain areas identified for protection shall be required to incorporate creative project designs through utilization of such measures as clustering, mixed land use designations and transfer of development rights programs. For purposes of Policy 3.5.5, the term listed species shall be limited to listed animal species as defined in the Definitions Section of this Element.

A. All proposed developments or land clearing, with the exception of bona fide silvicultural or agricultural activities, which are located on

all or part of a parcel or contiguous parcels of land containing 50 acres or more under common ownership shall be reviewed by the City to determine if the site contains listed species.

### **Evacuation Zone**

The subject site is within Evacuation Zone C. 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. Their complete analysis is on file with the department.

#### **Summary of EPD Response:**

The proposed property at 13961 New Kings Rd. (via Kings Trail) will be directly located off New Kings Rd., a secondary evacuation route that provides road access to primary evacuation routes I-295 (5.69 road miles) and I-95 (13.1 road miles).

In consideration of the evacuation zone, nearest evacuation routes, and the estimate of 208 single-family homes, the development of the proposed property at 13961 New Kings Rd. could create a localized impact to the traffic flow south on New Kings Rd. during an emergency evacuation scenario. The changes proposed through land use amendment application L-5577-21A 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.

### **Kings Road Historic Preserve**

Since the amendment site is surrounded on three sides by the Kings Road Historic Preserve, the application was routed to the City's Parks, Recreation and Community Services Department for review. The companion rezoning will be submitted as a PUD which provides an opportunity for the applicant to coordinate with the Parks, Recreation and Community Services Department to ensure that development will be compatible with the preserve.

## **PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on September 17, 2021, the required notices of public hearing signs were posted. Fourteen (14) 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 September 20, 2021. The applicant was the only one in attendance of the meeting.

## **CONSISTENCY EVALUATION**

### **Consistency with 2030 Comprehensive Plan Goals, Objectives and Policies**

#### **Future Land Use Element (FLUE)**

##### ***Development Areas***



**Rural Area (RA):** The RA consists of all lands outside of the Suburban Area and corresponds with predominantly undeveloped portions of the City with land uses such as Agriculture, Recreation, Conservation, or Public Buildings Facilities. Development should occur at very low densities which create little demand for new infrastructure and community serving supporting uses, unless development occurs under the Multi-Use Category, as a Rural Village or as a Master Planned Community as defined in this element. Development may occur within the Rural Area provided that it is consistent with the Operational Provisions and the Land Use category descriptions. Otherwise, development beyond such boundaries is considered urban sprawl and is to be discouraged.

**Goal 1** To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

**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 1.1.5** 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 1.1.10** Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

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

- Policy 1.1.20** Development uses and densities shall be determined by the Development Areas described in the Operational Provisions for the Central Business District (CBD); Urban Priority Area (UPA); the Urban Area (UA); the Suburban Area (SA); and the Rural Area (RA) as identified in the 2030 Comprehensive Plan, in order to prevent urban sprawl, protect agricultural lands, conserve natural open space, and to minimize the cost of public facilities and services.
- 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.

## Pending Property Rights Element (Ordinance 2021-334)

- Goal 1            The City will recognize and respect judicially acknowledged and constitutionally protected private property rights in accordance with the Community Planning Act established in Chapter 163, Florida Statutes.
- Objective 1.1    Local decision making shall be implemented and applied with sensitivity for private property rights and shall not be unduly restrictive.
- Policy 1.1.1     The City will ensure that private property rights are considered in local decision making.
- Policy 1.1.2     The following rights shall be considered in local decision making:
1.            The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
  2.            The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
  3.            The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
  4.            The right of a property owner to dispose of his or her property through sale or gift.

According to the Category Description in the Future Land Use Element (FLUE), the AGR functional land use categories accommodate primarily agriculture activities with some single family dwellings and are intended to preserve the existing rural character of outlying areas of the City. Residential development within the AGR-3 is permitted at up to one dwelling unit per ten (10) acres per and within the AGR-4 at up to one dwelling unit per two and a half (2½) acres.

Rural Residential (RR) is a category intended to provide rural estate residential opportunities in the suburban and rural areas of the City. Generally, single-family detached housing will be the predominant land uses in this category. Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein. Residential development is permitted at up to two (2) dwelling units per acre where centralized water and sewer is available and up to one (1) dwelling unit per acre where connection to these facilities is not available.

The subject site is located within the boundary of the Rural Development Area and development within this area is intended to occur at very low densities. The RR land use category is the lowest density residential land use category and permits rural residential estate size lots in a manner consistent with the Rural Development Area intent.

Additionally, due to the surrounding land use categories and planned development in the nearby LDR and MU land use categories, the proposed land use amendment would result in a compatible and appropriate transition of density for the area, meeting FLUE Goal 1 and Policy 1.1.10. The proposed land use categories are consistent with the development trends in the area and are consistent with the intent of the Rural Development Area as called for in FLUE Objective 1.1 and 3.1 and Policy 1.1.20.

The proposed amendment to RR will further the goals of ensuring that there is sufficient land available for future residential uses, of adding to the variety of housing options available to serve the growing population, and of maintaining a compatible land use pattern. As such, the amendment is consistent with FLUE Goal 3, Objective 3.1, Policies 1.1.5, 1.1.21, and 3.1.6.

The applicant has indicated the intent to file a companion PUD rezoning for consideration during the adoption round review of the amendment. The PUD can include site design and development standards to ensure that development is compatible with the abutting Kings Road Historic Preserve in order to implement the intent of FLUE Policy 1.1.12.

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 subject site is located in the Master Planned Communities area of the North Jacksonville Vision Plan. These areas are intended to provide a sustainable development pattern allowing for people to live and work. Surrounding the site are conservation areas and multi-use communities entitled for a mix of uses including commercial, office and recreational uses. The proposed amendment will accommodate residential uses and support the combination of uses of the surrounding multi-use planned communities that is encouraged within the boundaries of the North Jacksonville Vision Plan.

### **Strategic Regional Policy Plan**

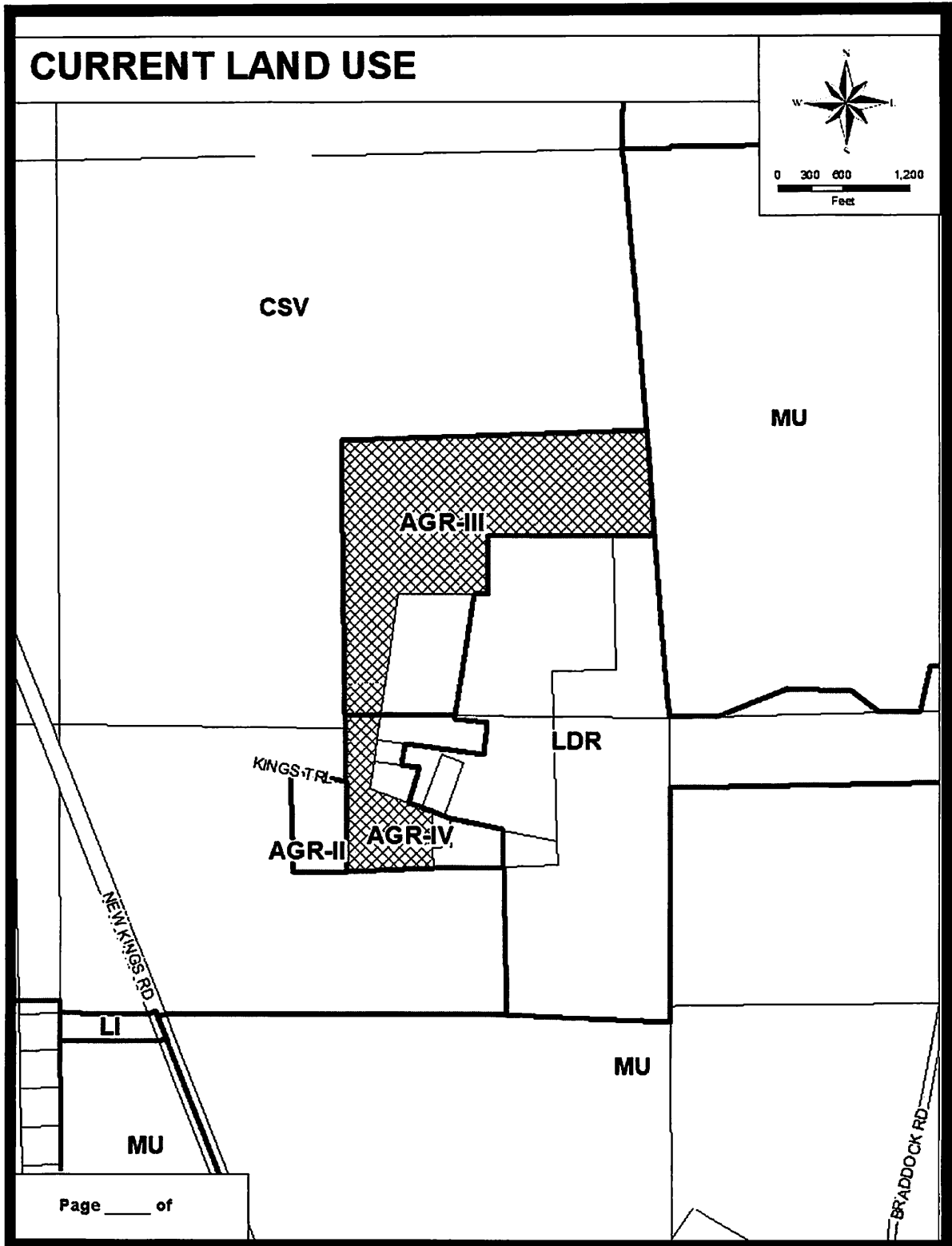
The proposed amendment is consistent with the following Policy of the Strategic Regional Policy Plan:

Objective: Housing options that provide choices to all of our residents and promote demographic and economic diversity as one way to ensure that our communities are viable and interesting places for the long term.

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

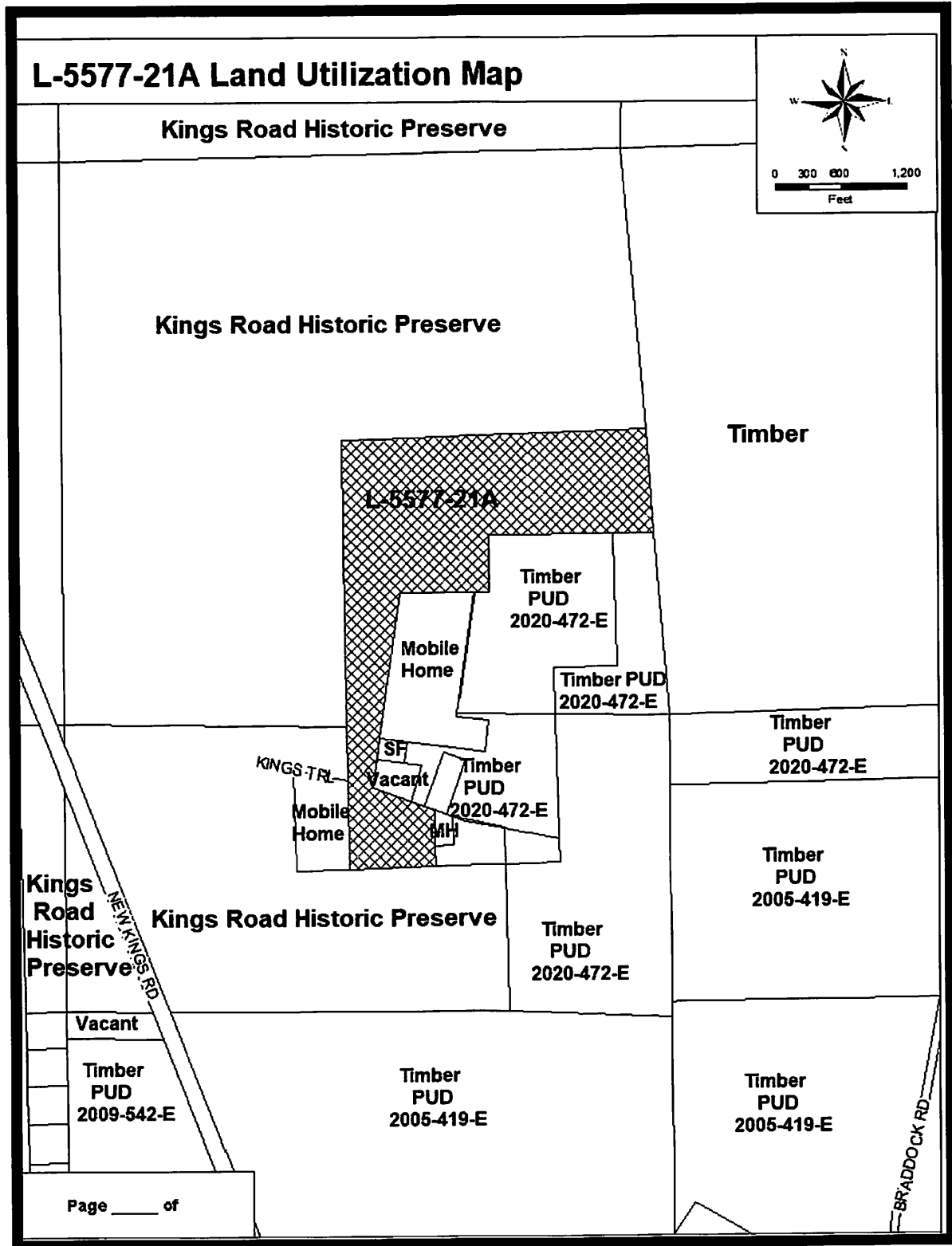
The proposed land use amendment would create a location for the development of new housing stock for the area. Therefore, the proposed amendment is consistent with Policy 21 of the Strategic Regional Policy Plan, Regional Health Element.

# LAND USE MAP



Page \_\_\_\_ of

# LAND UTILIZATION MAP



**WETLANDS MAP**

