



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

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Jacksonville, FL 32203
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July 1, 2024

The Honorable Randy White, President
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. 2024-395/Application No. L-5810-23C

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 2024-395 on June 20, 2024.

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

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



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Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment – June 14, 2024

Ordinance/Application No.: 2024-395 / L-5810-23C

Property Location: 13911 Atlantic Boulevard on the north side of Atlantic Boulevard and west of the Intracoastal Waterway.

Real Estate Number(s): 167140 0100

Property Acreage: 43.80

Planning District: District 2, Greater Arlington/Beaches

City Council District: District 13

Applicant: Cyndy Trimmer, Esquire

Current Land Use: Community/General Commercial (CGC) pursuant to Ordinance 2009-621-E

Proposed Land Use: Community/General Commercial (CGC)

Development Area: Suburban Development Area

Current Zoning: Planned Unit Development (PUD)

Proposed Zoning: Planned Unit Development (PUD)

RECOMMENDATION: ***Approve***

APPLICANT'S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

This land use amendment from CGC with site specific conditions to CGC is filed in light of the fact that the City has adopted a mobility fee system rather than the concurrency system in place at the time the prior amendment was adopted.

BACKGROUND

The 43.80-acre subject site is located at 13911 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 applicant 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), subject to a remedial comprehensive plan amendment adopted pursuant to Ordinance 2009-621-E (ATTACHMENT E), to Community/General Commercial (CGC). A companion PUD rezoning application is pending concurrently with the land use application via Ordinance 2024-396, which seeks a zoning change on the subject site from Planned Unit Development (PUD) to PUD. According to the PUD application, the site is intended for a mix of uses including residential, commercial/office and marina uses.

While the requirements of the remedial comprehensive plan amendment, Ordinance 2009-621-E, are proposed for removal as requirements of the CGC land use on the site, the companion PUD Written Description and Site Plan incorporates the intent of the applicable conditions of Ordinance 2009-621-E with modifications to the density and intensity limitations. The specific conditions consistent with Ordinance 2009-621-E remedial amendment are also included in the legislation of the companion PUD, Ordinance 2024-396. The number of allowed maximum residential dwelling units has decreased from 590 units to 560 units. The commercial/office square footage has increased from an allowed maximum of 6,500 square feet to a maximum of 106,000 square feet. The current density and intensity limitations on the site pursuant to Ordinance 2009-621-E were conditioned in order to meet and maintain the level of service standards for transportation at the time the remedial amendment was adopted in 2009. Since that time, the City has adopted new mitigation standards for transportation impacts through the Mobility Fee System allowing for the increase in allowed commercial/office uses on the site while maintaining the current level of service standards for transportation.

The Intracoastal Waterway abuts the site to the east with mostly wetlands surrounding the site on the east, north and west. Wetlands surrounding the site have been deeded over to the Florida Department of Environmental Protection as a result of the remedial amendment, Ordinance 2009-621-E.

Properties along the Atlantic Boulevard corridor include a mix of commercial and residential uses in the CGC and MDR land use categories. The amendment site is currently undeveloped in the CGC land use category.

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

North:

Land Use: CGC, Agriculture (AGR), Low Density Residential (LDR)
Zoning: PUD, Residential Rural-Acre (RR-Acre), Residential Low Density-90 (RLD-90)
Property Use: Wetlands, single-family residential

South: Land Use: CGC, Medium Density Residential (MDR)

Zoning: PUD, Commercial Community/ General -1 (CCG-1), Residential Low Density-60 (RLD-60)

Property Use: office, multi-family residential, single-family residential, commercial

East: Land Use: CGC

Zoning: PUD

Property Use: Wetlands, Intracoastal Waterway, City of Atlantic Beach

West: Land Use: CGC, Conservation (CSV), MDR, LDR

Zoning: PUD, CCG-1, Commercial Community /General-2 (CCG-2), RR
Acre

Property Use: Wetlands, light manufacturing and service garage (abutting Atlantic Boulevard), multi-family residential, single-family residential

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 L-5810-23C

Development Analysis 43.80 acres (1,907,928 sq. ft.)		
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	Proposed: Residential/commercial
Land Use / Zoning	Current: CGC, pursuant to Ordinance 2009-621-E	Proposed: CGC
Development Standards for Impact Assessment	Current: Pursuant to the density and intensity limitations in Ordinance 2009-621-E	Proposed: Scenario 1: 0.35 FAR Scenario 2: 15 units/acre
Development Potential	Current: 590 multi-family units and 6,500 sq. ft. of CGC uses	Proposed: Scenario 1: 667,774.8 sq. ft. Scenario 2: 657 units

Development Analysis 43.80 acres (1,907,928 sq. ft.)		
Net Increase or Decrease in Maximum Density	Scenario 1: Decrease of 590 units Scenario 2: Increase of 67 units	
Net Increase or Decrease in Potential Floor Area	Scenario 1: Increase of 661,274.8 sq. ft. Scenario 2: Decrease of 6,500 sq. ft.	
Population Potential	Current: 1,386 people	Proposed: Scenario 1: N/A Scenario 2: 1,543 people
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	Scenario 1: 14,841 net new daily trips Scenario 2: 239 net new daily trips	
Potential Public School Impact	163 total new students	
Water Provider	JEA	
Potential Water Impact	Scenario 1: Decrease of 105,586 gallons per day Scenario 2: Increase of 15,420 gallons per day	
Sewer Provider	JEA	
Potential Sewer Impact	Scenario 1: Decrease of 79,190 gallons per day Scenario 2: Increase of 11,565 gallons per day	
Potential Solid Waste Impact	Scenario 1: Decrease of 475.96 tons per year Scenario 2: Increase of 163.8 tons per year	
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	
Land Cover	1561: Ship Building and Repair	
Soils	68: Tisonia mucky peat	
Flood Zones	AE Floodway; VE Flood Zone; 0.2 Percent Chance Annual Hazard Area	

Development Analysis 43.80 acres (1,907,928 sq. ft.)	
Wetlands	YES- Category I
Wildlife (applicable to sites greater than 50 acres)	N/A

Utility Capacity

The calculations to determine the water and sewer flows contained in this report and/or this spreadsheet have been 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 established shall continue to be based on JEA's Water, Sewer and Reuse for New Development Projects document (latest edition).

According to the land use application and the corresponding PUD rezoning (Ordinance 2024-396), the applicant intends to use JEA central water and sewer services for the site. Additionally, a JEA Availability letter dated February 10, 2021 was provided with the application. The Availability Letter identified an existing 16 inch water main and 12 inch force main along Atlantic Boulevard at Riverside Drive. The letter includes sewer special conditions requiring the design and construction on an on-site, JEA owned and maintained pump station and a dedicated JEA force main.

Future Land Use Element

Policy 1.2.8 Require new development and redevelopment in the Central Business District (CBD), Urban Priority Area (UPA), Urban Area (UA), and Suburban Area (SA) to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site.

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

1. Single family/non-residential (estimated flows of 600 gpd or less) where the collection system of a regional utility company is not available through gravity service via a facility within a right-of-way or easement which abuts the property.
2. Non-residential (above 600 gpd) where the collection system of a regional utility company is not within 50 feet of the property.
3. Subdivision (non-residential and residential) where:
 - a. The collection system of a regional utility company is greater than 1/4 mile from the proposed subdivision.

- b. Each lot is a minimum of ½ acre unsubmerged property.
- c. Installation of dryline sewer systems shall be installed when programmed improvements are identified in the Capital Improvements Element which will make connections the JEA Collection Systems available within a five (5) year period.

Transportation

The subject site is 43.80 acres and is accessible from Atlantic Blvd (US 90A), a FDOT principle arterial. The proposed land use amendment is located within the Urban Development Area and Mobility Zone 2. The applicant proposes to change the existing land use from Community General Commercial (CGC) site-specific policy land use to CGC land use.

Comprehensive Plan Consistency:

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

Transportation Element

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

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.

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

Trip Generation Estimation:

Table A provides the daily trip generation comparison between the current and proposed comprehensive plan land uses and the potential transportation impacts on the roadway network. The current land use would result in 4,189 daily trips depending on the scenario. If the land use is amended to allow for this proposed CGC development, this will result in 19,030 or 4,428 daily trips.

Transportation Planning Division RECOMMENDS the following:

The difference in daily trips for the proposed land use amendment will result in 14,841 or 239 net new daily trips when compared to the existing land use. The Transportation Planning Division recommends ongoing coordinating efforts with the City of Jacksonville Traffic Engineer and FDOT to determine if a traffic operational analysis is needed.

Table A

Trip Generation Estimation Scenarios

Current Land Use Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC-N	822	6,500 SF	$T = 54.45 (X) / 1000$	354	142	212
CGC-R	220	590 MF DUs	$T = 6.74 (X)$	3,977	0	3,977
				Existing Scenario Total		4,189
Proposed Land Use Scenario 1	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC	821	667,774 SF	$T = 67.52 (X) / 1000$	24,714	5,684	19,030
				Proposed Total		19,030
Proposed Land Use Scenario 2	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC-R	220	657 MF DUs	$T = 6.74 (X)$	4,428	0	4,428
				Proposed Total		4,428
				Scenario 1 Net New Daily Total		14,841
				Scenario 2 Net New Daily Total		239

Source: Trip Generation Manual, 10th Edition, Institute of Engineers

School Capacity

Based on the impact assessment standards detailed in FLUE Policy 1.2.16, the 43.80 acre proposed land use map amendment has a development potential of 657 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:

Application Review Request: COJ PDD: School Impact Analysis							
Proposed Name: L-5861-23A							
Requested By: Helena Parola							
Reviewed By: Levonnie Griggs							
Due:							
Analysis based on maximum dwelling units: 657							
School Type	CSA ¹	CURRENT ENROLLMENT 20 Day Count (2023/24)	CURRENT UTILIZATION (%)	NEW STUDENT GENERATION ²	5-YEAR UTILIZATION (%)	AVAILABLE SEATS - CSA ³	ADJACENT CSA-3 & 4 AVAILABLE SEATS
Elementary	5	8,254	84%	82	88%	2,272	1,779
Middle	5	2,210	78%	33	69%	876	723
High	5	7,718	98%	48	91%	1,207	762
Total New Students				163			

NOTES:

¹ Proposed Development's Concurrently Service Area (CSA)

² Student Distribution Rate
ES-.125
MS-.051
HS-.074
0.250
The Student Distribution Rate is calculated for each school type by dividing the total number of public school students enrolled in that school type in Duval County (104,757) by the number of total permitted housing units (418,708) for the same year, generating a yield of 0.250.

³ Available CSA seats include current reservations

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

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

Objective 3.1 Adopted Level of Service (LOS) Standards
Through the implementation of its concurrency management systems and in coordination with the DCPS, the City shall ensure that the capacity of schools is sufficient to support new residential developments at the adopted level of service (LOS) standards within the period covered in the five-year schedule of capital improvements and the long range planning period. These standards shall be consistent with the Interlocal Agreement agreed upon by the DCPS, the City and the other municipalities. Minor deviations to the LOS standards may occur, so long as they are limited, temporary and with scheduled capacity improvements, school capacity is maximized to the greatest extent feasible.

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

Supplemental School Information:

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

Application Review Request: COJ PDD: Baseline Checklist Review						
Proposed Name: L-5810-23C						
Requested By: Helena Parola						
Reviewed By: LeVonne Griggs						
Due:						
Analysis based on maximum dwelling units: <u>657</u>						
SCHOOL ¹	CSA	STUDENTS GENERATED (Rounded) ²	SCHOOL CAPACITY ² (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2023/24)	% OCCUPIED	4 YEAR PROJECTION
Neptune Beach #246	6	82	1033	778	75%	76%
Mayport #254	6	33	1017	815	80%	91%
Sandalwood #237	5	48	2851	2725	96%	86%
		163				

NOTES:

¹ Attendance school may not be in proposed development's Concurrency Service Area (CSA)
² Does not include ESE & room exclusions

³ Student Distribution Rate
ES-.125
MS-.051
HS-.074
0.250

The Student Distribution Rate is calculated for each school type by dividing the total number of public school students enrolled in that school type in Duval County (104,757) by the number of total permitted housing units (418,708) for the same year, generating a yield of 0.250.

Evacuation Zone

The subject site is within Evacuation Zone A. As such, the land use application was routed to the City's Emergency Preparedness Division (EPD) for review and comment. EPD was provided with the land use application and the development potential of the proposed land use amendment change. Per EPD's review, it was determined that the impact of the subject small scale land use amendment on countywide evacuation clearance timing would be minimal within Duval County. Additionally, the companion PUD Written Description acknowledges that the property is located within Evacuation Zone A and will establish protocols and provide emergency preparedness information to residents addressing evacuation procedures and sources for hurricane related updates.

The EPD's complete analysis is provided below.

EPD Response:

The proposed property in land use amendment L-5810-23C will be in close proximity to the Atlantic Boulevard, indicating sufficient access to I-295 (5.61 road miles) and I-95 (12.8 road miles), primary evacuation routes.

In consideration of the surrounding evacuation zones (Zone A, Zone B, and Zone C), nearest evacuation routes, and the estimate of 239 – 14,841 additional daily trips, the development of the proposed property could create a localized impact to the traffic flow on I-295 and I-95 during an emergency evacuation scenario. The changes proposed through land use amendment application L-5810-23C would have a minimal impact on countywide evacuation clearance time within Duval County. Site design techniques that minimize disruption to existing traffic flow are encouraged. Any development should incorporate appropriate mitigation techniques to reduce flood vulnerability and minimize impacts to the floodplain.

Conservation /Coastal Management Element (CCME)

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

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.

Manatee Protection Plan (MPP) / Boat Facility Siting Zone

The subject property is located within an area that falls within the jurisdiction of the Manatee Protection Plan Boat Facility Siting Zone. According to the Boat Facility Siting Zones of the Manatee Protection Plan, the land use amendment site area is in a “Special Development Area” of the MPP. This area is allowed up to 650 slips.

Specifically, the MPP states “Property Parcel North of Atlantic Boulevard on Pablo Creek -a maximum of 650 slips (wet and dry) as authorized by City of Jacksonville Ordinance 2009-621-E are allowable within this area.”

Conservation Coastal Management Element

Policy 10.1.1 The location of future boat facilities shall be consistent with the recommendations within the Future Land Use Element and the Recreation and Open Space Element of the Comprehensive Plan, as well as any Vision Plan, and any other special study or plan adopted by the City such as the Boat Facilities Siting Plan located in the MPP.

Policy 10.1.4 The City shall review the application for any proposed boat facility to ensure consistency with Conservation/Coastal Management Element policies and objectives and with respect to the MPP. Development orders will not be issued for boat facilities that are not consistent with the MPP and the Comprehensive Plan.

Parks, Recreation and Community Services Department

While the requirements of the remedial comprehensive plan amendment, Ordinance 2009-621-E, are proposed for removal as requirements of the CGC land use on the site, the companion PUD Written Description and Site Plan incorporates the intent of the applicable conditions of Ordinance 2009-621-E with modifications. Specifically, requirements of Ordinance 2009-621-E include the total number of marina slips (wet and dry) of the development shall not exceed 650 and the minimum number of slips made available to the public shall be 100. An additional requirement includes the development of a two-lane access boat ramp with 30 boat trailer parking spaces. These requirements are included in the proposed companion PUD, Ordinance 2024-396. The Parks, Recreation and Community Services Department has been working with the developer and the Planning and Development Department to ensure allowed public use of the boat ramp, trailer parking and boat slips through a Term Sheet that is included with the companion PUD.

Coastal High Hazard Area (CHHA)

According to the City’s Comprehensive Plan 2021 CHHA Map, transmitted with ordinance 2024-191-E and pending adoption round, approximately 41.55 acres of the subject site and at the average 8-foot above mean sea level elevation 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 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.

A portion of the CHHA area (19.19 acres) is in the open water ship port and salt marsh wetlands. The remaining portion of the CHHA (22.36 acres) is in the non-open water areas (dry land) of the ship port. The remaining area of the application site (dry land), approximately 2.55 acres, is out of the CHHA area and at the average 8-foot above mean sea level elevation.

This is a vast difference to the previous City's GIS 2013 CHHA Map. According to the 2013 CHHA Map, approximately 20.48 acres of the 43.80 acre application site was located within the CHHA at an average 5-foot above mean sea level elevation with the remaining 23.32 acres above the 2013, 5-foot CHHA elevation.

The difference between the 2013 and 2021 CHHA Maps is the result of improved hydraulic modeling with the consideration of sea-level rise. The companion PUD rezoning, Ordinance 2024-396, includes a condition that all residential development shall be clustered outside the published 2013 Coastal High Hazard Area and comply with applicable CHHA regulations. The condition of the PUD continues with the following language:

All residential uses shall be located above the elevation of the category 1 storm surge line as established by the Sea, Lake and Overland Surges from Hurricane (SLOSH) computerized storm surge model, which on the Property is approximately 3.914 feet (NAVD-88) (formerly 5.0 feet (NGVD-29)). Historically there are approximately 23.88 acres above 5.0 feet in elevation on the Property which are deemed to not be located within the published 2013 Coastal High Hazard Area as defined under Florida statute.

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.

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

Conservation/Coastal Management Element

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

Flood Zones

Approximately 38.05 acres of the subject site is within the AE Flood Zone, 2.26 acres is within the VE Flood Zone, and 1.62 acres is located in the 0.2 Percent Chance Annual Hazard Area (X Flood Zone). Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). FEMA defines the various flooding characteristics of different lands based on a 100-year storm. The 100-year storm or Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. This does not mean that a storm of this type will happen every 100 years. There is a 1-percent chance that a storm of this magnitude will occur in any given year. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

The AE 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.

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

Conservation /Coastal Management Element (CCME)

- Policy 2.6.1 The City shall continue to define the surface hydrology of the area to determine flood plain vulnerability and sensitivity and will determine appropriate protection measures.
- Policy 2.6.3 The City shall protect appropriate floodplain areas for the public benefit and restore degraded floodplain areas by:
- A. Land acquisition or conservation easement acquisition;
 - B. Regulation, including setbacks, buffer zones, designated wildlife corridors, low density zoning, performance standards and open space requirements; and
 - C. Incentives, including tax benefits and transfer of development rights.
- Policy 13.7.10 The City has adopted and shall maintain a floodplain management ordinance that establishes engineering requirements to safeguard the public health, safety, and general welfare and minimizes public and private losses due to flooding through regulation and development of flood hazard areas. The ordinance shall include development and redevelopment regulations that:
- A. Minimize unnecessary disruption of commerce, access and public service during times of flooding;
 - B. Require the use of construction practices that will prevent or minimize future flood damage;
 - C. Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
 - D. Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
 - E. Minimize damage to public and private facilities and utilities;
 - F. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;

- G. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and
- H. Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.

Wetlands

Review of City's GIS data and the map provided by the applicant indicates the potential 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. The land use amendment application is on the agenda to be reviewed by the Waterways Commission on June 12, 2024.

Wetlands Characteristics:

Approximate Size: 8.76 acres

General Location(s): The wetlands are located at the periphery of the application site; however, most of the wetland are located within the old shipyard dredging collection basin on the north side of the property.

Quality/Functional Value: The wetlands are salt marshes 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 according to the St. Johns Reiver Water Management District website.
Wetlands Impact:	According to the PUD site plan, the wetlands on site will be avoided.
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

Upon site submittal of the sign posting affidavit and accompanying photos, the required notices of public hearing signs were posted on June 11, 2024. Twenty-five (25) notices were mailed out to adjoining property owners informing them of the proposed land use change and pertinent public hearing and meeting dates. Notices to Atlantic Beach and parties affiliated with the remedial amendment were also sent out.

A Citizen Information Meeting was held on June 3, 2024, via a virtual Zoom meeting. No members of the public attended to discuss the proposed amendment.

CONSISTENCY EVALUATION

Consistency with 2045 Comprehensive Plan Goals, Objectives and Policies

Future Land Use Element (FLUE)

Development Area

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

Goal 1	To ensure that the character and location of land uses optimize the combined potentials for economic benefit, enjoyment, wellness and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.
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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.
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- Policy 1.1.7 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 1.1.9 Promote the use of Planned Unit Developments (PUD) zoning districts, cluster developments, and other innovative site planning and smart growth techniques in order to allow for appropriate combinations of complementary land uses, densities and intensities consistent with the underlying land use category or site specific policy, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations. These techniques should consider the following criteria in determining uses, densities, intensities, and site design:
- Potential for the development of blighting or other negative influences on abutting properties
 - Traffic Impacts
 - Site Access
 - Transition of densities and comparison of percentage increase in density above average density of abutting developed properties
 - Configuration and orientation of the property
 - Natural or man-made buffers and boundaries
 - Height of development
 - Bulk and scale of development
 - Building orientation
 - Site layout
 - Parking layout
 - Opportunities for physical activity, active living, social connection, and access to healthy food
- Policy 1.1.10 Ensure that mixed and multi-use projects enhance, rather than detract from, the character of established developed areas by requiring site plan-controlled zoning such as Planned Unit Developments (PUDs), TODs or TNDs for all mixed and multi-use projects and conforming with the following criteria:
1. The type of land use(s), density, and intensity is consistent with the provisions of the land use category, particularly the category's predominant land use;
 2. The proposed development is in conformity with the goals, objectives, policies, and operative provisions of this and other elements of the Comprehensive Plan; and
 3. The proposed development is compatible with surrounding existing land uses and zoning.

- Policy 1.1.21 Rezoning and amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business with the intent that this balance of uses shall:
- A. Foster vibrant, viable communities and economic development opportunities;
 - B. Address outdated development patterns; and/or
 - C. Provide sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.

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

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

- Policy 1.2.8 Require new development and redevelopment in the Central Business District (CBD), Urban Priority Area (UPA), Urban Area (UA), and Suburban Area (SA) to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site.

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

1. Single family/non-residential (estimated flows of 600 gpd or less) where the collection system of a regional utility company is not available through gravity service via a facility within a right-of-way or easement which abuts the property.
2. Non-residential (above 600 gpd) where the collection system of a regional utility company is not within 50 feet of the property.

3. Subdivision (non-residential and residential) where:
 - a. The collection system of a regional utility company is greater than 1/4 mile from the proposed subdivision.
 - b. Each lot is a minimum of ½ acre unsubmerged property.
 - c. Installation of dryline sewer systems shall be installed when programmed improvements are identified in the Capital Improvements Element which will make connections the JEA Collection Systems available within a five (5) year period.

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.

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

Policy 3.1.5 The City shall provide opportunities 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.

Objective 3.2 Promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

Recreation and Open Space (ROS) Element

Objective 4.2 The City shall increase the number of public boating, kayaking and fishing facilities along the St. Johns River and its tributaries.

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.

Property Rights Element (PRE)

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 shall ensure that private property rights are considered in local decision making.
Policy 1.1.2	<p>The following rights shall be considered in local decision making:</p> <ol style="list-style-type: none">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.

Community/General Commercial (CGC) is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods in order to reduce the number of Vehicle Miles Traveled. CGC also allows for multi-family residential at densities up to 20 units per acre in the Suburban Area.

The 43.80 acre subject site is currently vacant. The applicant is proposing a change from CGC subject to a remedial comprehensive plan amendment adopted pursuant to Ordinance 2009-621-E (Attachment E), to Community/General Commercial (CGC). While the requirements of the remedial comprehensive plan amendment, Ordinance 2009-621-E, are proposed for removal as requirements of the CGC land use on the site, the companion PUD Written Description and Site Plan incorporates the intent of the applicable conditions of Ordinance 2009-621-E with modifications to the density and intensity limitations. Additionally, the specific conditions consistent with Ordinance 2009-621-E remedial amendment are included in the legislation of the companion PUD, Ordinance 2024-396. The site is located on the north side of Atlantic Boulevard, designated a principal arterial roadway on the Functional Highway Classification Map. The surrounding area of this portion of the Atlantic Boulevard corridor includes a mix of commercial and residential uses along the road frontage. The site also abuts the Intracoastal Waterway on the site's eastern boundary. The companion PUD site plan

identifies a mix of residential, commercial and marina uses for the site. The site's location on the Atlantic Boulevard corridor supports the proposed mix of uses and maintains a compatible land use pattern along the corridor. The use of the PUD zoning allows for site planning techniques regarding placement of the residential, commercial and marina uses in relation to the Atlantic Boulevard corridor, the Intracoastal Waterway and surrounding uses and land use patterns providing consistency with Goal 1, Objective 1.1, and Policies 1.1.7, 1.1.9, and 1.1.10.

The proposed land use change would be consistent with the development pattern in the area providing additional housing while incorporating a mix of uses with additional commercial and marina uses on site. The site is surrounded by undeveloped sensitive wetlands providing a buffer from existing development to the north, east and west sides of the site. Additionally, the companion PUD rezoning includes buffer requirements along with site design techniques to provide a scale transition and gradation of uses in order to protect the surrounding area from potential negative impacts. The proposed amendment would encourage use of vacant undeveloped land within the Suburban Development Area, where access to urban services is available, along with a mix of uses. The proposed use of the site for residential, commercial and marina uses will broaden the mix of uses in the area providing consistency. Therefore, the proposed amendment is consistent with FLUE Goal 3, Objective 3.2, and Policies 1.1.12, 1.1.22, and 3.1.5.

The PUD site plan identifies the environmentally sensitive wetlands on site. As indicated on the PUD site plan and within the PUD written description, three acres of the environmentally sensitive wetlands will be dedicated to conservation easement prior to the issuance of a certificate of occupancy. According to the companion PUD rezoning site plan and written description, the proposed development will preserve the environmentally sensitive lands providing consistency with FLUE Policy 1.5.10 and CCME Goal 4 and Objective 4.1. Additionally, the PUD identifies that a minimum of 100 marina slips of the 650 allowed on site will be made available to the general public on a first-come first-serve basis providing greater access to Jacksonville's waterways and providing consistency with ROS Objective 4.2.

Providing consistency with FLUE Policy 1.2.8, according to the land use application and the corresponding PUD rezoning (Ordinance 2024-396), the applicant intends to use JEA central water and sewer services for the site. Additionally, a JEA Availability letter dated February 10, 2021 was provided with the application. The Availability Letter identified an existing 16 inch water main and 12 inch force main along Atlantic Boulevard at Riverside Drive. The letter includes sewer special conditions requiring the design and construction on an on-site, JEA owned and maintained pump station and a dedicated JEA force main.

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. This proposed development is consistent with the second guiding principle of the Vision Plan, to protect and promote community growth through land use, revitalization, and development patterns. The Plan promotes the idea of infill development on major corridors and nodes, and it urges that all non-residential development and redevelopment are compatible with the environment of the surrounding neighborhood. New developments must have land use patterns that are consistent with the intensity and density of the surrounding area, while respecting the hierarchy of traffic patterns.

Strategic Regional Policy Plan

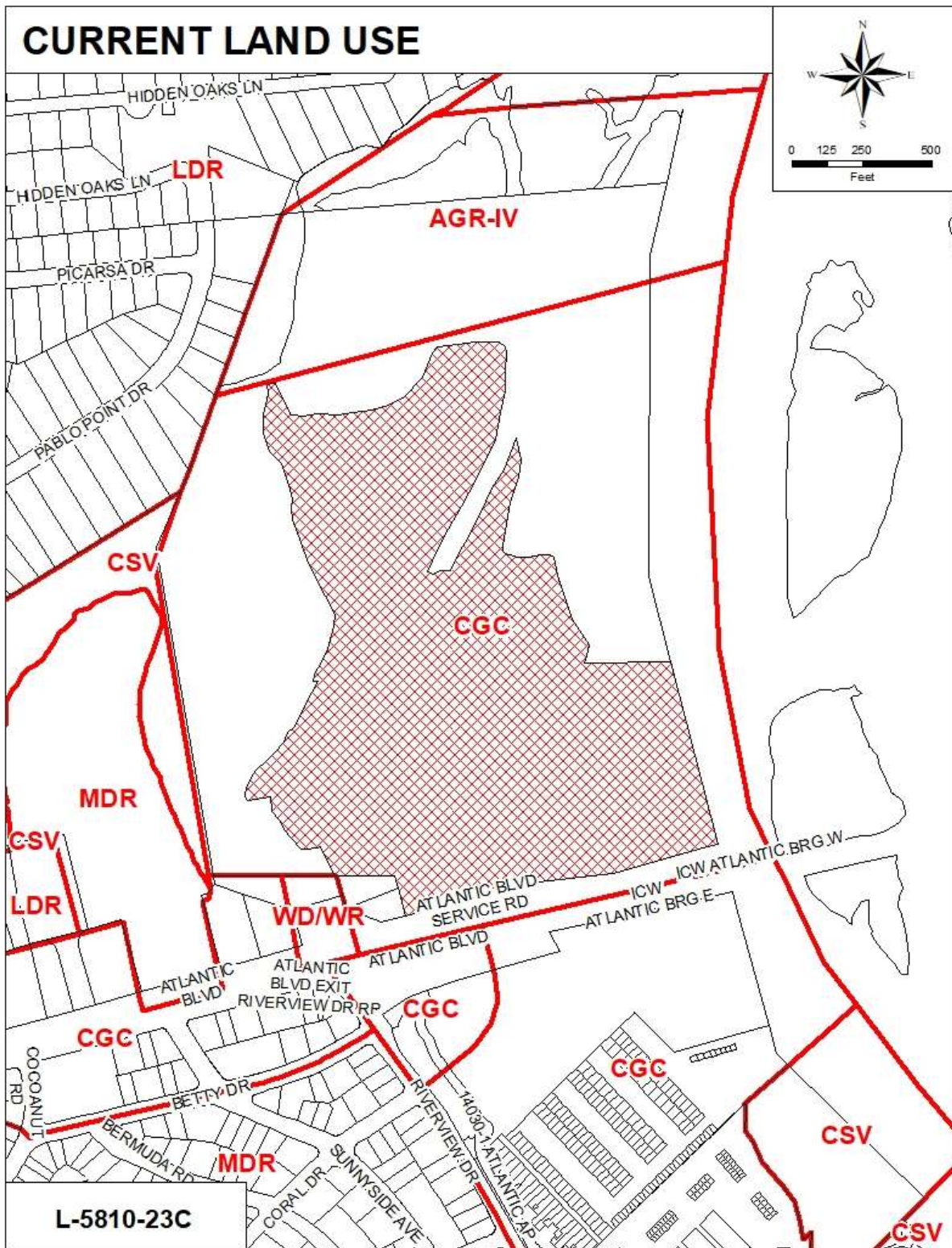
The proposed amendment is consistent with the following Policy of the Strategic Regional Policy Plan:

Policy 4: The Region supports strategies identified by the Regional Community Institute as they worked on First Coast Vision, including:

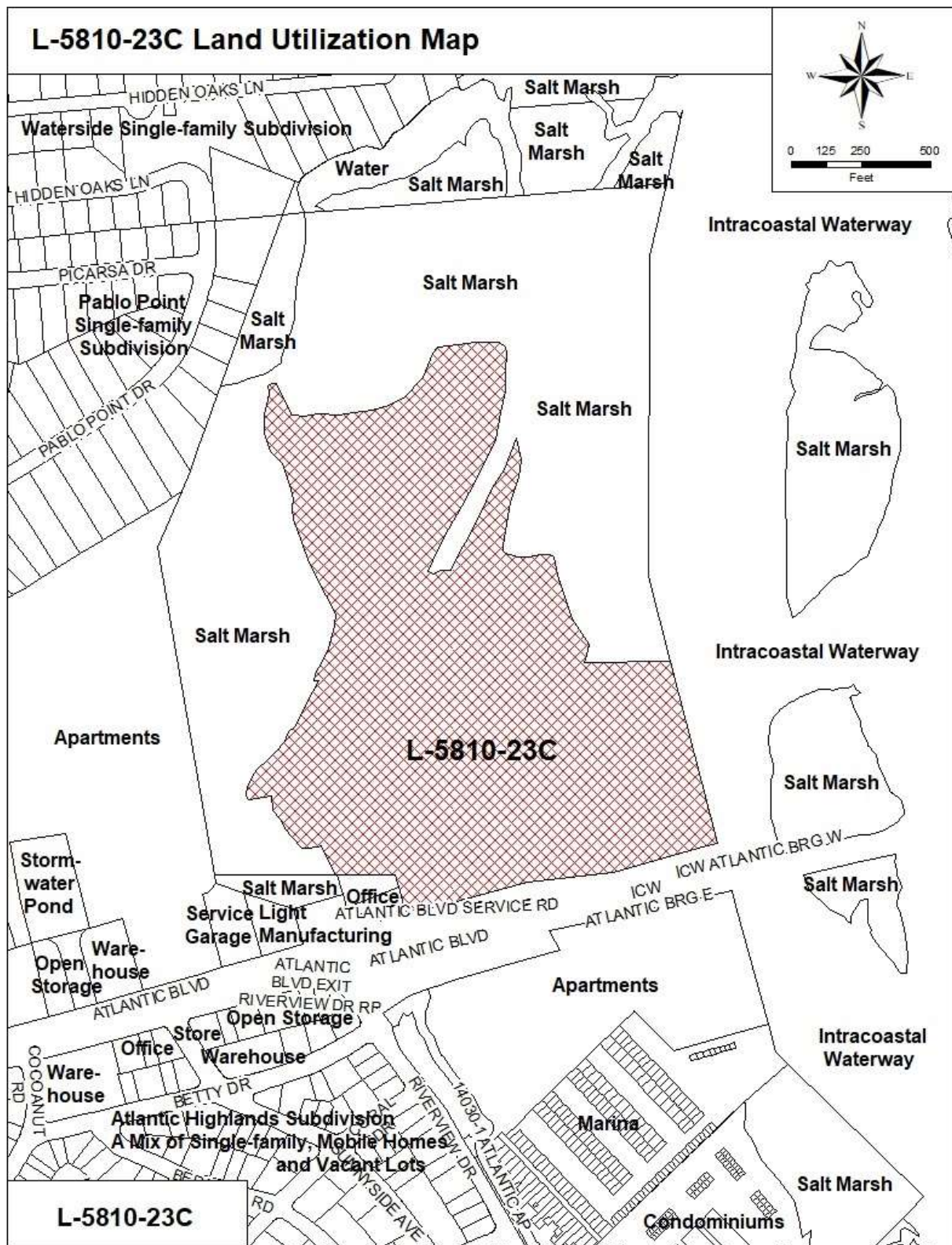
- Infill and redevelopment.

The proposed amendment would allow for the development of a currently vacant property. The proposed amendment would therefore allow for an additional infill development opportunity, consistent with Policy 4 of the Strategic Regional Policy Plan.

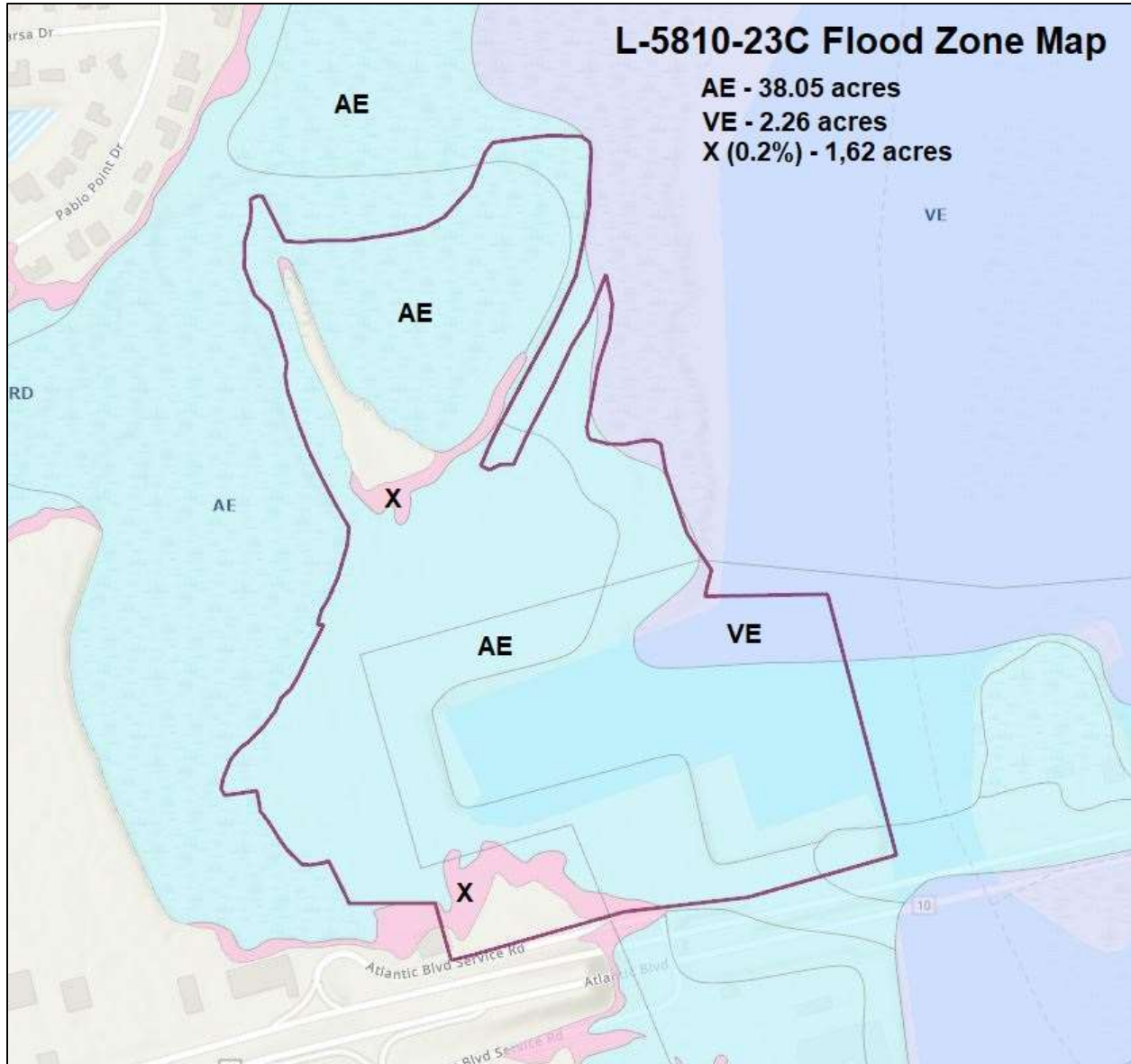
ATTACHMENT A
Location and Current Land Use Map



ATTACHMENT B Land Utilization Map



ATTACHMENT C Flood Zone Map



ATTACHMENT D
Flood Zone Map



ATTACHMENT E

Remedial comprehensive plan amendment adopted pursuant to Ordinance 2009-621-E

ENACTED 8/25/09

1 Introduced by the Land Use and Zoning Committee:



09-621.tif

ORDINANCE 2009-621-E

5 AN ORDINANCE ADOPTING A REMEDIAL AMENDMENT TO
6 THE 2010 COMPREHENSIVE PLAN PURSUANT TO THE
7 FINAL ORDER ISSUED BY THE GOVERNOR AND CABINET
8 OF FLORIDA SITTING AS THE ADMINISTRATION
9 COMMISSION DATED JUNE 10, 2009 REGARDING CITY OF
10 JACKSONVILLE ORDINANCE 2007-355-E; ADOPTING AND
11 APPROVING THE FINAL ORDER ISSUED BY THE GOVERNOR
12 AND CABINET OF FLORIDA SITTING AS THE
13 ADMINISTRATION COMMISSION DATED JUNE 10, 2009
14 REGARDING CITY OF JACKSONVILLE ORDINANCE 2008-
15 315-E; AND PROVIDING AN EFFECTIVE DATE.

17 WHEREAS, the City of Jacksonville/Duval County adopted Ordinance
18 2007-355-E on May 14, 2007, which changed the land use designation for
19 a 77.22-acre parcel at 13911 Atlantic Boulevard on the west side of
20 the Intracoastal Waterway from Water Dependent/Water Related
21 (WD/WR) and Agriculture IV (AGR IV) to Community/General Commercial
22 (CGC); and

23 WHEREAS, the City of Jacksonville/Duval County adopted
24 Ordinance 2008-315-E on June 10, 2008, which modified the definition
25 of Coastal High Hazard Area (CHHA) found in Conservation/Coastal
26 Management Element Policy 7.3.1, by allowing site specific data to be
27 used to determine whether a parcel lies outside of the CHHA; and

28 WHEREAS, the above Comprehensive Plan Amendments (Plan
29 Amendments) were submitted to the Florida Department of Community
30 Affairs (DCA) for review, as the state land planning agency, pursuant

ATTACHMENT E (continued)

Remedial comprehensive plan amendment adopted pursuant to Ordinance 2009-621-E

ENACTED 8/25/09

1 to the Local Government Comprehensive Planning and Land Development
2 Regulation Act, Chapter 163, Part II, *Florida Statutes*; and

3 WHEREAS, the DCA contended that the Plan Amendments were not in
4 compliance as defined by the Local Government Comprehensive Planning
5 and Land Development Regulation Act, Chapter 163, Part II, *Florida*
6 *Statutes*; and

7 WHEREAS, pursuant to Section 163.3184(10), *Florida Statutes*, the
8 DCA initiated formal administrative proceedings challenging the Plan
9 Amendments (DOAH Case Nos. 07-3539GM & 08-4193GM); and

10 WHEREAS, after a formal hearing, the Administrative Law Judge
11 issued a Recommended Order finding portions of the Plan Amendments in
12 compliance, and finding portions of the Plan Amendments not in
13 compliance (ALJ Recommended Order); and

14 WHEREAS, the ALJ Recommended Order was forwarded to the Governor
15 and Cabinet of Florida, sitting as the Administration Commission, for
16 final agency action; and

17 WHEREAS, pursuant to Senate Bill 360, which became law on June 1,
18 2009, the City of Jacksonville/Duval County became a transportation
19 concurrency exception area, and pursuant to Section 3 of Chapter 2009-
20 96, *Laws of Florida*, the Plan Amendments have been therefore "deemed
21 to meet the requirement to achieve and maintain level-of-service
22 standards for transportation"; and

23 WHEREAS, after public hearing, the Governor and Cabinet of
24 Florida, sitting as the Administration Commission, issued a Final
25 Order dated June 10, 2009 (Administration Commission Final Order),
26 directing the City of Jacksonville to undertake remedial actions as
27 described therein, and attached hereto as Exhibit 1; and

28 WHEREAS, the Land Use and Zoning Committee held a duly noticed
29 public hearing regarding the Administration Commission Final Order
30 dated June 10, 2009; and

ATTACHMENT E (continued)

Remedial comprehensive plan amendment adopted pursuant to Ordinance 2009-621-E

ENACTED 8/25/09

1 WHEREAS, the City Council held a duly noticed public hearing
2 regarding the Administration Commission Final Order dated June 10,
3 2009; now, therefore

4 BE IT ORDAINED by the Council of the City of Jacksonville:

5 Section 1. Purpose and Intent. This ordinance is adopted to
6 implement the remedial actions mandated by the Administration
7 Commission Final Order dated June 10, 2009.

8 Section 2. Adoption of Remedial Comprehensive Plan Amendment
9 and Adoption of Administration Commission Final Order dated June 10,
10 2009. The Council hereby adopts and approves the Administration
11 Commission Final Order dated June 10, 2009, and all remedial actions
12 contained therein as follows:

13 (a) Redevelopment of the Moody shipyard shall be restricted by
14 the following provisions, which are hereby adopted into the
15 comprehensive plan through this remedial amendment as permitted by
16 Section 163.3184(16), Florida Statutes:

17 (1) Residential development shall not exceed 590 dwelling
18 units.

19 (2) Marina-related specialty retail (including club,
20 retail, and restaurant activities) shall not exceed 6,500 square feet.

21 (3) The total number of marina slips (wet and dry) will
22 not exceed 650. The number of marina slips dedicated to the 590
23 dwelling units shall not exceed 550 slips. The minimum number of
24 authorized marina slips that shall be made available to the general
25 public on a first-come first-serve basis shall be 100. The marina,
26 when constructed, shall comply with the requirements of the current
27 Florida Clean Marina Program, as designated by state law.

28 (4) All residential uses and commercial uses (other than
29 boat channels, basins, docks, slips, and ramps) shall be confined to

ATTACHMENT E (continued)

Remedial comprehensive plan amendment adopted pursuant to Ordinance 2009-621-E

ENACTED 8/25/09

1 the areas of the existing disturbed site and spoil site, but in any
2 event only above the mean high water line.

3 (5) All residential uses shall be located above the
4 elevation of the category 1 storm surge line as established by the
5 Sea, Lake and Overland Surges from Hurricanes (SLOSH) computerized
6 storm surge model, which on the Moody property is 5.0 feet (NGVD-29).

7 There are 23.88 acres above 5.0 feet in elevation on the Moody
8 property and these 23.88 acres are deemed to not be located within the
9 coastal high hazard area as defined by Section 163.3178(2)h), Florida
10 Statutes, or for any other purpose.

11 (6) Prior to final site plan approval, the developer shall
12 obtain a final wetlands jurisdictional designation line from the
13 appropriate regulatory agency or agencies. Additionally, the
14 developer shall provide a conservation easement (except for boat
15 channels, basins, docks, slips and ramps) to the appropriate state
16 agency or agencies for all wetlands that it or they require to be
17 preserved. This conservation easement shall provide the highest level
18 of protection for such wetlands.

19 (7) The traffic-roadway improvement descriptions contained
20 in the Traffic Circulation and Mass Transit 5-year Plan shall be
21 revised as follows: the Hodges Boulevard roadway project shall be
22 amended to describe the construction of a 4-lan urban section from
23 Atlantic Boulevard to Beach Boulevard, and the Atlantic Intracoastal
24 West Area Intersections Improvements roadway project (Atlantic
25 Boulevard at Girvin Road, Hodges Boulevard, and San Pablo Road) shall
26 be amended to describe additional through lanes (from 6 to 8 lanes) to
27 Atlantic Boulevard between each of the three intersections.

28 (b) The City of Jacksonville hereby adopts the following
29 measures with respect to the text amendment approved by Ordinance
30 2009-315-E:

ATTACHMENT E (continued)

Remedial comprehensive plan amendment adopted pursuant to Ordinance 2009-621-E

ENACTED 8/25/09

1 (1) The City of Jacksonville shall reevaluate the
2 definition of Coast High Hazard Area as defined in
3 Conservation/Coastal Management Element Policy 7.3.1 adopted by
4 Ordinance 2008-315-E through the working group established by Policy
5 7.1.1 of the City of Jacksonville Comprehensive Plan. Pursuant to
6 Policy 7.1.1, the working group shall consider, by December 2009, a
7 set of policies that would allow for a citywide local mitigation
8 program that would take the place of the site-specific and case-by-
9 case approach that is currently used to determine appropriate
10 mitigation when a future land use map amendment is proposed that would
11 impact hurricane evacuation time.

12 (2) The City of Jacksonville shall not transmit any future
13 land use map amendment which relies on the definition of Coastal High
14 Hazard Area as defined in Conservation/Coastal Management Element
15 Policy 7.3.1 adopted by Ordinance 2008-315-E until the policies
16 developed pursuant to Policy 7.1.1 of the City of Jacksonville
17 Comprehensive Plan are adopted into Comprehensive Plan through the
18 remedial amendment process permitted by Section 163.3184(16), Florida
19 Statutes.

20 Section 3. Applicability, Effect and Legal Status. The
21 applicability and effect of the 2010 Comprehensive Plan, as herein
22 amended, shall be as provided in the Local Government Comprehensive
23 Planning and Land Development Regulation Act, Chapter 163, Part II,
24 Florida Statutes, and this ordinance. All development undertaken by,
25 and all actions taken in regard to development orders by governmental
26 agencies in regard to land which is subject to the 2010 Comprehensive
27 Plan, as herein amended, shall be consistent therewith, as of the
28 effective date of the remedial actions adopted herein.

29 Section 4. Effective Date of Remedial Amendment. This
30 Remedial Amendment to the 2010 Comprehensive Plan shall become

ATTACHMENT E (continued)

Remedial comprehensive plan amendment adopted pursuant to Ordinance 2009-621-E

ENACTED 8/25/09

1 effective in accordance with Local Government Comprehensive Planning
2 and Land Development Regulation Act, Chapter 163, Part II, Florida
3 Statutes.

4 Section 5. Effective Date. This ordinance shall become
5 effective upon signature by the Mayor or upon becoming effective
6 without the Mayor's signature.

7
8 Form Approved:

9
10 /s/ Shannon K. Eller

11 Office of General Counsel

12 Legislation Prepared by: Shannon K. Eller

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