

# City of Jacksonville, Florida

*Lenny Curry, Mayor*

City Hall at St. James  
117 W. Duval St.  
Jacksonville, FL 32202  
(904) 630-CITY  
www.coj.net

December 8, 2022

The Honorable Terrance Freeman, President  
The Honorable Kevin Carrico, LUZ Chair  
And Members of the City Council  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report / Ordinance No. 2022-820/Application No. L-5752-22C**

Dear Honorable Council President Freeman, 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 2022-820 on December 8, 2022.

P&DD Recommendation

APPROVE

PC Issues:

Fourteen citizens attended the meeting to express opposition to the amendment. The following issues were presented by the opposition:

- Proximity to Pumpkin Hill Creek Preserve State Park and controlled burns
- Water pollution
- Cedar Point Rd – Sawpit Zoning Overlay should not exclude the site
- School capacity
- Development increases flooding
- Same request denied in 2020
- Inconsistent and incompatible with area
- Limited reach of mailed public notices
- Negative impacts to property value
- Poor road conditions

The Commission discussion focused on the following issues:

- Waterways Commission should be first review
- Not appropriate for area
- Exemption from the zoning overlay does not support amendments
- Limited reach of mailed public notices
- Projected increase of 23 students

- Planning Department recommendation of approval
- Omission from zoning overlay with understanding that owner would file request for entitlements and overlay does not apply to site
- RR land use permits clustering of development at 2 du/ac
- Request is low intensity and reasonable for the area
- Recognition of landowner rights
- Balance land development and environmental protection
- Non-conforming lots on Black Hammock Island
- Site could be purchased for preservation
- Few areas near and surrounding are developable
- Portions of the property are high and dry for development
- Substantial investment in surrounding preservation lands
- Substantial amount of land already purchased for preservation

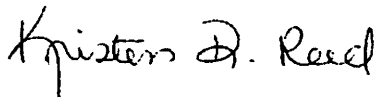
**PC Vote:**

**5-2 APPROVE**

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

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

Sincerely,



Kristen D. Reed, AICP  
Chief of Community Planning Division  
City of Jacksonville - Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, FL 32202  
(904) 255-7837  
[KReed@coj.net](mailto:KReed@coj.net)

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

**Small-Scale Future Land Use Map Amendment – December 2, 2022**

**Ordinance/Application No.:** 2022-820 / L-5752-22C  
**Property Location:** 6131 Cedar Point Road  
**Real Estate Number(s):** 159855-0500  
**Development Area:** Rural Development Area  
**Property Acreage:** 48.82 acres  
**Planning District:** District 6, North  
**City Council District:** District 2  
**Applicant:** Paul Harden, Esquire  
**Current Land Use:** Agriculture III (AGR-III) (19.22 acres) and  
Agriculture IV (AGR-IV) (29.60 acres)  
**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**

The applicant would like to develop the property as single-family residential.

**BACKGROUND**

The subject property is located on the north side of Cedar Point Road, across from Sheffield Road, and abuts the Pumpkin Hill Creek Preserve State Park. Cedar Point Road is classified as a collector roadway. The applicant is proposing an amendment to Future Land Use Map series (FLUMs) from AGR-III and AGR-IV to Rural Residential (RR), with a companion Planned Unit Development (PUD) rezoning.

The subject site is currently being used as a single-family residence and for silviculture uses. The Pumpkin Hill Creek State Preserve is located to the north, south, and west of

the subject site. Undeveloped agriculturally-designated privately-owned land abuts the subject site to the east and to the northwest.

Ordinance 2020-002 was filed for this same property and the same land use request as a large-scale land use map amendment. The City Council denied the amendment on September 8, 2020. Subsequent to the denial of 2020-002, the City Council adopted the Cedar Point – Sawpit Zoning Overlay. The site is surrounded by properties that are included in the Cedar Point – Sawpit Zoning Overlay that was adopted by Ordinance 2021-534-E. The intent of the overlay is to protect the area from overdevelopment by limiting housing density to one dwelling unit per one net acre of land. However, the amendment site is specifically not included in the overlay and therefore not subject to the density limitation.

In the previous land use amendment application subject to Ordinance 2020-002, the applicant referred to two entitled developments in their application: Tidewater and Bradley Pond. Tidewater is located approximately ¾ of a mile to the west of the subject site. The development has a designation of RR land use and PUD zoning. The rezoning for this site was adopted in 2003 and allows for a maximum of 398 single-family homes of varying lot widths (80 – 110 feet) and 50 acres of open space; the total acreage of the site is approximately 211.6 acres. Bradley Pond is located approximately 1.5 miles to the west of the subject site. The development is within the Low Density Residential (LDR) and RR land use categories with a recently adopted (August 2019) rezoning to PUD. This development is for a single-family residential project, with a maximum of 139 units of varying lot widths (50 – 70 feet). For both developments, public water and sewer has been/will be made available.

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

North: Land Use: AGR-III and AGR-IV  
Zoning: AGR, Cedar Point-Sawpit Zoning Overlay  
Property Use: Residential/agricultural and State Park

South: Land Use: AGR-III  
Zoning: AGR, Cedar Point-Sawpit Zoning Overlay  
Property Use: State Park

East: Land Use: AGR-III  
Zoning: AGR, Cedar Point-Sawpit Zoning Overlay  
Property Use: Undeveloped

West: Land Use: AGR-II and AGR-IV  
Zoning: AGR, Cedar Point-Sawpit Zoning Overlay  
Property Use: Residential/agricultural and State Park

## **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-5752-22C**

<b>Development Analysis</b>	<b>48.82 Acres – 2,126,599 sq. ft.</b>	
Development Boundary	Rural Area	
Roadway Frontage Classification / State Road	Cedar Point Road - Collector	
Plans and/or Studies	North Vision Plan	
Site Utilization	Current: Residential and Silviculture	Proposed: Residential Development
Land Use / Zoning	Current: AGR-III and IV / AGR	Proposed: RR / PUD
Development Standards for Impact Assessment	Current: AGR-III – 1 DU/10 Acres AGR-IV – 1 DU/2.5 Acres	Proposed: 2 DU / Acre with JEA water and sewer
Development Potential	Current: 12 SF DU (1 + 11 DU / Acre)	Proposed: 97 SF DU
Net Increase or Decrease in Maximum Density	Increase of 85 DU	
Net Increase or Decrease in Potential Floor Area	N/A	
Population Potential	Current: 31 People	Proposed: 258 People
<b>Special Designation Areas</b>		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Evacuation Zone	Evacuation Zone A	
Airport Environment Zone	No	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	High, Medium, and Low	
Historic District	No	
Coastal High Hazard	No	
Adaptation Action Area	Yes	
Groundwater Aquifer Recharge Area	Discharge	
Wellhead Protection Zone	No	

<b>Development Analysis</b>		<b>48.82 Acres – 2,126,599 sq. ft.</b>
Boat Facility Siting Zone	No	
Brownfield	No	
<b>Public Facilities</b>		
Potential Roadway Impact	802 net new daily trips	
Potential Public-School Impact	23 additional students	
Water Provider	JEA	
Potential Water Impact	Increase of 22,610 gpd	
Sewer Provider	JEA	
Potential Sewer Impact	Increase of 16,957 gpd	
Potential Solid Waste Impact	Increase of 221 tons per year	
Drainage Basin/Sub-basin	Major: St. Johns River downstream of Trout River Sub-Basin: Clapboard Creek	
Recreation and Parks	Pumpkin Hill Creek Preserve State Park	
Mass Transit Access	None	
<b>Natural Features</b>		
Elevations	5' to 21'	
Land Cover	1180: Residential, rural – one unit on 2 or more acres 4110: Pine flatwoods 4340: Upland mixed coniferous/hardwood 5300: Reservoirs - pits, retention ponds, dams 6170: Mixed wetland hardwoods 6250: Hydric pine flatwoods 6300: Wetland forested mixed	
Soils	24: Hurricane and Ridgewood Soils, 0-5% slopes 32: Leon Find Sand, 0-2% slopes 58: Pottsburg Fine Sand, high, 0-3% slopes 62: Rutlege Mucky Find Sand, 0-2% slopes, frequently flooded	
Flood Zones	No	
Wetlands	Yes – Cat II and III	
Wildlife (applicable to sites greater than 50 acres)	N/A	

### Utility Capacity

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

A JEA letter of service availability has been provided and is on file with the Planning and Development Department. The letter, dated May 31, 2022, identifies an existing 12-inch water main and 8-inch sewer force main within the right-of-way of Cedar Point Road approximately 400 feet west of Boney Road (which is approximately 4,500 feet to the west of the subject site). The potable water connection point was not reviewed for site fire protection requirements. Private fire protection analysis will be required. Additionally, connection to the JEA-owned sewer system will require the design and construction of an onsite, JEA owned and maintained pump station, and a JEA dedicated force main (min. 4-inch diameter). The maximum gross density in the Suburban Area and Rural Area shall be 2 units/acre when both centralized potable water and wastewater are available to the site; and the maximum gross density shall be 1 unit/acre when served with on-site potable water and wastewater; and there shall be no minimum density.

#### 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 service is available to the site. New septic tanks in this area may be permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

#### **Transportation**

The subject site is 48.82 acres and is accessible from Cedar Point Road, a collector facility. The proposed land use amendment is located within the Rural Development Area and Mobility Zone 3. The applicant proposes to change the existing land use from Agriculture-III/IV (AGR-III/IV) to Rural Residential (RR).

#### **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).

**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 1.2.1** of the TE of the 2030 Comprehensive Plan requires the City to 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** 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 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.

**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 113 daily trips. If the land use is amended to allow for this proposed RR development, this will result in 915 daily trips.

**Transportation Planning Division RECOMMENDS the following:**

The difference in daily trips for the proposed land use amendment will result in 802 net new daily trips when compared to the existing land use. The Transportation Planning Division recommends ongoing coordinating efforts with the City of Jacksonville Traffic Engineer to determine if a traffic operational analysis is needed.

**Table A**  
**Trip Generation Estimation Scenarios**

Current Land Use Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
AGR-III/IV	210	12 SF DUs	T = 9.43 (X)	113	0	113
<i>Existing Scenario Total</i>						<b>113</b>
Proposed Land Use Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
RR	210	97 SF DUs	T = 9.43 (X)	915	0	915
<i>Proposed Scenario 1 Total</i>						<b>915</b>
<b>Proposed Net New Daily Total</b>						<b>802</b>

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

**School Capacity**

Based on the impact assessment standards detailed in FLUE Policy 1.2.16, the 48.82 acre proposed land use map amendment has a development potential of 97 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.

Evaluation of the proposed residential development for school concurrency as shown in "Attachment A".

Potential school capacity impacts will be addressed through the Concurrency and Mobility Management System Office. The analysis does not reveal a deficiency in school capacity.

#### Public School Facilities Element

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

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

Objective 3.2 Adopted Level of Service (LOS) Standards  
Through the implementation of its concurrency management systems and in coordination with the DCPS, the City shall ensure that the capacity of schools is sufficient to support new residential developments at the adopted level of service (LOS) standards within the period covered in the five-year schedule of capital improvements and the long range planning period. These standards shall be consistent with the Interlocal Agreement agreed upon by the DCPS, the City and the other municipalities. Minor deviations to the LOS standards may occur, so long as they are limited, temporary and with scheduled capacity improvements, school capacity is maximized to the greatest extent feasible.

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

Supplemental School Information:

Attachment “B” shows 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.

**Evacuation Zone**

The subject site is located within the Evacuation Zone A. The proposed properties in land use amendment L-5752-22C will be near Alta Drive and New Berlin Road, indicating sufficient access to I-95 (8.58 road miles) and I-295 (6.19 road miles), primary evacuation routes.

In consideration of the surrounding evacuation zone (Zone A), nearest evacuation routes, and the estimate of 802 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-5752-22C 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.

**Adaptation Action Area (AAA)**

The City of Jacksonville implemented the 2015 Peril of Flood Act (Chapter 2015-69, Laws of Florida) by establishing an Adaptation Action Area (AAA). The AAA boundary is an area that experiences coastal flooding due to extreme high tides and storm surge. The area is vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure needs and adaptation planning. Ordinance 2021-732-E establishes the AAA boundaries as those areas within the projected limits of the Category 3 storm surge zone and those contiguous areas of the 100-year and 500-year Flood Zones.

A portion of the property is located within the AAA boundary. These areas generally follow the wetlands and the southern portion of the parcel. The companion PUD site plan appears to cluster a majority of development away from the AAA.

Conservation/Coastal Management Element

Policy 11.5.2 The City shall consider the implications of the AAA when reviewing changes to the use, intensity and density of land lying within the AAA.

Future Land Use Element

Policy 1.5.14 In accordance with the Conservation and 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.

## **Archaeological Sensitivity**

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low, medium and high sensitivity for the presence of archaeological resources. Projects that move forward through the Site Review process may be required to perform a Professional Archaeological Reconnaissance Survey on the portion of the site that is in a high sensitivity area. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

### Historic Preservation Element

Policy 1.2.6 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.

## **Wetlands**

Review of information supplied by the applicant and City data indicates the potential existence of wetlands on the subject site and as such, based upon the city's geographic information data, the Planning and Development Department has determined the general location, type(s), size, quality and functional value of all wetlands located within the boundaries of the application site. Based on the information noted below, the proposed amendment is consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

Due to the presence of Category II wetlands, this amendment is scheduled for review by the Waterways Commission on December 14, 2022. The Waterways Commission reviewed the previous amendment (2020-002) on February 12, 2020, and recommended denial.

### Wetlands Characteristics:

Approximate Size: 14.5 Acres

General Location(s): An isolated pocket of Category III wetlands (0.5 of an acre) and a 3.3 acre lake is located in the southwest corner of the site, with the remainder, approximately 10.7 acres of Category II and III wetlands, running through the site from the northeast corner to the center of the southern property line, generally following Terrapin Creek.

Quality/Functional Value:

The Category II wetlands have a high functional value for water filtration attenuation and flood water capacity and has a direct impact on the City's waterways.

The Category III wetlands have a high functional value for water filtration attenuation and stormwater capacity. It is not located in a flood zone and has an indirect impact to the City's waterways.

Soil Types/  
Characteristics:

Category II Soils

(62) Rutlege mucky fine sand, 0 to 2% slopes, frequently flooded – The Rutlege series consists of nearly level, very poorly drained, sandy soils. They formed in thick sandy marine sediments. They are on flood plains. The soils are rapidly permeable. The high-water table generally is at or near the surface, and areas are subject to frequent flooding for brief periods.

Category III Soils

(35) Lynn Haven fine sand, 0 to 2% slopes – The Lynn Haven series consists of nearly level and gently sloping, very poorly drained soils. These soils formed in thick deposits of marine sediment and are located in seep areas on side slopes. The soils are moderately permeable and moderately rapidly permeable. Generally, the high-water table is at or near the surface.

(32) Leon fine sand, 0 to 2% slopes – The Leon series consists of nearly level, poorly drained and very poorly drained, sandy soils. These soils formed in thick beds of marine sand. They are in flatwoods and tidal marshes. The soils are slowly permeable to moderately rapidly permeable. In areas in flatwoods, the high water table generally is at a depth of 6 to 18 inches. In tidal areas, the high-water table is at or near the surface and the areas are flooded twice daily by fluctuating tides for very brief periods.

Wetland Category:

Category II and III

Consistency of  
Permitted Uses:

Residential uses are permitted in Category II and III wetlands, subject to limitations put forth in CCME Policies 4.1.5 and 4.1.6 (shown below).

Environmental Resource  
Permit (ERP):

Not provided by the applicant

Wetlands Impact:

The companion PUD site plan appears to cluster development outside of the wetlands.

Associated Impacts:            Adaptation Action Area

**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.

**CCME 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.

## **Recreation and Parks**

The site of the proposed land use map amendment and companion rezoning is directly adjacent to the Pumpkin Hill Creek Preserve State Park (PHCPSP). The PHCPSP is owned by the Trustees of the Internal Improvement Trust Fund (i.e., State of Florida) and the St. Johns River Water Management District (SJRWMD) and is managed by the Florida Department of Environmental Protection. As such, the Department routed a copy of the proposed rezoning to the SJRWMD for review and they provided the following comments:

PHCPSP is actively managed with natural resource land management practices, including, but not limited to, prescribed fire, timber stand improvement, herbicide application for nuisance plant management and fuel reduction techniques which employ heavy equipment. These activities can change the appearance of the landscape, but all actions are taken using best management practices and based upon scientifically proven methods. Nearly all natural communities in Florida are susceptible to wildfire and the onus is on the individual property owner or subdivision to take steps to mitigate their risk of property damage due to a wildfire that may originate on an adjacent property. PHCPSP is open to the public for nature-based recreation and public recreational users may be in close proximity to the subdivision.

The SJRWMS recommends the city advise future owners and residents about this property and actions taken to manage it and encourages the city to consider incorporation of "Firewise" principals in the respective future development because of the property's proximity to the PHCPSP. Firewise information is available from the Florida Department of Agriculture and Consumer Services at <https://www.fdacs.gov/Forest-Wildfire/For-Communities/Firewise-USA/Become-a-Firewise-USA-Site>.

The Companion PUD rezoning can include provisions to address these concerns.

## **PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on November 22, 2022, 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 November 14, 2022. No members of the public were present.

# **CONSISTENCY EVALUATION**

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

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

#### *Development Area*

*Rural Area (RA)*: The RA consists of all lands outside of the Suburban Area (SA) 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.

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 1.1.16 Require mitigation of adverse land use impacts on adjacent uses during development and redevelopment through:

1. Creation of like uses;
2. Creation of complementary uses;
3. Enhancement of transportation connections;
4. Use of noise, odor, vibration and visual/aesthetic controls; and/or
5. Other appropriate mitigation measures such as requirements for buffer zones and landscaping between uses.

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.

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.

**Recreation and Open Space Element (ROSE)**

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

**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 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 Descriptions within the Future Land Use Element (FLUE), the Agriculture land use category is intended to provide for agricultural uses and to preserve the existing rural character of outlying areas of the City. The Rural Residential (RR) land use category within the Rural Development Area is intended to provide rural estate residential opportunities. Plan amendment requests for new RR designations are preferred in locations which are supplied with full urban services.

The subject site is accessed by, and fronts, Cedar Point Road, which is classified as a collector roadway, and is located on the north side of the intersection with Sheffield Road, a local road. Properties currently designated as agricultural land use abut the subject site on all sides; the majority of these properties are state-owned preservation land. Approximately 1/3 of a mile to the west of the subject site, properties are designated as RR, and approximately 1/2 of a mile to the south of the subject site, along Sheffield Road, a parcel was amended from AGR-4 to RR in 2006 via Ordinance 2006-0519-E. Development along Cedar Point Road is a mix of rural estate lots and single-family subdivisions to undeveloped land and preservation land, particularly to the east approaching the Timucuan Preserve.

The proposed amendment is consistent with the intent of the Rural Development Area as it would allow for development at a very low density and would create little demand for new infrastructure or community-serving support uses. As such, the proposed amendment is also consistent with FLUE Policy 1.1.20.

The proposed amendment to RR would add residential opportunities on rural estate-sized lots, consistent with growth and land development trends in North Jacksonville. The companion rezoning is pending as a PUD that addresses site design and use regulations to allow for the appropriate combination of land uses. Given preservation land adjacent to the subject site, the PUD will require mitigation of any adverse land use impacts on adjacent uses during development and redevelopment consistent with FLUE Policy 1.1.16. The PUD will also allow for the opportunity to cluster development and provide innovative site planning techniques so that the proposed development will be responsive to the site's topography and environment, consistent with FLUE Policy 1.1.12.

Further, the subject site is served by a convenient transportation network and recreational and public uses. The applicant stated that the developer intends to connect to public water and sewer, available along Cedar Point Road. For these reasons, the proposed amendment is consistent with FLUE Goal 3, Objective 3.1, and Policies 1.1.12 and 3.1.6.

Additionally, residential development on the site will be subject to the requirements of ROSE Policy 2.2.2, as applicable, concerning the provision of recreation and open space.

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 property is located within the boundaries of the North Jacksonville Vision Plan (September 2003). The Plan offers no specific recommendations for the subject site, but it recognizes this area as being a "gateway" from Jacksonville to the Timucuan "Eco-Center."

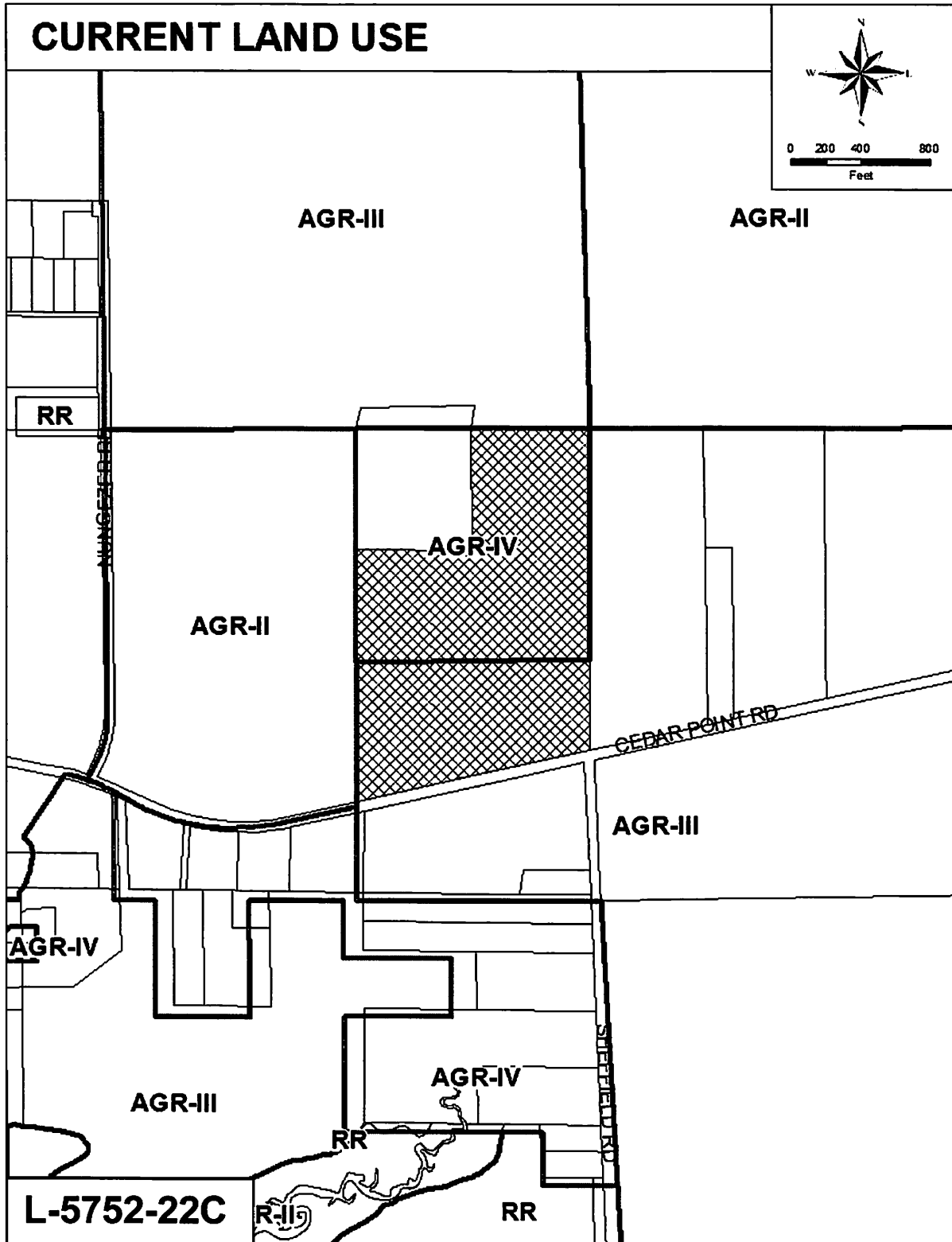
### **Strategic Regional Policy Plan**

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

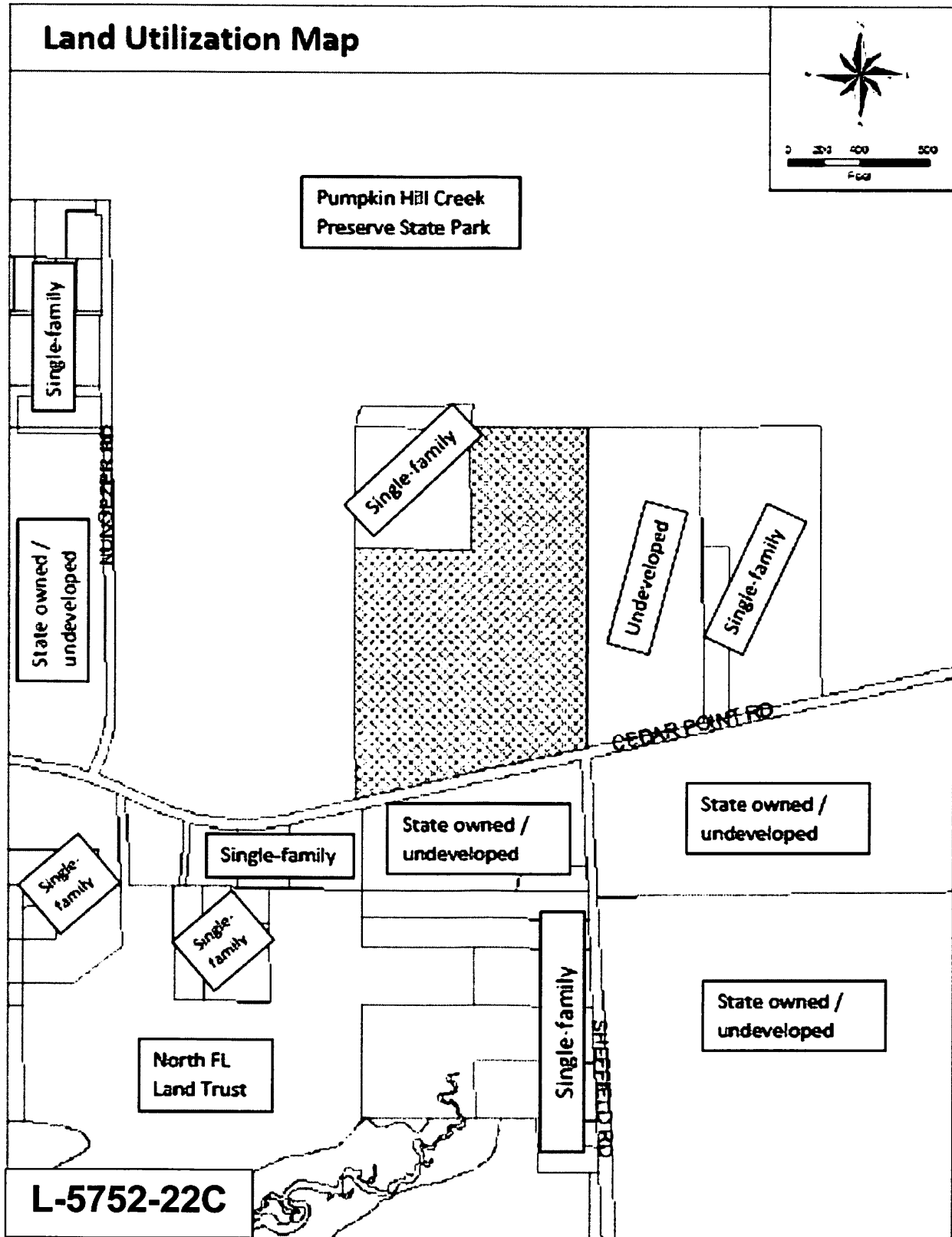
Goal: A safe, sanitary, efficient and resilient housing supply that provides lifestyle choice (agricultural, rural, suburban, and urban) and affordable options for all income, age and ability groups, equitably placed in vibrant, viable and accessible communities throughout the region.

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

**LAND USE AMENDMENT SITE LOCATION AND**  
**CURRENT LAND USE MAP**



# LAND USE AMENDMENT SITE LAND UTILIZATION MAP



## Attachment A – School Impact Analysis

<b>Application Review Request: COJ PDD: School Impact Analysis</b> <b>Proposed Name: L-5752-22C Cedar Point Road Pumpkin Hill</b> <b>Requested By: Ed "Luke" Lukacovic / Eric Hinton</b> <b>Reviewed By: Shalene B. Estes</b> <b>Due: 10/19/2022</b>							
Analysis based on maximum dwelling units: <b>92</b>							
School Type	CSA <sup>1</sup>	2022-23 Enrollment/CSA	Current Utilization (%)	New Student/Development <sup>3</sup>	5-Year Utilization (%)	Available Seats - CSA <sup>2</sup>	Available Seats - Adjacent CSA 1&2 (MS 2&67)
Elementary	7	3,107	87%	12	70%	251	10,435
Middle	1	6,191	89%	4	86%	702	447
High	7	2,095	97%	7	73%	775	2,176
<b>Total New Students</b>				<b>23</b>			

**NOTES:**

<sup>1</sup> Proposed Development's Concurrency Service Area (CSA)

<sup>2</sup> Available CSA seats include current reservations

<sup>3</sup> Student Distribution Rate

ES-175

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.

<b>Application Review Request:</b> COJ PDD: Baseline Checklist Review <b>Proposed Name:</b> L-5752-22C Cedar Point Road Pumpkin Hill <b>Requested By:</b> Ed "Luke" Lukacovic / Eric Hinton <b>Reviewed By:</b> Shalene B. Estes <b>Due:</b> 10/19/2022  Analysis based on maximum dwelling units: <u>97</u>						
SCHOOL <sup>1</sup>	CSA	STUDENTS GENERATED (Rounded) <sup>3</sup>	SCHOOL CAPACITY <sup>2</sup> (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2022/23)	% OCCUPIED	4 YEAR PROJECTION
New Berlin ES #150	7	12	1296	1202	93%	105%
Oceanway MS #62	1	4	1009	930	92%	90%
First Coast HS #265	7	7	2207	2095	95%	89%
		23				

**NOTES:**

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

<sup>2</sup> Does not include ESE & room exclusions

<sup>3</sup> 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.

# WETLANDS

