



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 32203
(904) 630-CITY
www.Jacksonville.gov

January 18, 2024

The Honorable Ronald B. Salem, Pharm. D., 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. 2023-852/Application No. L-5885-23C

Dear Honorable Council President Salem, 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 2023-852 on January 18, 2024.

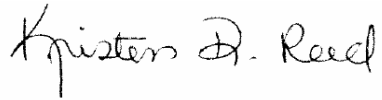
P&DD Recommendation	APPROVE
PC Issues:	None
PC Vote:	6-0 APPROVE

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

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

Planning Commission Report
January 18, 2024
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Sincerely,

A handwritten signature in black ink that reads "Kristen D. Reed". The signature is written in a cursive style with a large initial 'K' and a distinct 'D'.

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

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Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment – January 12, 2024

Ordinance/Application No.: 2023-852 / L-5885-23C

Property Location: 9766 Garden Street between Garden Street and Cisco Drive, and west of Jones Road.

Real Estate Number(s): 002894 0010

Property Acreage: 33.27 acres

Planning District: District 5, Northwest

City Council District: District 12

Applicant: Paul Harden, Esq.

Current Land Use: Neighborhood Commercial (NC)

Proposed Land Use: Community/General Commercial (CGC)

Development Area: Suburban Development Area

Current Zoning: Planned Unit Development (PUD)

Proposed Zoning: Commercial Community/General-1 (CCG-1)

RECOMMENDATION: Approve

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

To allow for commercial development.

BACKGROUND

The 33.27 acre subject site is located at 9766 Garden Street, at the southwest corner of the Garden Street and Jones Road intersection between Garden Street and Cisco Drive. According to the City’s Functional Highways Classification Map, Garden Street and Jones Road are classified as collector roads.

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 Neighborhood Commercial (NC) to Community/General Commercial (CGC). The subject site abuts residential on the north, east, and west. A companion rezoning application is pending

concurrently with the land use application via Ordinance 2023-853, which seeks a zoning change on the subject site from Planned Unit Development (PUD) to Commercial Community/General-1 (CCG-1). In 2010, the subject site was changed from Low Density Residential (LDR) to Neighborhood Commercial (NC) by Ordinance 2010-627-E.

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

North (across Garden Street):

Land Use: Low Density Residential (LDR), Agriculture (AGR) and Conservation (CSV)
 Zoning: Agriculture (AGR), Planned Unit Development (PUD), Conservation (CSV) and Residential low Density-80 (RLD-80)
 Property Use: Single family dwellings and vacant land

South: Land Use: LDR, CSV and AGR

Zoning: PUD, CSV and AGR
 Property Use: Single family dwellings and vacant land

East: Land Use: AGR

Zoning: AGR
 Property Use: Single family dwellings and vacant land

West: Land Use: LDR

Zoning: PUD
 Property Use: Single family dwellings and vacant land

IMPACT ASSESSMENT

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

Land Use Amendment Impact Assessment L-5885-23C

Development Analysis	33.27 Acres	
Development Boundary	Suburban Area	
Roadway Frontage Classification / State Road	Garden Street and Jones Road/Collector roadways	
Plans and/or Studies	Northwest Vision Plan	
Site Utilization	Current: Undeveloped	Proposed: Commercial development
Land Use / Zoning	Current: NC/PUD	Proposed: CGC/CCG-1
Development Standards for Impact Assessment	Current:	Proposed: Scenario 1: .35 FAR

Development Analysis		33.27 Acres
	Scenario 1: .45 FAR Scenario 2: 20 DU/Acre	Scenario 2: 15 DU/Acre
Development Potential	Current: Scenario 1: 652,158 sq. ft of neighborhood commercial uses Scenario 2: 665 MF DUs	Proposed: Scenario 1: 507,234 sq. ft. of commercial uses Scenario 2: 499 MF DUs
Net Increase or Decrease in Maximum Density	Scenario 1: N/A Scenario 2: Decrease of 166 DUs	
Net Increase or Decrease in Potential Floor Area	Scenario 1: Decrease of 144,924 sq. ft. Scenario 2: N/A	
Population Potential	Current: Scenario 1: N/A Scenario 2: 1,562 People	Proposed: Scenario 1: N/A Scenario 2: 1,172 People
Special Designation Areas		
Aquatic Preserve	No	
Evacuation Zone	No	
Airport Environment Zone	300' Height Restriction Zone for OLF Whitehouse	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	Low, Medium and High Sensitivity	
Historic District	No	
Coastal High Hazard	No	
Adaptation Action Area	No	
Groundwater Aquifer Recharge Area	0 to 4 inches Recharge Area	
Wellhead Protection Zone	No	
Boat Facility Siting Zone	No	
Brownfield	No	
Public Facilities		
Potential Roadway Impact	No net new daily trips	
Potential Public School Impact	123 new students	
Water Provider	JEA	
Potential Water Impact	Scenario 1: Decrease of 7,246 gpd Scenario 2: Decrease of 39,010 gpd	
Sewer Provider	JEA	
Potential Sewer Impact	Scenario 1: Decrease of 5,435 gpd Scenario 2: Decrease of 29,258 gpd	
Potential Solid Waste Impact	Scenario 1: Decrease of 231 tpy	

Development Analysis	33.27 Acres
	Scenario 2: Decrease of 0.26 tpy
Drainage Basin/Sub-basin	Trout River/Bay Drain
Recreation and Parks	No
Mass Transit Access	No
Natural Features	
Elevations	48 to 55 feet above mean sea level
Land Cover	4410: Pine plantation, 6300: Wetland forested mixed
Soils	22: Evergreen-Wesconnett Complex
Flood Zones	No
Wetlands	Category 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 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).

A JEA availability letter dated October 19, 2023, has been provided for the subject site as part of the companion rezoning application. The letter states that there is an existing 8 inch water main along Garden Street and an existing 8 inch force main along Garden Street. Connection point not reviewed for site fire protection requirements. Private fire protection analysis is required. Connection to the JEA-owned sewer system for your project will require the design and construction of an onsite, JEA owned and maintained pump station, and a JEA dedicated force main (min. 4" dia.). Request a force main connection pressure letter through Step 2 of the Sages Gov portal.

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 Planning and Development Department completed a transportation analysis and determined that the proposed amendment will result in no net new daily external trips under scenario 1 and scenario 2. This analysis is based upon the comparison of what potentially could be built on that site (as detailed in FLUE Policy 1.2.16 Development Standards for Impact Assessment) versus the maximum development potential. Trips generated by the new development will be processed through the Concurrency and Mobility Management System Office. A copy of the transportation analysis is on file with the Planning and Development Department.

Transportation Element

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

Capital Improvements Element

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

Supplemental Transportation Information:

Background Information:

The subject site is 33.27 acers and is accessible from Garden St, a collector facility. The proposed land use amendment is located within the Suburban Development Area and Mobility Zone 5. The applicant proposes to change the existing land use from Neighborhood Commercial (NC) to Community General Commercial (CGC).

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

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.

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

Policy 2.4.2 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 may result in 16,042 or 4,482 daily trips, depending on the scenario. If the land use is amended to allow for this proposed CGC development, this could result in 14,455 or 3,363 daily trips.

Transportation Planning Division RECOMMENDS the following:

The difference in daily trips for the proposed land use amendment will result in 0 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

Existing Land Use-Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
NC	814	652,158 SF	T = 37.27 (X)	24,306	8,264	16,042
				Existing Scenario-1 Total		16,042
NC	220	665 MF DUs	T= 6.74	4,482	0	4,482
				Existing Scenario-2 Total		4,482
Proposed Land Use-Scenario 1	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips

CGC	822	507,234 SF	T = 54.45(X) /1000	18,773	4,318	14,455
				Proposed Scenario-1 Total		14,455
CGC	220	499 MF DUs	T = 6.74 (X)	3,363	0	3,363
				Proposed Scenario-2 Total		3,363
				Scenario 1 Difference in Daily Trips		0
				Scenario 2 Difference in Daily Trips		0

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 33.27 acre proposed land use map amendment has a development potential of 499 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: CO/PDD: School Impact Analysis Proposed Name: L-5885-23C Garden Street Requested By: Sam Roberts Reviewed By: W. Randall Gallup Due: 12/13/2023							
Analysis based on maximum dwelling units: <u>499</u>							
School Type	CSA ¹	2023-24 Enrollment/CSA	Current Utilization (%)	New Student/Development ²	5-Year Utilization (%)	Available Seats - CSA ³	Available Seats - Adjacent CSA 2, 7&8
Elementary	1	11,216	56%	62	57%	7,199	4,805
Middle	1	6,876	80%	25	86%	335	98
High	1	7,054	72%	36	66%	284	2,260
Total New Students				123			

NOTES:

¹ Proposed Development's Concurrency 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.

<p>Application Review Request: COJ PDD: Baseline Checklist Review Proposed Name: L-5885-23C Garden Street Requested By: Sam Roberts Reviewed By: W. Randall Gallup Due: 12/13/2023</p> <p>Analysis based on maximum dwelling units: <u>499</u></p>						
SCHOOL ¹	CSA	STUDENTS GENERATED (Rounded) ²	SCHOOL CAPACITY ³ (Permanent/Portables)	CURRENT ENROLLMENT 20-Day Count (2023/24)	% OCCUPIED	4 YEAR PROJECTION
Dinsmore #45	1	62	683	590	86%	90%
Highlands #244	1	25	1071	685	64%	70%
Ribault #96	1	36	1683	1365	81%	85%
		123				

NOTES:

¹ Attendance school may not be in proposed development's Concurrency 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 Does not include ESE & room exclusions

Airport Environment Zone

The site is located within the 300-foot Height and Hazard Zone for the OLF Whitehouse Airport. Zoning will limit development to a maximum height of less than 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.

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 1.2.2 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.

Aquifer Recharge

The site is located within an area identified as being in the 0 to 4 inch per year aquifer recharge area. This range is below the threshold of 12 inches or more per year which would constitute a prime recharge area as defined in the Infrastructure Element – Aquifer Recharge Sub-Element (IE-AR). Prime aquifer recharge areas are the primary focus of groundwater resource protection. However, development resulting from the proposed land use amendment will be reviewed during the site plan review and permitting process for compliance with the land development regulations that have been established to protect groundwater resources. Such regulations address issues such as drainage systems, septic systems, and landscape/irrigation regulations.

Infrastructure Element – Aquifer Recharge Sub-Element (IE-AR)

- Policy 1.2.3 The City shall continue to coordinate with the SJRWMD and utilize the best available resources and information including the latest update of the Floridan Aquifer Recharge GIS grid coverage to protect the functions of the natural groundwater aquifer recharge areas and to discourage urban sprawl.

- Policy 1.2.7 Within two years of establishment by the SJRWMD and the Water Resources Management Plan of prime recharge areas for the Floridan Aquifer, the Planning and Development Department shall prepare maps of such designated areas showing the special zoning and land use consideration the City has established for such areas as designated by the latest update of the Floridan Aquifer Recharge GIS grid coverage.

Wetlands

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

Wetlands Characteristics:

Approximate Size: 0.22 of an acre

General Location(s): The wetlands of the application site are located on the southern tip of the property and are a small portion of a larger isolated wetland pocket, approximately 14.9 acres in size located southwest of the site.

Quality/Functional Value:

The wetland has a medium functional value for water filtration attenuation and flood water capacity due to its isolation, size and having an indirect impact on the City's waterways

Soil Types/
Characteristics:

(22) Evergreen-Wesconnett complex, depressional – The Evergreen series consists of nearly level, very poorly drained soils. These soils formed in decomposed organic materials underlain by thick sandy marine sediments. They are located in depressions. The soil is moderately slowly permeable to rapidly permeable. Generally, the high water table is at or above the surface for very long periods.

Wetland Category: Category III

Consistency of Permitted Uses:

Category III Wetlands: Uses permitted subject to the limitations of CCME Policy 4.1.6 shown below – conservation uses permitted.

Environmental Resource Permit (ERP):

Not provided by the applicant and none exists according to the St. Johns River Water Management District web site.

Wetlands Impact: Remaining wetlands may be impacted by development.

Associated Impacts: Associated with the AO Flood Zone.

Relevant Policies: CCME Policies 4.1.3 and 4.1.6

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 4.1.6

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.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on December 29, 2023, the required notice of public hearing signs were posted. Eighty-Two (82) notices were mailed out to adjoining property owners informing them of the proposed land use change and pertinent public hearing and meeting dates.

A Citizen Information Meeting was held on January 2, 2024, via a virtual Zoom meeting. Five 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.

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 1/2 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.

Objective 1.6 The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

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 3.2 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.

Policy 3.2.1 The City shall encourage development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

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 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.

Neighborhood Commercial (NC) is a category primarily intended to provide commercial retail and service establishments which serve the daily needs of nearby residential neighborhoods. These uses shall generally be located within walking distance of residential neighborhoods in order to reduce the number of Vehicles Miles Traveled. All uses should be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods. Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein.

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. Single-use multi-family development is permitted when 50 percent or more of the contiguous CGC category land area within up to one quarter of a mile radius is developed for non-residential uses. Multi-family developments that do not comply with the single-use provisions shall provide a mix of uses within the development site and multi-family uses shall not exceed 80 percent of a development.

The applicant is proposing a change from NC to CGC to allow for commercial development for a site that is in the Suburban Development Area and that abuts an intersection of collector roads. The site is surrounded by Low Density Residential (LDR) and Conservation (CSV) land use. The LDR that directly abuts the proposed amendment site to the west is separated by an 20 foot wide easement owned by the neighborhood, creating a buffer between the two properties. The CSV land to the south of the amendment site is all wetlands, which provides a natural buffer between the residential land further south from the amendment site. Because the site is located at a roadway intersection, the residential land to the north and east are buffered by two collector roadways, providing adequate protections to the nearby residential neighborhoods. Therefore, the amendment is consistent with FLUE Goals 1 and 3, and Policies 1.1.21 and 1.1.22

The proposed small-scale amendment would increase the amount of commercially designated land available furthering the goal of meeting or exceeding the amount of land required to accommodate anticipated growth. Additionally, the property is vacant underutilized land in the Suburban Development Area which has access to centralized water and sewer services. Development of this site is considered infill development. Thus,

the proposed amendment is consistent with FLUE Objective 1.6 and 3.2 and Policy 1.1.21 and 3.2.1.

A JEA availability letter dated October 19, 2023, has been provided for the subject site as part of the companion rezoning application. The letter states that there is an existing 8 inch water main along Garden Street and an existing 8 inch force main along Garden Street, which is consistent with FLUE Policy 1.2.8.

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.

Northwest Vision Plan

The subject property is located within the boundaries of what is identified as of the Northwest Vision Plan (September 2003). While the Vision Plan does not specifically address the commercial areas throughout the district, the Plan recommends strategies to improve the visual appearance of corridors with landscaping, street trees, gateways, and signs. These methods should be considered in reviving commercial properties. Therefore, the proposed land use amendment is compatible with the Northwest Jacksonville Vision Plan.

Strategic Regional Policy Plan

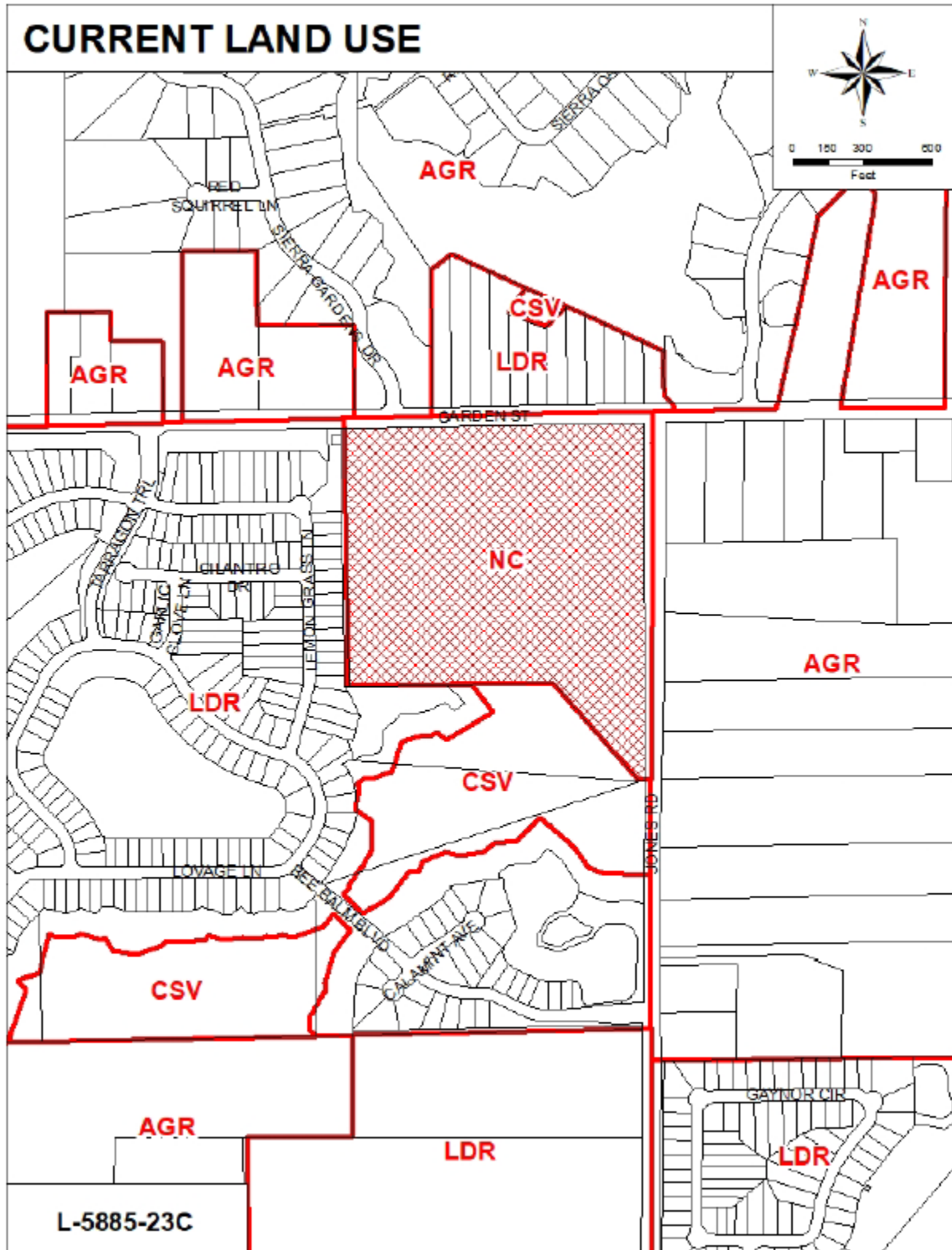
The proposed amendment is consistent with the following Policy of the Strategic Regional Policy Plan:

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 undeveloped land that is part of a commercially developed parcel. The proposed amendment would therefore allow for an additional infill redevelopment opportunity, consistent with Policy 4 of the Strategic Regional Policy Plan.

CURRENT LAND USE AMENDMENT MAP



LAND USE AMENDMENT LAND UTILIZATION MAP

