

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
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Jacksonville, FL 32202
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March 17, 2022

The Honorable Samuel Newby, President
The Honorable Rory Diamond, LUZ Chair
And Members of the City Council
117 West Duval Street
Jacksonville, Florida 32202

RE: Planning Commission Advisory Report / Ordinance No. 2022-107/Application No. L-5650-21C

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairman Diamond and Honorable Members of the City Council:

Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **APPROVED** Ordinance 2022-107 on March 17, 2022.

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

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

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

Sincerely,

Kristen D. Reed

Kristen D. Reed, AICP
Chief of Community Planning Division
City of Jacksonville - Planning and Development Department
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Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment – March 11, 2022

Ordinance/Application No.: 2022-107 / L-5650-21C

Property Location: U.S. Highway 301, between Wellhausen Road and the Duval/ Clay County line

Real Estate Number(s): 001203 0050

Property Acreage: 7.03 Acres

Planning District: District 4, Southwest

City Council District: District 12

Applicant: Wyman Duggan, Esquire

Current Land Use: AGR-4

Development Boundary: Rural Area

Proposed Land Use: CGC

Current Zoning: AGR

Proposed Zoning: CCG-2

RECOMMENDATION: **APPROVE**

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

To develop an RV, ATV, boat, trailer and equipment storage facility.

BACKGROUND

The 7.03 acre subject site is currently undeveloped. The applicant is proposing a future land use map amendment from Agriculture-4 (AGR-4) to Community /General Commercial (CGC) in the Rural Development Area and a companion rezoning application from Agriculture (AGR) to Commercial Community/General-2 (CCG-2) with Ordinance 2022-108.

The subject site abuts the Duval/Clay County line and is located along the west side of U.S. Highway 301, a 4-lane divided highway that is classified as a principal arterial roadway. The uses surrounding the site are primarily large lot residential and agriculturally designated land. However, there are also non-residential uses including a

church and a gas station north of the site on the west side of Highway 301. Additionally, a land use amendment from AGR-IV to CGC was approved (Ordinance 2020-4-E) just north of the site on the east side of Highway 301. This site is currently used as a racetrack.

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

North: Land Use: Agriculture-3 (AGR-3), Agriculture-4 (AGR-4), CGC
Zoning: Agriculture (AGR), CCG-2
Property Use: Single-family residential, church, undeveloped agricultural land, timber, racetrack

South: Land Use: Clay County
Zoning: Clay County
Property Use: undeveloped land, large lot single-family residential, agricultural uses

East: Land Use: AGR-4
Zoning: AGR
Property Use: Undeveloped agricultural land, railroad track

West: Land Use: AGR-3
Zoning: AGR
Property Use: Undeveloped agricultural land, timber 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.

Where there is not an associated site specific policy or note on the Annotated FLUM, the impact assessment incorporates supplemental information for non-residential land use categories that permit residential uses in order to assess the potential impacts. Supplemental information related to these impacts are depicted as scenario 2 in the Impact Assessment Baseline Review Table and, as relevant, in the analysis following the table.

Impact Assessment Baseline Review

| Development Analysis | | |
|--|---|--|
| Development Boundary | Rural Area | |
| Roadway Frontage Classification / State Road | US Highway 301 – Major arterial roadway | |
| Plans and/or Studies | Southwest Jacksonville Vision Plan | |
| Site Utilization | Current: Undeveloped | Proposed: RV, ATV, Boat, Trailer and Equipment Storage Facility |
| Land Use / Zoning | Current: AGR-4 | Proposed: CGC |
| Development Standards for Impact Assessment | Current: 1 Unit / 2.5 acres | Proposed: Scenario 1: 0.35 FAR Scenario 2: 80% Residential at 15 units/acre and 20% Non-Residential at 0.35 FAR |
| Development Potential | Current: 2 units | Proposed: Scenario 1: 107,179 square feet of CGC uses Scenario 2: 21,436 square feet of CGC uses and 84 units |
| Net Increase or Decrease in Maximum Density | Scenario 1: Decrease of 2 units Scenario 2: Increase of 82 units | |
| Net Increase or Decrease in Potential Floor Area | Scenario 1: Increase of 107,179 square feet Scenario 2: Increase of 21,436 square feet | |
| Population Potential | Current: 5 people | Proposed: Scenario 1: Not applicable Scenario 2: 197 people |
| Special Designation Areas | | |
| Aquatic Preserve | NO | |
| Septic Tank Failure Area | NO | |
| Airport Environment Zone | 500 foot Height Restriction Zone for Cecil Field | |
| Industrial Preservation Area | NO | |
| Cultural Resources | NO | |
| Archaeological Sensitivity | High and Low Sensitivity | |
| Historic District | NO | |

| Development Analysis | |
|--|--|
| Coastal High Hazard Area | NO |
| Adaptation Action Area | NO |
| Groundwater Aquifer Recharge Area | 0-4 inches |
| Wellhead Protection Zone | NO |
| Boat Facility Siting Zone | NO |
| Brownfield | NO |
| Public Facilities | |
| Potential Roadway Impact | Scenario 1: 4,323 net new daily trips Scenario 2: 1,207 net new daily trips |
| Potential Public School Impact | 20 new Students |
| Water Provider | well |
| Potential Water Impact | Scenario 1: Increase of 4,827 gallons per day Scenario 2: Increase of 1071.8 gallons per day |
| Sewer Provider | septic |
| Potential Sewer Impact | Scenario 1: Increase of 3,620.2 gallons per day Scenario 2: Increase of 803.8 gallons per day |
| Potential Solid Waste Impact | Scenario 1: Increase of 166.2 tons per year Scenario 2: Increase of 34.3 tons per year |
| Drainage Basin/Sub-basin | Brady/Yellow Branch Basin / Unnamed Run/Long Branch Sub-Basin |
| Recreation and Parks | Maxville Park |
| Mass Transit Access | NO |
| Natural Features | |
| Elevations | 86-89 feet or inches |
| Land Cover | 6300: Wetland Forested Mixed |
| Soils | 51: Pelham fine sand, 0 to 2 percent slopes ; 66: Surrency loamy fine sand, depressional, 0 to 2 percent slopes |
| Flood Zones | NO |
| Wetlands | 6300: Wetland Forested Mixed |
| Wildlife (applicable to sites greater than 50 acres) | Not Applicable |

Utility Capacity

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

A JEA letter of availability was not provided with the application. The City's GIS Infrastructure Map does not identify any existing water or sewer lines in the immediate area. The applicant intends to use well and septic systems at the site.

Infrastructure Element, Sanitary Sewer Sub-Element

Policy 1.2.9 Septic tanks shall be permitted in Rural Areas, provided they meet the requirements of Chapter 64E-6, F.A.C., and that all lots created after shall have a minimum of 1 acre of un-submerged property.

Transportation

The subject site is 7.03 acres and is accessible from US Highway 301 South, a major arterial facility. The proposed land use amendment is located within the Rural Development Area and Mobility Zone 6. The applicant proposes to change the existing land use from Agriculture-IV (AGR-IV) 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 existing land use of AGR-IV results in 19 daily trips. If the land use is amended to allow for this CGC development, this will result in 4,342 or 1,266 daily trips.

Transportation Planning Division RECOMMENDS the following:

The difference in daily trips for the proposed land use amendment is an increase of 4,323 or 1,207 net new daily trips when compared to the existing land use. The Transportation Planning Division recommends ongoing coordinating efforts with FDOT and the City of Jacksonville Traffic Engineer to ensure that a traffic operational analysis is provided to address the specific external impacts as a result of this land use amendment. US Highway 301 South is subject to FDOT review and access management requirements.

**Table A
Daily Trip Generation Estimation Scenarios**

| Proposed Land Use | ITE Land Use Code | Potential Number of Units | Estimation Method | Gross Trips | Less Pass-By Trips | Daily Trips |
|------------------------------|-------------------|---------------------------|----------------------|--|--------------------|--------------|
| AGR-IV | 210 | 2 SF DUs | T = 9.43 (X) | 19 | 0 | 19 |
| | | | | Total Trips for Existing Land Use | | 19 |
| 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 | 107,179 SF | T = 67.52 (X) / 1000 | 7,237 | 2,895 | 4,342 |
| | | | | Total Trips for Proposed Land Use- Scenario 1 | | 4,342 |
| Proposed Land Use-Scenario 2 | ITE Land Use Code | Potential Number of Units | Estimation Method | Gross Trips | Less Pass-By Trips | Daily Trips |
| CGC- N | 822 | 21,436 SF | T = 54.45 (X) / 1000 | 1,167 | 467 | 700 |
| CGC- R | 220 | 84 MF DUs | T = 6.74 (X) | 566 | 0 | 566 |
| | | | | Total Trips for Proposed Land Use- Scenario 2 | | 1,266 |
| | | | | Scenario 1 Difference in Net New Daily Trips | | 4,323 |
| | | | | Scenario 2 Difference in Net New Daily Trips | | 1,207 |

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

School Capacity

The Planning and Development Department determined that the proposed amendment for Community/General Commercial (CGC) has the development potential under scenario 1 as 100% non-residential and under scenario 2 as 80% residential with 20% non-residential uses. Under scenario 2 the proposed amendment could result in development of 84 multi-family 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:

| <p>Application Review Request: COJ PDD: School Impact Analysis Proposed Name: L-5650-21C Rural Hwy 301 Requested By: Ed "Luke" Lukacovic / Helena Parola Reviewed By: Shalene B. Estes Due: 2/24/2022</p> | | | | | | | |
|---|------------------|------------------------|-------------------------|--------------------------------------|------------------------|------------------------------------|------------------------------------|
| <p>Analysis based on maximum dwelling units: <u>84</u></p> | | | | | | | |
| School Type | CSA ¹ | 2021-22 Enrollment/CSA | Current Utilization (%) | New Student/Development ³ | 5-Year Utilization (%) | Available Seats - CSA ² | Available Seats - Adjacent CSA 1&2 |
| Elementary | 8 | 5,659 | 79% | 10 | 85% | 2,320 | 10,737 |
| Middle | 7 | 1,109 | 67% | 4 | 68% | 687 | 870 |
| High | 8 | 2,633 | 87% | 6 | 64% | 353 | 2,118 |
| Total New Students | | | | 20 | | | |
| <p>NOTES: ¹ Proposed Development's Concurrently Service Area (CSA) ² Available CSA seats include current reservations ³ Student Distribution Rate ES-.125 MS-.051 HS-.074 0.250</p> <p>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.</p> | | | | | | | |

The analysis of the proposed development reveals no deficiency for school capacity within the CSA and adjacent CSAs. Potential school capacity impacts will be addressed through the Concurrency and Mobility Management System Office.

Public School Facilities Element

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

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

Supplemental School Information

The following additional information regarding the capacity of the assigned neighborhood schools is provided by the Duval County School Board. This information 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.

Application Review Request: COJ PDD: Baseline Checklist Review
 Proposed Name: L-5650-21C Rural Hwy 301
 Requested By: Ed "Luke" Lukacovic / Helena Parola
 Reviewed By: Shalene B. Estes
 Due: 2/24/2022

Analysis based on maximum dwelling units: 84

| SCHOOL ¹ | CSA | STUDENTS GENERATED (Rounded) ³ | SCHOOL CAPACITY ² (Permanent/Portables) | CURRENT ENROLLMENT 20 Day Count (2021/22) | % OCCUPIED | 4 YEAR PROJECTION |
|---------------------------|-----|---|--|---|------------|-------------------|
| Mamie Agnes Jones ES #236 | 1 | 10 | 455 | 346 | 76% | 68% |
| Baldwin MS #38 | 1 | 4 | 1003 | 1328 | 132% | 119% |
| Baldwin HS #38 | 1 | 6 | 1003 | 1328 | 132% | 119% |
| | | 20 | | | | |

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.

Archaeological Sensitivity

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

Airport Environment Zone

The site is located within the 500 foot Height and Hazard Zone for the Cecil Field. Zoning will limit development to a maximum height of less than 500', unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

Future Land Use Element

Objective 2.5 Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

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 protections. 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

Policy 1.2.8 Within two years of establishment by the SJRWMD and the Water Resources Management Plan of prime recharge areas for the Floridian 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 Floridian Aquifer Recharge GIS grid coverage.

Wetlands

Review of 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 may be consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

Wetlands Characteristics:

Approximate Size: 7.0 Acres

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

Quality/Functional Value: The Category III wetlands have a medium functional value for water filtration attenuation and flood water capacity. It is not located in a flood zone and has an indirect impact on the City's waterways.

Soil Types/ Characteristics: Surrency loamy fine sand, depressional (66) – This soil series consists of nearly level, very poorly drained soils and are formed in thick sandy and loamy marine sediments. The soils occur in depressions and are subject to frequent flooding for brief periods. The soils are moderately permeable and moderately slowly permeable. The water table is usually at or above the soil surface for very long periods. Slopes are concave and range from 0 to 2 percent.

Wetland Category: Category III

Consistency of Permitted Uses: All permitted uses. Must meet CCME Policies 4.1.3 and 4.1.6

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

Wetlands Impact: At permitting, site plan review will require consistency with the Comprehensive Plan policies. Any future development

impacting wetlands will require permits and mitigation by the St. Johns River Water Management District.

Associated Impacts: None

Relevant Policies: CCME Policies 4.1.3 and 4.1.6 – see below

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 February 21, 2022, the required notices of public hearing signs were posted. Eleven (11) 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 February 28, 2022 via ZOOM Virtual Meeting. One member of the public attended to better understand the proposed use for the property.

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

- Goal 1 To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.
- Objective 1.1 Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.
- Policy 1.1.5 The amount of land designated for future development should provide for a balance of uses that:
- A. Fosters vibrant, viable communities and economic development opportunities;
 - B. Addresses outdated development patterns;

C. Provides sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.

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

Policy 1.1.21 Future amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population of the area and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business consistent with FLUE Policy 1.1.5. The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.

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

Policy 3.1.17 The City shall, through Land Development Regulations, require higher density residential development and supporting commercial facilities to locate on major arterial or collector roads used for mass transit routes, and in proximity to major employment areas in order to ensure the efficient use of land, public facilities, and services, and transportation corridors.

Objective 3.2 Continue to 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 promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

Policy 3.2.7 The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the areas served, availability of public facilities, and market demands.

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 Future Land Use Element (FLUE), Agriculture (AGR) is intended to provide for agricultural uses and to preserve the existing rural character of outlying areas of the City where full urban services and facilities will not be provided by the City during the planning time frame. Accordingly, the principal activities allowed in these categories are agriculture and related uses.

The Community/General Commercial (CGC) land use category is 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. Plan amendment requests for CGC in the Rural Area are discouraged because they would potentially encourage urban sprawl.

The applicant is proposing a future land use map amendment from Agriculture-4 (AGR-4) to Community/General Commercial (CGC) to allow for commercial development of the property.

While the locational criteria of the CGC land use category states that amendments to CGC within the rural development area should be discouraged, the subject site is located off of U.S. Highway 301, a four lane divided highway that is classified as a principal arterial roadway. As defined in the FLUE, development within the Rural Development Area may occur providing that it is consistent with the Operational Provisions and the Land Use Category Descriptions. Consistent with the locational criteria of the operative provisions in the Future Land Use Element (FLUE) and Policy 1.1.20 as defined in the FLUE, the proposed amendment would not encourage urban sprawl due to the location off of a major roadway corridor. The amendment meets the intent of the CGC land use category description to provide commercial development which serves large areas and a diverse set of neighborhoods in the form of nodes and corridors.

The area immediately surrounding the proposed amendment includes primarily large lot residential and agriculturally designated land. However, there are also non-residential uses including a church and a gas station north of the site on the west side of Highway 301. Additionally, a land use amendment from AGR-IV to CGC was approved (Ordinance 2020-4-E) just north of the site on the east side of Highway 301. This site is currently used as a racetrack. The subject site's location just south of the existing CGC land use and just off of U.S. Highway 301, a principal arterial roadway results in a viable area for commercial development and a logical location for CGC uses while preserving the surrounding agriculturally designated land. The proposed change would strengthen the existing commercial corridor along Highway 301 and help to maintain a well-balanced and organized combination of residential and non-residential land uses within the area. Therefore, the proposed amendment is consistent with FLUE Goals 1 and 3, Objectives 1.1 and 3.2, and Policies 3.1.17, 3.2.1 and 3.2.7.

The proposed CGC land use is appropriately located off of U.S. Highway 301 optimizing the potential of economic benefit. FLUE Table L-20 identifies an excess of agricultural land on a city-wide basis and characteristics of the surrounding area demonstrate the amendment would result in compatible uses and development scale. Therefore, the amendment is consistent with FLUE Policies 1.1.5 and 1.1.21.

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 Rural Area of the Southwest Jacksonville Vision Plan. The plan recommends the protection of rural character and open spaces in these western areas of the district. Growth and economic activity should be organized in appropriate locations while maintaining the rural character of the area. The Plan provides guidelines to ensure that future commercial activity in the western portion of the district enhances the existing rural character of the area. Buildings and roads should maintain the rural landscape, protect scenic views, and minimize impacts on adjacent properties.

Strategic Regional Policy Plan

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

- Goal Recognize the importance of cultivation in Northeast Florida and be part of the conversation on what approaches are appropriate here and how to successfully implement them.

- Policy 2 Support the existing base level of facilities and jobs and look for opportunities to increase these sectors and expand existing businesses and services.

The proposed land use amendment promotes an environment that is conducive to the creation of new commercial business thereby providing an opportunity to further local economic growth.

LAND USE AMENDMENT
LOCATION/ CURRENT LAND USE AND FIELD MAP

