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

August 20, 2020

The Honorable Tommy Hazouri, President The Honorable Michael Boylan, LUZ Chair And Members of the City Council 117 West Duval Street Jacksonville, Florida 32202

RE: Planning Commission Advisory Report / Ordinance No. 2020-382/Application No. L-5439-20C

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairman Boylan 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 2020-382 on August 20, 2020.

P&DD Recommendation APPROVE

PC Issues: None

PC Vote: 6-0 APPROVE

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

Planning Commission Report August 20, 2020 Page 2

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

Sincerely,

Kristen D. Reed

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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 –August 14, 2020

Ordinance/Application No.: 2020-382/ L-5439-20C

Property Location: 6102 and 6156 Old Kings Road between Pickettville

Road and Pritchard Road

Real Estate Number(s): a portion of 083578 0000; a portion of 083578 0010,

Property Acreage: 9.58 acres

Planning District: District 5, Northwest

City Council District: District 10

Applicant: The City of Jacksonville

Current Land Use: L D R

Development Boundary: Suburban Area

Proposed Land Use: CSV

Current Zoning: PUD

Proposed Zoning: N/A

RECOMMENDATION: APPROVE

APPLICANT'S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

Applicant has agreed to place wetlands located within the land use amendment site for Ordinance 2019-788-E (L-5319-18A) into the conservation land use category following adoption. The PUD written description for Ordinance 2019-789-E indicates wetlands will not be impacted and will be designated as conservation land.

BACKGROUND

The 9.58 acre subject site, located along the west side of Old Kings Road between Picketville Road and Pritchard Road is currently undeveloped. The entire site subject to this land use map amendment is located within flood zones and riverine wetlands. The 25.99 acre property abutting the subject site to the south was recently amended from Low Density Residential (LDR) to Recreation and Open Space (ROS), per Ordinance 2019-788-E. The subject site was included as part of the original proposed land use

change, however the Waterways Commission reviewed the proposed amendment and recommended that the current subject site be removed from that application (L-5319-18A) and be changed to Conservation (CSV). There is no companion rezoning for the proposed amendment to CSV, as the existing Planned Unit Development (PUD), Ordinance 2019-798-E, identifies this land for conservation.

In addition to the abutting change from ROS to CSV, other nearby properties have had amendments to the Future Land Use Map. Properties located to the southeast of the subject site, on the eastern side of Old Kings Road, were converted from Medium Density Residential (MDR) to Light Industrial (LI) pursuant to Ordinance 2008-237-E and a parcel located to the southeast, on the western side of Old Kings Road, was converted from LDR to Business Park (BP) pursuant to Ordinance 2014-193-E.

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

North: Land Use: LDR
Zoning: RR-Acre

Property Use: Church

South: Land Use: ROS, LDR Zoning: PUD, RLD-60

Property Use: RV Park, Single family

East: Land Use: LI, MDR, PBF
Zoning: IL, RMD-A, PBF-1

Property Use: Auto repair, Undeveloped, Single family, School

West: Land Use: LDR Zoning: RR-Acre

Property Use: Single family, Undeveloped

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.

Impact Assessment Baseline Review

Development Analysis		
Development Boundary	Suburban Area	
Roadway Frontage Classification / State Road	Old Kings Road – minor arterial	_
Plans and/or Studies	Northwest Vision Plan	

Development Analysis Site Utilization	Current	Dropped J.	
Site Utilization	Current: Undeveloped	Proposed: Conservation	
Land Use / Zoning	Current: LDR/PUD	Proposed: CSV/N/A	
Development Standards for Impact Assessment	Current: 5 DU/Acre	Proposed: Not applicable	
Development Potential	Current: 47 SF DUs	Proposed: Not applicable	
Net Increase/Decrease in Maximum Density	Decrease of 47 SF DUs		
Net Increase/Decrease in Potential Floor Area	Not applicable		
Population Potential	Current: 125 people	Proposed: Not applicable	
Special Designation Areas			
Aquatic Preserve	No		
Septic Tank Failure Area	No		
Airport Environment Zone	No		
Industrial Preservation Area	Industrial Situational Compatibility Zone		
Cultural Resources	No		
Archaeological Sensitivity	Low, Medium and High Sensitivity		
Historic District	No		
Coastal High Hazard/Adaptation Action Area	No		
Groundwater Aquifer Recharge Area	No		
Wellhead Protection Zone	No		
Boat Facility Siting Zone	No		
Brownfield	No		
Public Facilities	•		
Potential Roadway Impact	Not applicable		
Potential Public School Impact	Not applicable		
Water Provider	Not applicable		
Potential Water Impact	Decrease of 13,3034 gallons per day		
Sewer Provider	Not applicable		
Potential Sewer Impact	Decrease of 9,776 gallons per day		
Potential Solid Waste Impact	Decrease of 127 tons per year		

Development Analysis		
Drainage Basin/Sub-basin	Trout River/ Sixmile Creek Reach	
Recreation and Parks	James Fields Park	
Mass Transit Access	No	
Natural Features		
Elevations	2-14 feet	
Land Cover	6300- Wetland Forest Mixed ; 4340 – Upland mixed coniferous /hardwood ; 4410- Pine plantation	
Soils	51- Pelham Fine Sand; 67 – Surrency Loamy Fine Sand; 38 – Mascotte Fine Sand	
Flood Zones	AE and 0.2 Percent Chance Flood Hazard	
Wetlands	6300 - Wetland Forest Mixed	
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 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).

Uses within the proposed CSV land use category are not required to have public connections, and due to the valuable environmental resources on site, the provision of utilities on site is discouraged.

Transportation

Because development potential in the proposed CSV land use category is limited to open space and resource and recreational uses, impacts to the subject site will be significantly less than the current land use category, Low Density Residential (LDR), allows. No negative transportation impacts will occur.

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.

Industrial Zones

The subject property is located within the "Industrial Situational Compatibility" Zone. "Industrial Sanctuary" and "Industrial Situational Compatibility" Zones are areas identified on the Industrial Preservation Map (Map L-23) of the Future Land Use Map series of the Future Land Use Element of the 2030 Comprehensive Plan as strategically located industrial lands for future industrial expansion and economic development.

The amendment does not conflict with FLUE Policy 3.2.33 as the existence of flood zones and valuable wetlands make the site inappropriate for industrial uses and the amendment is not converting industrially designated land to a non-industrial designation.

Where there is not an adopted neighborhood plan and/or study

in the vicinity, size of parcel and potential for redevelopment. Conversion of these lands shall only be permitted for construction of mixed use development consistent with the requirements for job

Future Land Use Element

Policy 3.2.33

recommending the contrary, within the "Area of Situational Compatibility", as shown on the Industrial Preservation Map (Map L-23), lands designated Heavy Industrial or Light Industrial on the Future Land Use Map that are strategically located to provide access to rail facilities or trucking routes; serve ports; or serve airport multi-modal requirements, shall not be converted to a non-industrial land use category unless the applicant demonstrates to the satisfaction of the City that the site cannot be reasonably used for any of industrial uses. Reasonable demonstration for suitability of industrial uses may include but is not limited to the following: Access to arterial road network, access to rail, proximity to existing residential, industrial vacancy rates

Flood Zones

The entire subject site is located within either the AE or 0.2 Percent Annual Chance Flood Hazard flood zone. Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). FEMA defines the various flooding characteristics of different lands based on a 100-year storm. The 100-year storm or Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. This does not mean that a storm of this type will happen every 100-years. There is a 1-percent chance that a storm of this magnitude will occur in any given year.

creation as defined by Policy 3.2.34.

The AE flood zone is defined as an area within the 100-year floodplain or SFHA where flood insurance is mandatory. The 0.2 Percent Annual Chance Flood Hazard flood zone

is defined as an area within the 500-year floodplain and outside of the SFHA. Flood insurance is not mandatory within the 0.2 Percent Annual Chance Flood Hazard flood zones. These areas are deemed to be subject to moderate flood hazards. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

Conservation / Coastal Management Element (CCME)

- Policy 1.4.4 The City shall require all development within the 100-year flood plain to be in strict conformance with all applicable federal, State, regional and local development regulations.
- Policy 2.7.1 The City shall continue to define the surface hydrology of the area to determine flood plain vulnerability and sensitivity, and will determine appropriate protection measures.
- Policy 2.7.3 The City shall protect appropriate floodplain areas for the public benefit and restore degraded floodplain areas by:
 - A. Land acquisition or conservation easement acquisition;
 - B. Regulation, including setbacks, buffer zones, designated wildlife corridors, low density zoning, performance standards and open space requirements; and
 - C. Incentives, including tax benefits and transfer of development rights.

Wetlands

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 applicant that indicates the 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.

Wetlands Characteristics:

Approximate Size: 9.58 Acres

General Location(s): The entire subject site

Quality/Functional

Value: The wetland has a high functional value for water filtration

attenuation and flood water capacity and is located in flood zones, yet has an indirect impact on the City's waterways.

Soil Types/

Characteristics: Surrency Loamy Fine Sand, 0 to 2 percent slopes (67) - The

Surrency series consists of nearly level, very poorly drained

soils. In areas in depressions, the high water table generally

is at or above the soil surface for very long periods.

Wetland Category: Category II

Consistency of

Permitted Uses: Permitted uses in Existing Category II wetlands are limited to

conservation and Water Dependent-Water Related uses.

Environmental Resource

Permit (ERP): Not provided by the applicant

Wetlands Impact: None, the wetlands will be put into conservation

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

Relevant Policies:

Conservation/Coastal Management Element

Goal 4 To achieve no further net loss of the natural functions of the City's

remaining wetlands, improve the quality of the City's wetland resources over the long-term and improve the water quality and

fish and wildlife values of wetlands.

Objective 4.1 The City shall protect and conserve the natural functions of its

existing wetlands, including estuarine marshes.

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

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, drainfields and/or greywater systems are located outside the Category I, II, or III wetland area and not within 75 feet of the mean high water line of tidal bodies or within 75 feet of any wetland unless the Duval County Health Department grants a variance for a hardship case pursuant to the provisions of Section 381.0065, F.S. Where public utilities are available, development is required to connect to these facilities; and
- (f) Hydrology The design of the fill shall include measures to maintain the wetlands hydrology of the site.
- Policy 4.1.5 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 onsite; 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.

Policy 4.1.7 High intensity wetlands surveys shall be submitted for all land use amendments where City data indicates potential existence of wetlands on the subject site. Rezonings and site plan applications shall include high intensity wetlands surveys where City data indicates potential existence of wetlands on the subject site and where there is a high potential for wetland impact. For the purposes of this policy, a high intensity wetlands survey shall include the location, type(s), size, quality and functional value of all wetlands located within the boundaries of the application site. Land Use amendments to the Conservation Future Land Use Category are exempt from this requirement.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on July 30, 2020, the required notices of public hearing signs were posted. Twelve (12) 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 August 11, 2020. No members of the public attended to speak on the proposed amendment.

CONSISTENCY EVALUATION

Consistency with 2030 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 further described in each land use plan category.

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.

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 1.1.21

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.

- Objective 7.1 The City shall consider the impact on the St. John's River and its tributaries when reviewing development, land development regulations, public infrastructure and investment, and other City actions that present opportunities for improving water quality health and the overall sustainability of Jacksonville within its environment.
- Policy 7.1.1 The Planning and Development Department shall consider the land use impact on the St. Johns River and its tributaries by reviewing the future land use designation and land development regulations of those properties that are contiguous with and immediately adjacent to a water body. The following concerns will be considered for those properties:
 - Wetlands
 - Impervious surface potential
 - Coastal High Hazard Area (CHHA)
 - Septic Tank Failure Areas
 - Environmentally Sensitive Areas
 - Flood zones
 - Aquifer recharge zones
 - Wellhead protection areas

Conservation and Coastal Management Element (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
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(b) Vegetation

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All native vegetation outside the development area is maintained in its natural state

For Category II wetlands:

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- (3) Water-dependent and water-related uses, provided the following standards are met:
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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.

According to the Future Land Use Element (FLUE), the Low Density Residential (LDR) land use category in the Suburban Area is intended to provide for low density residential development. Generally, single family detached housing should be the predominant development typology within this land use category.

The CSV land use identifies areas with valuable environmental resources, such as sensitive vegetation, high value habitat, wetlands, high aquifer recharge potential, carbon sinks and unique coastal areas. Some resource systems are highly sensitive and easily destroyed by indiscriminate human activity. The CSV category includes areas that are protected through public or private nonprofit ownership and management. Development potential in these areas is generally limited to open space, resource and recreational uses. Conservation areas may include regional, state or national forests, parks, sanctuaries, preserves and Special Management Areas. More specific uses and activities permitted in these areas are guided by the approved management plans for each area when such plans exist. This category also includes some sites that are presently privately owned, are located in DRIs or PUDs, and are protected by development agreements or conveyed development rights, or the sites have been proposed for acquisition.

The subject site consists entirely of Category II (riverine) wetlands. CCME Policy 4.1.5 sets limitations as to what kinds of uses are permitted within Category II wetlands. The wetlands are associated with AE flood zone and the proposed amendment to Conservation would protect both the wetlands and the flood zone area from development. The proposed amendment would preserve the existing natural resources and sustain the environment consistent with FLUE Goal 1, Objective 7.1 and Policy 7.1.1 and CCME Policy 4.1.5.

The proposed amendment would provide additional CSV designated land in an environmentally sensitive area. This small scale amendment would have a minimal impact on the provision of LDR land throughout the City but would support conservation of natural resources. Analysis of the surrounding area demonstrates that the land is more suitable for Conservation, due to the valuable wetlands located on the subject site. Thus, the proposed amendment is consistent with FLUE Policies 1.1.5 and 1.1.21.

Vision Plan

The subject property is located within the boundaries of the Northwest Vision Plan. Theme 2 of the Northwest Vision Plan is "Protect rural character and open spaces". The proposed amendment to CSV would preserve the existing rural character of the area as well as protect the wetlands and open space on the site. Therefore, the proposed amendment is consistent with the Northwest Vision Plan.

Strategic Regional Policy Plan

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

Objective: Resource Adaptation

Policy 8: The Region supports preservation of ecosystem services for clean air, water, habitat for wildlife populations, and flood control.

The proposed land use amendment would preserve the existing wetland habitat and ecosystem, consistent with the Strategic Regional Policy Plan.

LAND USE AMENDMENT FIELD / LOCATION / CURRENT LAND USE MAP

