

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

January 6, 2022

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

**RE: Planning Commission Advisory Report
Ordinance No.: 2021-829**

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

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve**

Planning Commission Recommendation: **Approve**

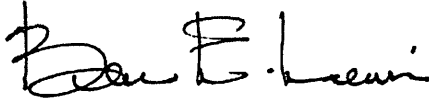
Planning Commission Commentary: **There were no speakers in opposition and little discussion among the Commissioners.**

Planning Commission Vote: **5-0**

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

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

Sincerely,

A handwritten signature in black ink that reads "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B" and "L".

Bruce E. Lewis
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7820
blewis@coj.net

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FO
APPLICATION FOR REZONING ORDINANCE 2021-0829

JANUARY 6, 2022

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee, and City Council its comments and recommendation regarding Application for Rezoning Ordinance **2021-0829**.

Location: 8439, 8475 Garden Street

Real Estate Number: 002830-0030, 002830-0000, 002832-0000

Current Zoning District: Agriculture (AGR)

Proposed Zoning District: Residential Low Density-50 (RLD-50)

Current Land Use Category: Agriculture-IV (AGR-IV)

Proposed Land Use Category: Low Density Residential (LDR)

Planning District: Northwest, District 5

Applicant/Agent: Curtis Hart
Hart Resources LLC
8051 Tara Lane
Jacksonville, FL 32216

Owner: Alex Sifakis
Cooper Meadows LLC
7563 Philips Hwy BLDG 100 STE 208
Jacksonville, FL 32256

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2021-0829** seeks to rezone approximately 56.86± acres of a property from Agriculture (AGR) to Residential Low Density-50 (RLD-50). The request is to permit the development single-family dwellings with 50-foot wide lots. The property is currently located in the Agriculture-IV (AGR-IV) land use category within the Rural Development Boundary of the Future Land Use Element of the 2030 Comprehensive Plan. There is a companion Land Use Amendment, **2021-0828 (L-5521-21A)**. The proposed LUA is for Agriculture-IV

(AGR-IV) to Low Density Residential (LDR). In addition, the applicant is requesting to change the Rural Development Boundary to the Suburban Development Boundary.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to Section 656.125 of the Zoning Code, an applicant for a proposed rezoning bears the burden of proving, by substantial competent evidence, that the proposed rezoning is consistent with the City's comprehensive plan for future development of the subject parcel. In determining whether a proposed rezoning is consistent with the 2030 Comprehensive Plan, the Planning and Development Department considers several factors, including (a) whether it is consistent with the functional land use category identified in the Future Land Use Map series of the Future Land Use Element; (b) whether it furthers the goals, objectives and policies of the Comprehensive Plan; and (c) whether it conflicts with any portion of the City's land use regulations. Thus, the fact that a proposed rezoning is permissible within a given land use category does not automatically render it consistent with the 2030 Comprehensive Plan, as a determination of consistency entails an examination of several different factors.

1. Is the proposed rezoning consistent with the 2030 Comprehensive Plan?

Yes. The Planning and Development Department finds that the subject property is located in the Agriculture-IV (AGR-IV) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. However, there is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series L-5521-21A (Ordinance **2021-0828**) that seeks to amend the portion of the site that is within the Agriculture-IV (AGR-IV) land use category to Low Density Residential (LDR). Staff is recommending that Application for Land Use Amendment be approved.

Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code.

2. Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?

Yes. The proposed rezoning is consistent with the listed objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. According to the Category Description of the Future Land Use Element (FLUE), the Agriculture (AGR) land use categories are intended to provide for agricultural uses and to preserve the existing rural character of outlying areas of the city. The Agriculture land use categories, AGR-1, 2, 3 and 4 differ in the maximum allowed density for each category.

Low Density Residential (LDR) is a category intended to provide for low-density residential development. Generally, single-family detached housing should be the predominant development typology in this category. Mixed use developments utilizing the Traditional Neighborhood Development (TND) concept, which is predominantly residential but includes a broad mixture of secondary recreational, commercial, public facilities and services may also be permitted. New residential subdivisions in LDR should be connected to reduce the number of Vehicles Miles.

Future Land Use Element

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.

If approved the proposed residential development would allow for the construction of single-family dwellings. The proposed residential development will protect and preserve the character of the surrounding neighborhood by creating lots in character with other lots within the area.

Policy 1.2.9

Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

According to the JEA Availability letter dated September 20, 2020, submitted with the application, the site has access to water and sewer service. The proposed use will be in compliance with Policy 1.2.9.

Recreation and Open Space Element:

Policy 2.2.2

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

Once the applicant is granted approval for the rezoning developer will need to comply with Policy 2.2.2 by providing active recreation parks or monetary contribution to the appropriate departments in order to be in compliance with the 2030 Comprehensive Plan.

Policy 2.2.4

A residential subdivision development of 25 lots to 99 lots shall pay a recreation and open space fee of two-hundred-fifty (\$250) dollars per lot, or provide at least four hundred thirty-five (435) square feet of useable uplands for each lot (and any fraction thereof), to be dedicated as common area and set aside for active recreation. The City shall use recreation and open space fees collected pursuant to this subsection to improve, enhance, expand, or acquire recreation areas within the same Planning District in which the fees are paid.

Airport Environment Zone:

The southern portion of the site is located within the 500-foot Height and Hazard Zone for OLF Whitehouse. Zoning will limit development to a maximum height of less than 500 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).

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.

Flood Zones

Approximately 30.3 acres of the subject site are located within the AE flood zone. The Federal Emergency Management Agency (FEMA) assigns flood zone designations. 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. The AE flood zone is defined as an area within the 100-year floodplain or SFHA where flood insurance is mandatory. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

3. *Does the proposed rezoning conflict with any portion of the City's land use regulations?*

No. The proposed rezoning is not in conflict with any portion of the City's land use regulations. If approved as recommended by the Staff of the Planning and Development Department, the subject property will be rezoned from AGR to RLD-50 allowing for the development of single-family dwelling units on 56.86 acres.

SURROUNDING LAND USE AND ZONING

The subject site is located on the north side of Garden Street between Paxton Road and Messer Road, all considered local roadways. The surrounding area is zoned for residential living, ranging in lots sizes of 50 foot wide to 100+ wide lots. Just east of the subject property, Summerglenn Subdivision, approved through Ord. #2020-0174 for 211 single-family dwellings with 50 & 60-foot wide lots. Additionally, properties to the north, Darby Estates, approved through Ord. #2006-0501 for single-family dwellings ranging between 60-80 foot wide lots. Further west along Garden Street are Tarragon, Trout River Bluff and Sierra Oaks West subdivisions that allow single-family dwellings ranging from 50-foot wide lots to 100 feet wide. This request for rezoning to RLD-50 would not create lots out of character for the surrounding area.

Adjacent Property	Land Use Category	Zoning District	Current Use
North	RR	PUD: 2006-0501	Single Family Dwellings
South	AGR-IV	AGR	Timberland
East	LDR	PUD: 2020-0174	Single Family Dwellings
West	AGR-IV	AGR	Single Family Dwellings

It is the opinion of the Planning and Development Department that the requested rezoning to RLD-50 will be consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **December 20, 2021** by the Planning and Development Department, the required Notice of Public Hearing signs were posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2021-0829** be **APPROVED**.



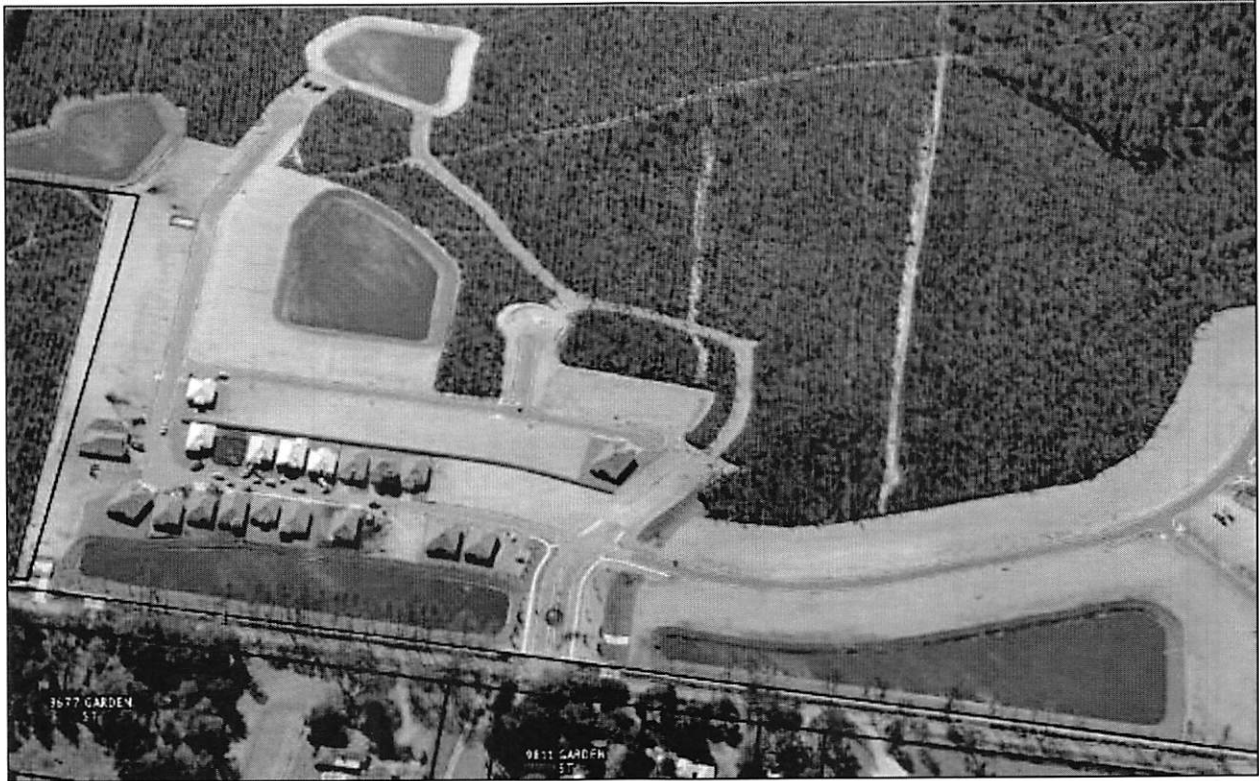
Aerial View

Source: JaxGIS Map



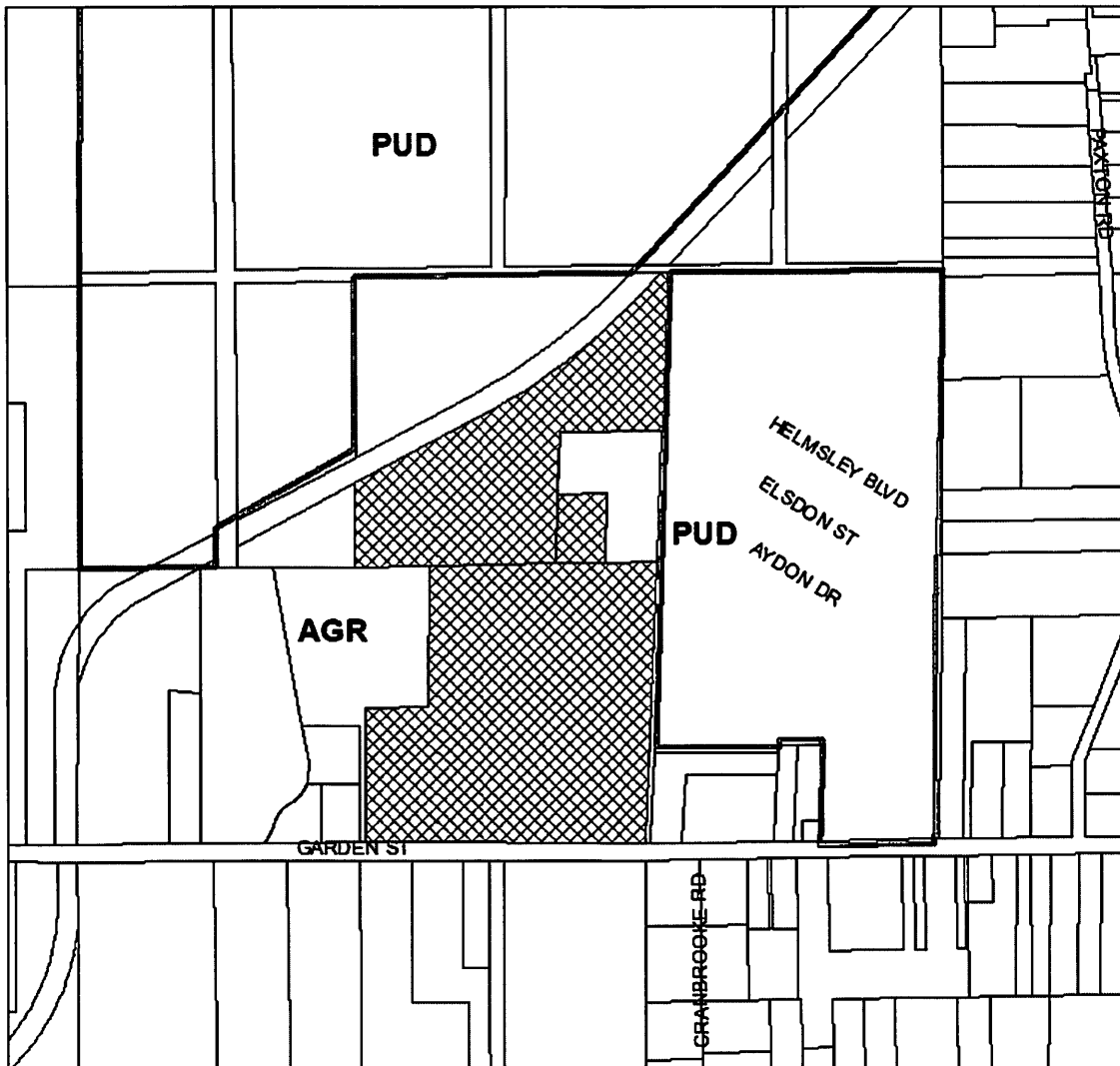
View of Subject Property

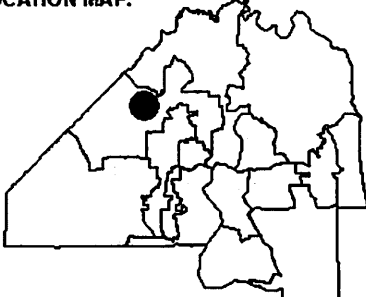

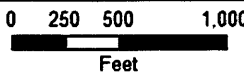
Source: JaxGIS Map



View of Tarragon Subdivision

Source: Google Maps



<p>REQUEST SOUGHT:</p> <p>FROM: AGR</p> <p>TO: RLD-50</p>	<p>LOCATION MAP:</p> 	  <p>0 250 500 1,000 Feet</p>
<p>TRACKING NUMBER</p> <p>T-2021-3342</p>		<p>COUNCIL DISTRICT:</p> <p>8</p> <p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Legal Map

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2021-0829 **Staff Sign-Off/Date** ELA / 11/04/2021

Filing Date 11/23/2021 **Number of Signs to Post** 6

Hearing Dates:

1st City Council 01/11/2022 **Planning Commission** 01/06/2022

Land Use & Zoning 01/19/2022 **2nd City Council** 01/25/2022

Neighborhood Association N/A

Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 3342 **Application Status** FILED COMPLETE

Date Started 01/27/2021 **Date Submitted** 01/27/2021

General Information On Applicant

Last Name	First Name	Middle Name
HART	CURTIS	L

Company Name
HART RESOURCES LLC

Mailing Address
8051 TARA LANE

City	State	Zip Code
JACKSONVILLE	FL	32216

Phone	Fax	Email
9049935008		CURTISHART@HARTRESOURCES.NET

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
SIFAKIS	ALEX	

Company/Trust Name
COOPER MEADOWS LLC

Mailing Address
7563 PHILIPS HWY BLDG 100 STE 208

City	State	Zip Code
JACKSONVILLE	FL	32256

Phone	Fax	Email

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s)

Map	RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map	002830 0030	8	5	AGR	RLD-50
Map	002830 0000	8	5	AGR	RLD-50
Map	002832 0000	8	5	AGR	RLD-50

Ensure that RE# is a 10 digit number with a space (##### #)

Existing Land Use Category

AGR-IV

Land Use Category Proposed?

If Yes, State Land Use Application #

5521

Total Land Area (Nearest 1/100th of an Acre) 56.86

Justification For Rezoning Application

THIS PROPERTY IS SURROUNDED BY AGR AND PUD RESIDENTIAL. SINCE IT IS ADJACENT TO A PUD WITH RESIDENTIAL SMALLER LOTS THIS WOULD BE A NATURAL AND ORDERLY TRANSITION FROM AGR TO RLD 50 AND WOULD BE CONSISTENT WITH THE GROWTH IN THIS AREA.

Location Of Property

General Location

NORTHSIDE OF GARDEN STREET

House #	Street Name, Type and Direction	Zip Code
8475	GARDEN ST	32219

Between Streets

PAXTON ROAD and MESSER ROAD

Required Attachments For Formal, Complete application

The following items must be attached to each application in the order prescribed below. All pages of the application must be on 8½" X 11" paper with provision for page numbering by the staff as prescribed in the application instructions manual. Please check each item below for inclusion of information required.

- Exhibit 1** A very clear, accurate and legible legal description of the property on the form provided with application package (Exhibit 1). The legal description (which may be either lot and block or metes and bounds) should not be a faint or distorted copy that is difficult to read or duplicate.
- Exhibit A** Property Ownership Affidavit – Notarized Letter(s).
- Exhibit B** Agent Authorization - Notarized letter(s) designating the agent.

Supplemental Information

Supplemental Information items are submitted separately and not part of the formal application

One copy of the Deeds to indicate proof of property ownership.

Public Hearings And Posting Of Signs

No application will be accepted until all the requested information has been supplied and the required fee has been paid. Acceptance of a completed application does not guarantee its approval by the City Council. The applicant will be notified of public hearing dates on this application upon the filing of the application. The applicant or authorized agent **MUST BE PRESENT** at the public hearings. The required SIGN(S) must be **POSTED** on the property **BY THE APPLICANT** within 5 days after the filing of an application. The sign(s) may be removed only after final action of the Council and must be removed within 10 days of such action.

The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper **AT LEAST 14 DAYS IN ADVANCE OF THE PUBLIC HEARING**. (The Daily Record - 10 North Newnan Street, Jacksonville, FL 32202 • (904) 356-2466 • Fax (904) 353-2628) Advertising costs are payable by the applicant directly to the newspaper and the applicant must furnish **PROOF OF**

PUBLICATION to the Planning and Development Department, 214 North Hogan Street, Ed Ball Building, Suite 300, Jacksonville, Florida, 32202, prior to the public hearing.

Application Certification

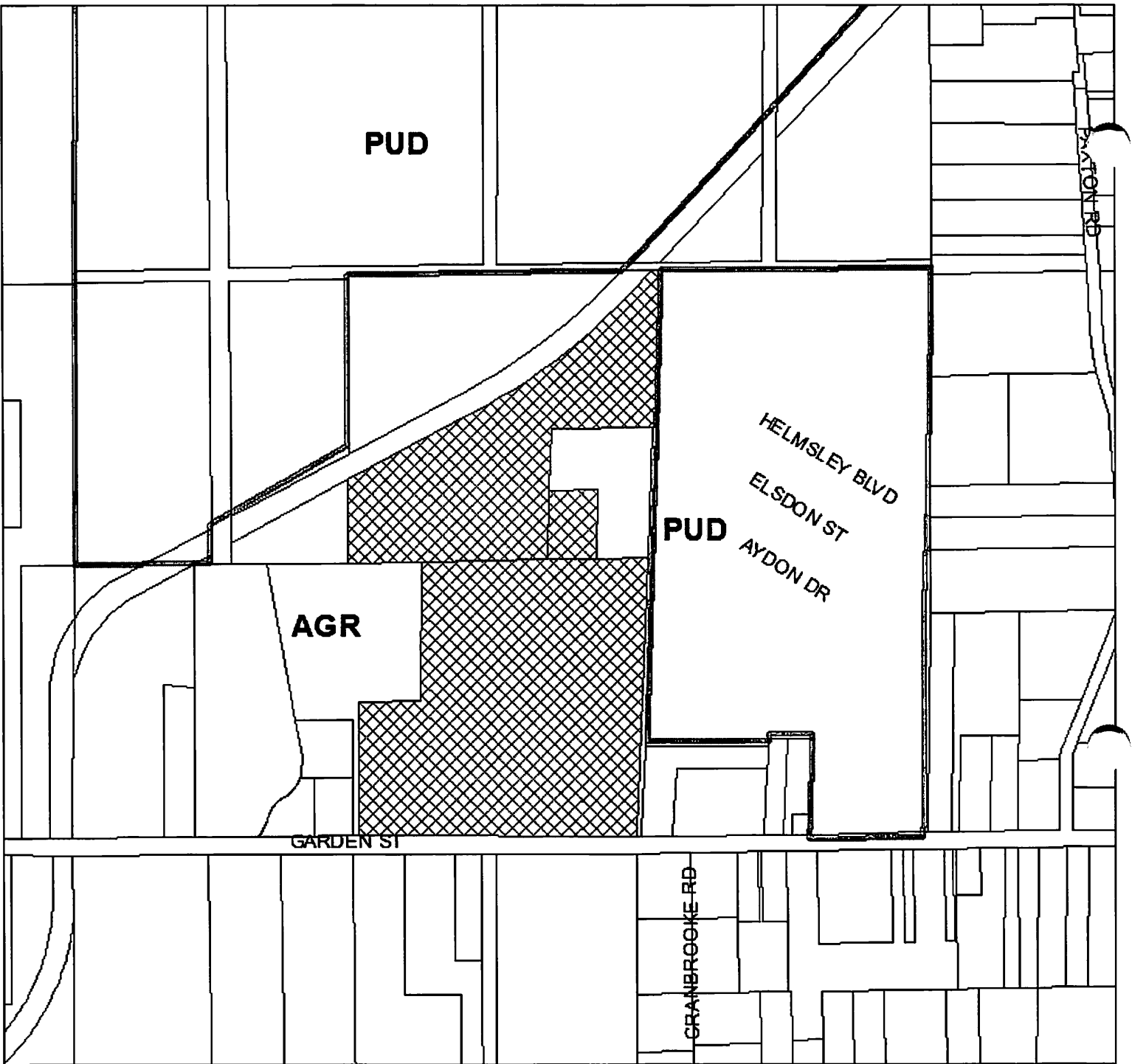
I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest by my signature that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information.

Agreed to and submitted

Filing Fee Information

- 1) Rezoning Application's General Base Fee: \$2,000.00
- 2) Plus Cost Per Acre or Portion Thereof
56.86 Acres @ \$10.00 /acre: \$570.00
- 3) Plus Notification Costs Per Addressee
21 Notifications @ \$7.00 /each: \$147.00
- 4) Total Rezoning Application Cost: \$2,717.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

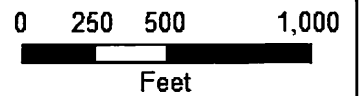
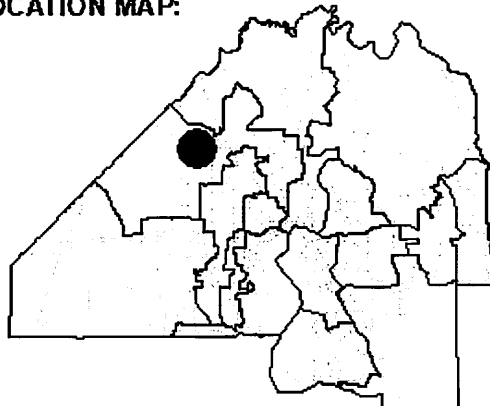


REQUEST SOUGHT:

FROM: AGR

TO: RLD-50

LOCATION MAP:



COUNCIL DISTRICT:

8

TRACKING NUMBER

T-2021-3342

**EXHIBIT 2
PAGE 1 OF 1**



1

SHEET NUMBER

SCALE: 1"=100'

DATE: 07/20/21

JOB NUMBER: 2021

PROJECT: 2021

3330 Agricultural Center Drive, Suite 209 St. Augustine, FL 32082

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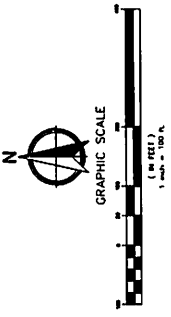
3330 Agricultural Center Drive, Suite 209 St. Augustine, FL 32082

MADE PERMANENT UNLESS THE OPPOSITE IS INDICATED
NORTH FLORIDA ENGINEERING SERVICES, INC.
CERTIFICATION # 28028



GARDEN STREET VILLAGE

LAYOUT 2



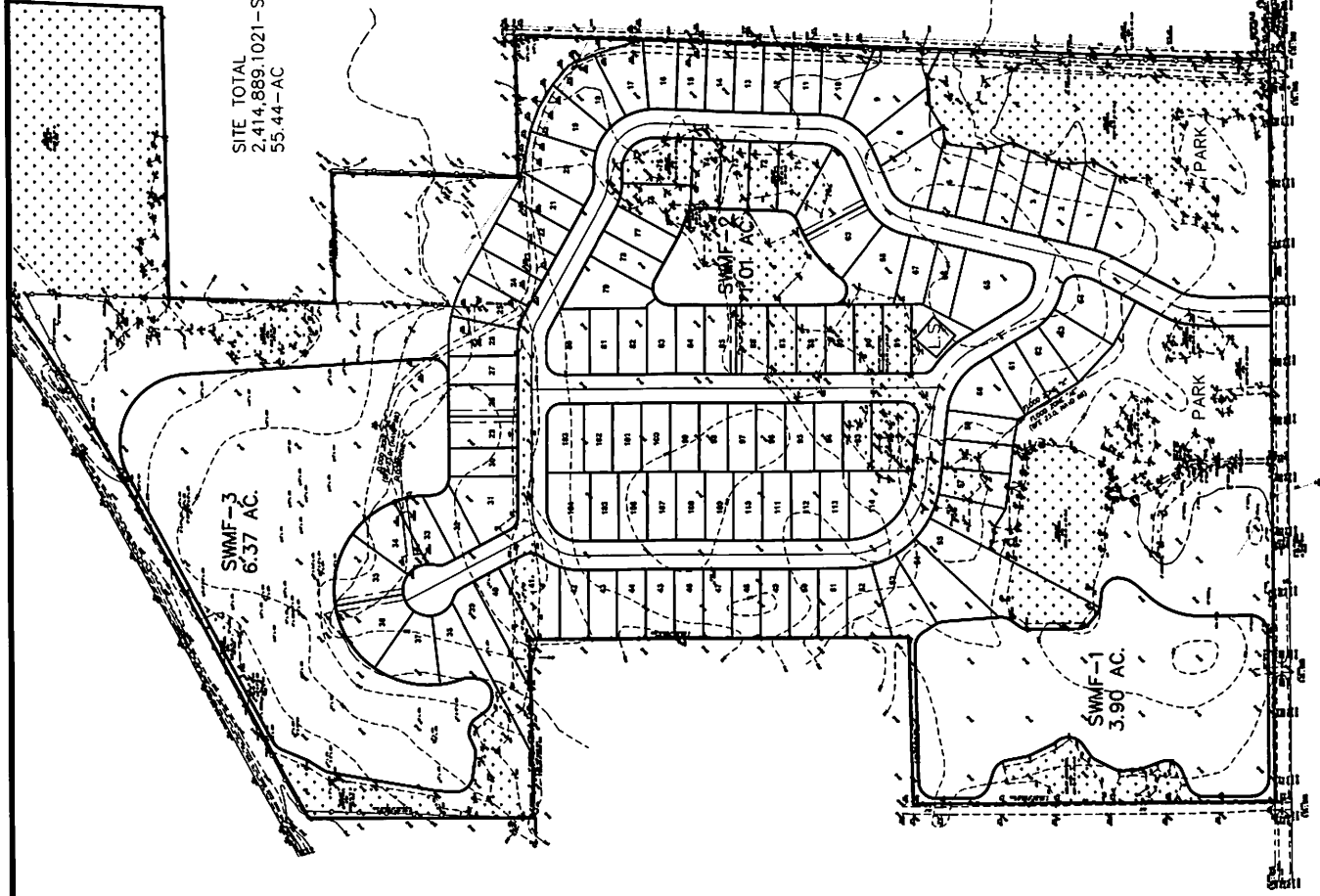
114-50' LOTS

SITE TOTAL
2,414,889.1021-SF
55.44-AC

SWMF-3
6.37 AC.

SWMF-1
3.90 AC.

SWMF-2
3.07 AC.



GARDEN STREET SUBDIVISION
PROTECTED SPECIES ASSESSMENT REPORT

February 2021

Prepared for
Hart Resources, LLC
8051 Tara Lane
Jacksonville, FL 32216

Prepared by
Peacock Consulting Group, LLC
12058 San Jose Boulevard, Suite 604
Jacksonville, FL 32223

Peacock Consulting Group, LLC has completed a protected species assessment of a 55.43-acre proposed residential subdivision on Garden Street in Jacksonville, Florida. The property was surveyed for the presence and potential presence of species listed as protected by the Florida Fish and Wildlife Conservation Commission (FWC) and the U.S. Fish and Wildlife Service (FWS) as listed in the FWC publication *Florida's Endangered and Threatened Species, Updated December 2018*. No protected species have been observed onsite or are known to utilize the project area. The results of this assessment are summarized in the following report.

I. Project Location

The project site is located in Section 15, Township 1 South, and Range 25 East and is composed of the following real estate parcels: 002832 0000, 002830 0030 and 002830 0000. The project site is bordered to the south by Garden Street, to the east by the recently permitted Summerglenn residential subdivision, to the north by a set of railroad tracks, and to the west by agricultural land and woods. The property contains existing single family homes with mailing addresses of 8439 Garden Street and 8475 Garden Street.

II. Soils

The *Soil Survey of City of Jacksonville, Florida* (U.S. Department of Agriculture, Natural Resources Conservation Service 1998) depicts 4 soil mapping units for the property.

A. Yonges fine sandy loam, 0 to 2 percent slopes

Most of the property (approximately 32.3 acres) is mapped as Yonges fine sandy loam. This is a nearly level, poorly drained soil that naturally occurs in low flatwoods. The seasonal high water table is less than 12 inches below the ground surface. This soil has a layer of sandy clay loam to clay loam known as an argillic horizon that starts within 20 inches of the ground surface. In an undrained condition this soil is found in wetlands. Most of the areas mapped as Yonges fine sandy loam may actually be closely related uplands soils such as Pelham fine sand.

B. Mascotte fine sand, 0 to 2 percent slopes

The center of the property and northwest corner of the property contain areas of Mascotte fine sand totaling approximately 18.6 acres. This is nearly level, poorly drained soil that naturally occurs in pine flatwoods. The seasonal high water table is at a depth of 6 to 18 inches. This soil contains a layer of weakly cemented, dark colored sand known as a spodic horizon (aka hardpan layer) starting from 10 to 29 inches below the ground surface underlain by an argillic horizon starting from 24 to 40 inches below the ground surface.

C. Pelham fine sand, depressional, 0 to 2 percent slopes

The southeast corner of the property contains approximately 4.0 acres mapped as Pelham fine sand, depressional. This is a nearly level, very poorly drained soil that naturally occurs in shallow depressional areas. The seasonal high water table is at or above the surface. This soil has an argillic horizon starting 20 to 40 inches below the ground surface.

D. Lynchburg fine sand, 0 to 2 percent slopes

The southwest corner of the property contains a relatively small area (approximately 0.5 acre) mapped as Lynchburg fine sand. This is nearly level, somewhat poorly drained soil that naturally occurs on low rises and knolls in the surrounding pine flatwoods. The seasonal high water table is at a depth of 6 to 18 inches. This soil has an argillic horizon starting within 20 inches of the ground surface.

III. Vegetative Communities and Land Uses

The existing vegetative communities and land uses have been characterized pursuant to the Florida Department of Transportation publication *Florida Land Use, Cover and Forms Classification System* (FLUCFCS).

A. Uplands	42.83 acres
1. Improved Pasture (FLUCFCS 211)	40.73 acres

Most of the property comprises improved pasture which is actively grazed by cattle. The dominant vegetation in the pasture comprises such species as bahia grass (*Paspalum notatum*), Dutch white clover (*Trifolium repens*), dogfennel (*Eupatorium* sp.), and various other early successional weed species. Most of the areas of pasture lack any trees, although some of the pasture in the northern half of the property contain scattered live oak (*Quercus virginiana*), water oak (*Q. nigra*) and laurel oak (*Q. laurifolia*).

2. Residential, Low Density (FLUCFCS 110)	2.10 acres
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The project site contains three single family homes with adjacent yards and various storage sheds.

B. Wetlands and Other Surface Waters	12/60 acres
1. Wet Pasture (FLUCFCS 640)	5.05 acres

Most of the wetlands comprise areas of wet pasture. The dominant vegetation in these areas includes such species as carpet grass (*Axonopus compressus*), bristle grass (*Setaria* sp.), sedge (*Carex* sp. and *Cyperus* sp.), and buttonweed (*Diodia virginiana*).

2. Wetland Forested Mixed (FLUCFCS 630)	5.81 acres
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The northeast corner of the property contains an area of forested wetland. The canopy in this area includes such species as red maple (*Acer rubrum*), sweetgum (*Liquidambar styraciflua*), blackgum (*Nyssa sylvatica* var. *biflora*), pond cypress (*Taxodium ascendens*), Carolina ash (*Fraxinus caroliniana*), and American elm (*Ulmus americana*). This area holds shallow standing

water during the rainy season and drains under the adjacent railroad tracks into the headwaters of Trout River.

The northwest corner of the property is used as wooded pasture. The canopy includes such species as laurel oak, water oak, live oak, and blackgum. The ground cover vegetation consists of various pasture grasses and early successional weed species. The seasonal high water table is at or within 6 inches of the ground surface.

3. Farm Pond (FLUCFCS 524) 0.93 acre

The property contains a man-made livestock watering pond near the southwest corner of the site.

4. Ditch (FLUCFCS 510) 0.81 acre

The property contains three sections of man-made ditch. The larger ditch extends in an east/west direction across much of the northern half of the site. The other two ditches are relatively short and drain to the south into a road side ditch along the southern boundary.

IV. Protected Species

The property was surveyed for species protected by the Florida Fish and Wildlife Conservation Commission (FWC) and the U.S. Fish and Wildlife Service (FWS) listed in the FWC publication *Florida's Endangered and Threatened Species, Updated December 2018*. In addition the property was also surveyed for other species listed in Section 3.5.5.H of the Conservation/Coastal Management Element of the City of Jacksonville's 2030 Comprehensive Plan. No protected species have been observed onsite or are known to utilize the project area.

A biologist with Peacock Consulting Group, LLC inspected the property on October 12, 2020. All of the trail roads were driven. Pedestrian transects were walked throughout representative portions of the property. The perimeter of every wetland was walked.

Certain species that are known to occur in Duval County were not considered in the protected species survey because there is no habitat for those species onsite. These species include aquatic animals such as the West Indian manatee (*Trichechus manatus*), various sea turtles, and the shortnose sturgeon (*Acipenser brevirostrum*). Other species include shore birds that occur along coastal beaches such as the piping plover (*Charadrius melodus*).

Species that were considered in the survey are listed below. A brief description of the habitat requirements for these species is provided along with the findings of the survey.

- A. Frosted Flatwoods Salamander FWC-threatened FWS-threatened

The frosted flatwoods salamander (*Ambystoma cingulatum*) has been documented as occurring in western Duval County (1980's) and adjacent Baker County. No frosted flatwoods salamanders have been documented as occurring in this area of Duval County. Within its known range this species occurs in open pine flatwoods and pine savannahs that contain crayfish burrows or other

below-ground habitat that the salamander depends on for protection from the elements and predation. The salamander breeds in shallow, ephemeral freshwater marshes and ponds that typically have burrowing crayfish but lack large, predatory fish. The breeding sites are located in close proximity to the adjacent flatwoods where the adults live most of the year.

The subject property does not contain the type of habitats required by the frosted flatwood salamander. None of these salamanders has been observed onsite. Development of the property is not expected to adversely impact the frosted flatwoods salamander.

B. Wood Stork

FWC-endangered FWS-endangered

The subject property is located within the core foraging areas of a wood stork (*Mycteria americana*) nesting colony located approximately 8.7 miles to the east at the Jacksonville Zoo. The primary diet of the wood stork is small fish that range from 1 to 6 inches in length, particularly top minnows and sunfish, although other prey such as crayfish and tadpoles may be eaten as well. The wood stork forages in water that ranges from 6 to 10 inches deep. They feed in freshwater marshes, narrow tidal creeks, and flooded tidal pools. Favored foraging areas are depressions in marshes and swamps where prey becomes concentrated during periods of falling water levels. The wood stork will not forage in areas with dense undergrowth vegetation and will typically not forage in areas with a closed canopy.

No wood storks have been observed foraging on the subject property. No wood stork rookeries are located onsite. The areas of wet pasture do not normally hold standing water, so they do not provide suitable foraging habitat. However, such use would likely be sporadic due to the dense canopy cover and the amount of understory vegetation. The ditches do not typically hold 6 to 10 inches of water, so they do not provide suitable foraging habitat. The farm pond has relatively steep side slopes which makes it unsuitable for foraging. The forested wetland in the northeast corner of the site potentially could hold shallow standing water. Development of the subject property is not anticipated to adversely impact the wood stork.

C. Red-Cockaded Woodpecker

FWC-endangered FWS-endangered

The red-cockaded woodpecker (*Picoides borealis*) requires mature old growth pine forests that are very open and typically fire-maintained. The average size of such habitat required for a population of woodpeckers ranges from 125 to 200 acres. This species excavates nest cavities in mature live pines located in open stands with little or no hardwood mid-story and few or no canopy size hardwoods. Abundant foraging habitat must be present in the immediate vicinity of the nest tree. Suitable foraging habitat comprises stands of mature pines with an open canopy, low densities of young pines, little or no hardwood or pine mid-story, few or no canopy size hardwoods, and an abundant groundcover of native bunch grasses and forbs. Fire suppression, logging of mature pines and habitat fragmentation degrade or eliminate otherwise suitable habitat.

The subject property does not contain suitable habitat for the red-cockaded woodpecker. No red-cockaded woodpeckers have been observed or are known to utilize the property or adjacent properties. Development of the project site is not anticipated to adversely impact this species.

D. Eastern Indigo Snake

FWC-threatened

FWS-threatened

The eastern indigo snake (*Drymarchon corais couperi*) requires relatively large areas of undeveloped land and are often associated with gopher tortoises (*Gopherus polyphemus*), as they will utilize tortoise burrows as refugia. The subject property has been surveyed for the presence of the eastern indigo snake. No eastern indigo snakes or evidence of eastern indigo snakes, such as shed skins, have been observed onsite or on land immediately abutting the subject property. The property does not contain any gopher tortoise burrows. Development of the property is not anticipated to adversely impact the eastern indigo snake.

E. Gopher Tortoise

FWC-threatened

The gopher tortoise (*Gopherus polyphemus*) lives in areas with somewhat poorly drained to excessively well drained soils where there is adequate ground cover vegetation for foraging. Natural habitats that support gopher tortoises include longleaf pine-xeric oak forests, scrubby flatwoods, and sand dunes. Altered areas of such habitat can also provide suitable gopher tortoise habitat, including pasture, mowed roadsides, and cleared power line easements.

All of the soils mapped on the project site are poorly drained to very poorly drained except for approximately 0.5 acre of Lynchburg fine sand located along the southern boundary. This soil is somewhat poorly drained. The area of Lynchburg fine sand is currently used for improved pasture or the front yard of an adjacent single family residence or for a dirt road. No gopher tortoises or gopher tortoise burrows have been observed in this area of soil or anywhere else on the subject property. Development of the property is not anticipated to adversely impact the gopher tortoise.

F. Florida Pine Snake

FWC-threatened

The Florida pine snake (*Pituophis melanoleucus mugitus*) lives in areas with well drained sandy soils with a moderate to open canopy. They spend most of the time underground in the burrows of gopher tortoises and Southeastern pocket gophers (*Geomys pinetis*) and feed primarily on pocket gophers. No pocket gophers or gopher tortoises occur on the subject property. No Florida pine snakes have been observed onsite or are known to occur onsite. Development of the property is not anticipated to adversely impact the Florida pine snake.

G. Florida Burrowing Owl

FWC-threatened

The burrowing owl (*Athene cunicularia floridana*) lives in scattered locations throughout Florida in open areas of well drained soils such as native prairies, pastures, agricultural fields, golf courses, and airports. The only population of the burrowing owl that has ever been recorded in Duval County was at the old Imeson Airport on the north side of town east of US 17. This airport was abandoned in 1968 when the current International Airport was constructed approximately 4 miles to the northwest. The old Imeson Airport was converted into an industrial park. The small population of burrowing owls continued to occupy portions of the old airport until the early

1990's. No burrowing owl populations have been recorded in Duval County since then. No burrowing owls have ever been observed on the subject property. Development of the property will not adversely impact the burrowing owl.

H. Florida Sandhill Crane FWC-threatened

The Florida sandhill crane (*Grus canadensis pratensis*) will forage in shallow freshwater marshes, along the edges of lakes and ponds, and in open pastures. This species requires very specific conditions for breeding. Nests are constructed on low mounds in open areas of shallow standing water. Such breeding habitat is not present onsite. No Florida sandhill cranes have ever been observed on the subject property. FWC does not have any records for breeding sites in this part of Duval County. Development of the property will not adversely impact the Florida sandhill crane.

I. Little Blue Heron FWC-threatened
Tricolored Heron FWC-threatened
Other Listed Wading Birds

The little blue heron (*Egretta caerulea*) and tricolored heron (*Egretta tricolor*) are wading birds that forage primarily in shallow freshwater marshes and along the edges of ponds and lakes. Freshwater marshes do not exist on the subject property. Wading birds may periodically forage around the edge of the farm pond. However, such use is incidental and not routine. The side slopes of the pond are generally too steep to provide much foraging area for these wading birds. No nesting colonies of wading birds are located onsite. Development of the property will not adversely impact the little blue heron or tricolored heron.

J. Southeastern American Kestrel FWC-threatened

The southeastern American kestrel (*Falco sparverius paulus*) is the non-migratory subspecies of the American kestrel. This subspecies remains in Florida during the warmer months of the year and does not migrate farther north. Positive identification of kestrels during the months of May through July or August provides prima facie evidence of the presence of southeastern American kestrels. This species is a cavity nester that lives in very open forests as well as pastures and golf courses. No suitable nesting trees (snags with cavities) were observed on the property. Development of the subject property is not anticipated to adversely impact the southeastern American kestrel.

K. Sherman's Fox Squirrel non-listed

The Sherman's fox squirrel (*Sciurus niger shermani*) is a subspecies of fox squirrel that lives east of the Apalachicola River. It used to be listed by FWC as a species of special concern but was recently removed from the list of protected species. It lives in areas of longleaf pine-xeric oak and will also forage in adjacent habitats. The property does not contain any suitable habitat for Sherman's fox squirrel. No Sherman's fox squirrels have been observed onsite or are known to utilize the property. Development of the subject property is not expected to adversely affect the local population of Sherman's fox squirrel.

L. Gopher Frog

non-listed

The gopher frog (*Lithobates capito*) lives in areas of well drained habitat as a commensal in the burrows of gopher tortoises. It used to be listed by FWC as a species of special concern but was recently removed from the list of protected species. The property does not contain any gopher tortoise burrows. The gopher frog does not occur onsite. Development of the subject property is not expected to adversely affect the gopher frog.

M. Florida Mouse

non-listed

The Florida mouse (*Podomys floridana*) lives in areas of well drained habitat and is typically considered a commensal in the burrows of gopher tortoises. It used to be listed by FWC as a species of special concern but was recently removed from the list of protected species. The property does not contain any gopher tortoise burrows. The Florida mouse does not occur onsite. Development of the subject property is not expected to adversely affect the Florida mouse.

N. American bald eagle

non-listed but still protected

The American bald eagle (*Haliaeetus leucocephalus*) is no longer listed as an endangered or threatened species by either FWS or FWC. However, the bald eagle is still protected pursuant to the Gold and Bald Eagle Protection Act and the Migratory Bird Treaty Act. The closest documented bald eagle nest (nest # 3465) is located approximately 6.2 miles to the east. Development of the property will not adversely affect the American bald eagle.