

# 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  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report / Ordinance No. 2021-828/Application No. L-5521-21A**

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 2021-828 on January 6, 2022.

P&DD Recommendation	APPROVE
PC Issues:	None
<b>PC Vote:</b>	<b>5-0 APPROVE</b>

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

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  
214 North Hogan Street, Suite 300  
Jacksonville, FL 32202  
(904) 255-7837  
[KReed@coj.net](mailto:KReed@coj.net)

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

**Large-Scale Future Land Use Map Amendment – December 30, 2021**

**Ordinance/Application No.:** 2021-828 / L-5521-21A

**Property Location:** 8475, 8475-1 and 8439 Garden Street between Paxton Road and Messer Road.

**Real Estate Number(s):** 002830-0000, 002830-0030 and 002832-0000

**Property Acreage:** 56.86 Acres

**Planning District:** District 5, Northwest

**City Council District:** District 8

**Applicant:** Curtis L. Hart

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

**Proposed Land Use:** Low Density Residential (LDR)

**Development Area:** Rural

**Proposed Development Area:** Suburban

**Current Zoning:** Agriculture (AGR)

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

***RECOMMENDATION: APPROVE***

**APPLICANT'S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT**

This property is surrounded by AGR and LDR. Since it is adjacent to LDR this would be a natural and orderly transition from AGR to LDR and would be consistent with the growth in this area. (See applicant's justification regarding the suburban boundary extension located on page 22.)

**BACKGROUND**

The applicant proposes a Future Land Use Map amendment from Agriculture-IV (AGR-IV) in the Rural Development Area to Low Density Residential (LDR) in the Suburban Development Area to allow for residential development. The companion rezoning

(Ordinance 2021-829) from AGR to Residential Low Density-50 (RLD-50) is running concurrently during this adoption round of public hearings.

The subject property is located on the north side of Garden Street, a collector roadway and abuts an LDR land use category that was approved in 2006 from Agriculture-III (AGR-III) and AGR-IV (Ordinance 2006-478-E). Although this area remains undeveloped for a long period of time, this area is an approved Planned Unit Development (PUD) (Ordinance 2020-174-E) for 211 50-foot and 60-foot wide lots.

The 56.86 acre land use amendment site is currently used for agriculture and is proposed for single family residential development. Except for the abutting property within the LDR land use category in the Suburban Development Area to the east, AGR-III, AGR-IV and Rural Residential (RR) land use categories surround the application site in the Rural Development Area. More specific uses along with the zoning and land use categories are listed below.

The adjacent land use categories, zoning districts and property uses of the land use amendment site are as follows:

North: Land Use: AGR-III and RR  
Zoning: AGR and PUD  
Property Use: Vacant undeveloped land / timber, Norfolk Southern Railroad tracks

South: Land Use: AGR-IV  
Zoning: AGR  
Property Use: Mobile homes, single family dwellings, wetlands, vacant undeveloped land

East: Land Use: AGR-IV and LDR  
Zoning: AGR and PUD  
Property Use: Undeveloped single family subdivision, single family dwellings and mobile home

West: Land Use: AGR-IV and RR  
Zoning: AGR and PUD  
Property Use: Farm, vacant undeveloped land, mobile home and pastureland, Norfolk Southern Railroad tracks

## **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

<b>Development Analysis</b>		
Development Boundary	Rural Development Area / Proposed expansion of the Suburban Boundary Area	
Roadway Frontage Classification / State Road	Garden Street – Collector roadway	
Plans and/or Studies	Northwest Jacksonville Vision Plan	
Site Utilization	Current: Agriculture	Proposed: Single family residential
Land Use / Zoning	Current: AGR-IV / AGR	Proposed: LDR / RLD-50
Development Standards for Impact Assessment	Current: 1 DU / 2.5 acres	Proposed: 5 DUs / acre
Development Potential	Current: 22 Single family DUs	Proposed: 284 Single family DUs
Net Increase or Decrease in Maximum Density	Increase of 262 dwelling units	
Net Increase or Decrease in Potential Floor Area	Not applicable	
Population Potential	Current: 58	Proposed: 755
<b>Special Designation Areas</b>		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	500 Ft. Height Restriction Zone for OLF Whitehouse	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	Low, Medium, and High	
Historic District	No	
Coastal High Hazard/Adaptation Action Area	No	
Groundwater Aquifer Recharge Area	Discharge area	
Wellhead Protection Zone	No	
Boat Facility Siting Zone	No	
Brownfield	No	
<b>Public Facilities</b>		
Potential Roadway Impact	2,653 net new daily trips	
Potential Public School Impact	93 total new students	
Water Provider	JEA	
Potential Water Impact	Increase of 69,692 gallons per day	
Sewer Provider	JEA	
Potential Sewer Impact	Increase of 52,269 gallons per day	
Potential Solid Waste Impact	Increase of 681.2 tons per year	

<b>Development Analysis</b>	
Drainage Basin/Sub-basin	Trout River Basin and Bay Drain Sub-Basin
Recreation and Parks	Densmore Center Park
Mass Transit Access	No bus service at this location
<b>Natural Features</b>	
Elevations	17 to 25 feet above mean sea level
Land Cover	(1100) Residential low density, (2110) Improved pasture, (5300) Reservoirs-pits; retention ponds and (6460) Mixed scrub-shrub wetlands
Soils	(38) Mascotte fine sand, (78) Yonges fine sandy loam and (82) Pelham fine sand, depressionial
Flood Zones	Yes; AE
Wetlands	Yes; Category III wetlands
Wildlife (applicable to sites greater than 50 acres)	See wildlife report

### **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 service availability has been provided and is on file with the Planning and Development Department. The letter, dated September 30, 2020, identifies an existing 16-inch water main within the Garden Street right-of-way. Also, there is an 8-inch water line along Garden Street that is to be upsized to a 12-inch PVC. In addition an existing 12-inch sanitary sewer force main is present at the intersection of Garden Street and Imeson Road.

### **Future Land Use Element**

Policy 1.2.9      Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized 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.

### **Transportation**

The Planning and Development Department completed a transportation analysis and determined that the proposed amendment will result in an increase of 2,653 net new daily

external trips. This analysis is based upon the comparison of what potentially could be built on that site (as detailed in FLUE Policy 1.2.16 Development Standards for Impact Assessment) versus the maximum development potential. Trips generated by the new development will be processed through the Concurrency and Mobility Management System Office. A copy of the transportation analysis is on file with the Planning and Development Department.

#### Transportation Element

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

#### Capital Improvements Element

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

#### Supplemental Transportation Information

**Objective 2.4** of the Transportation Element (TE) of the 2030 Comprehensive Plan requires that the City shall coordinate the mobility circulation system with the future land uses shown on the Future Land Use Map series in order to ensure that roads, road improvements and other mobility alternative improvements are provided as necessary to support development in an economically efficient and environmentally sound manner.

**Policy 2.4.2** of the TE of the 2030 Comprehensive Plan requires that the City shall amend the adopted Comprehensive Plan to incorporate the data and analysis generated by a periodic regional transportation model and study and facilitate the implementation of the study recommendations.

These two Comprehensive Plan policies ensure that the transportation impact related to land use amendments are captured in the Long Range Transportation Plan (LRTP) that is conducted every 5 years. This analysis includes the cumulative effect of all land use amendments that were approved within this time period. This plan identifies the future transportation needs and is used to create cost feasible roadway needs that can be funded by the City's Mobility Strategy Plan.

Mobility needs vary throughout the city and in order to quantify these needs, the city was divided into 10 Mobility Zones. The Mobility Strategy Plan identifies specific transportation strategies and improvements to address traffic congestion and mobility needs for each mode of transportation. The project site is located in Mobility Zone 5.

Subject site is accessible via Garden Street, a 2-lane undivided roadway which is currently classified as collector facility. The proposed development will have significant external traffic impacts on the roadway network. The Transportation Planning Division recommends ongoing coordinating efforts with COJ Traffic Engineering Division to ensure that a traffic operational analysis is provided to address the specific external impacts as a result of this land use amendment.

### **School Capacity**

Based on the impact assessment standards detailed in FLUE Policy 1.2.16, the 204.9 acre proposed land use map amendment has a development potential of 284 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:

- **Elementary School**
  - Concurrency Service Area (CSA) 1
  - 2020/2021 enrollment: 11,133
  - Current utilization: 60%
  - New student development from amendment: 47
  - 5-year utilization: 67%
  - Available seats in CSA 1: 6,195
  - Available seats in adjacent CSA(s): 2 and 8 is 4,780
  
- **Middle School**
  - CSA 1
  - 2020/2021 enrollment: 7,607
  - Current utilization: 89%
  - New student development from amendment: 20
  - 5-year utilization: 98%
  - Available seats in CSA 1: 625
  - Available seats in adjacent CSA(s): 2 and 7 is 817



- High School
  - CSA 1
  - 2020/2021 enrollment: 8,520
  - Current utilization: 84%
  - New student development from amendment: 26
  - 5-year utilization: 76%
  - Available seats in CSA 1: 965
  - Available seats in adjacent CSA(s): 2 and 8 is 817

The analysis of the proposed residential development does not reveal any deficiency for school capacity within the CSA.

**Public School Facilities Element**

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

**Policy 2.3.3** The City will take into consideration the DCPS comments and findings on the availability of adequate school capacity in the evaluation of comprehensive plan amendments, and other land use decisions as provided in Section 163.3177(6)(a), F.S. and development of regional impacts as provided in 380.06, F.S.

**Supplemental School Information:**

The following additional information regarding the capacity of the assigned neighborhood schools was provided by the Duval County School Board. This is not based on criteria utilized by the City of Jacksonville School Concurrency Ordinance. Note that the percentage occupied may not appear correct due to ESE space requirements.

- Dinsmore Elementary School #45
  - CSA 1
  - Amendment student generation: 47
  - School Capacity including permanent spaces and portables: 683
  - Current enrollment 20 day county for 2020/2021: 545
  - Percent Occupied: 80%
  - 4-year projection: 96%
  
- Highlands Middle School #244
  - CSA 1
  - Amendment student generation: 20
  - School Capacity including permanent spaces and portables: 1,071
  - Current enrollment 20 day county for 2020/2021: 751
  - Percent Occupied: 70%
  - 4-year projection: 77%

- Jean Ribault High School #96
  - CSA 1
  - Amendment student generation: 26
  - School Capacity including permanent spaces and portables: 1,683
  - Current enrollment 20 day county for 2020/2021: 1,415
  - Percent Occupied: 84%
  - 4-year projection: 85%

**Airport Environment Zone**

The site is located within the 500-foot Height and Hazard Zone for the 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).

**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.

**Archaeological Sensitivity**

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

**Flood Zones**

Approximately 30.3 acres of the subject site are located within the AE flood zone. The AE flood zone is found mostly in the northern and southern portions of the site. 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. 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.

**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**

The applicant submitted a site layout of the proposed subdivision that included a wetlands survey of the property. Review of the layout and the City’s geographic information data, the Planning and Development Department has determined the general location, type(s), size, quality and functional value of all wetlands located within the boundaries of the application site. Based on the information noted below, the proposed amendment is consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

Wetlands Characteristics:

**Approximate Size:** 11.75 Acres

**General Location(s):** The wetlands are located throughout the application site as isolated pockets.

**Quality/Functional** They have a medium functional value for water filtration attenuation and flood water capacity due to isolation, size and indirect impacts on the City’s waterways.

**Soil Types/  
Characteristics:** Evergreen-Wesconnett complex, depressional (22) – The Evergreen series consists of nearly level, very poorly drained soils. These soils formed in decomposed organic materials

underlain by thick sandy marine sediments. They are in depressions. The soils are moderately slowly permeable to rapidly permeable. Generally, the high water table is at or above the surface for very long periods.

Wetland Category: Category III

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

Environmental Resource Permit (ERP): None available at this time and not provided by the applicant.

Wetlands Impact: There will be some impacts to the Category III wetlands. Development will need to cross this wetland system in order to develop and some of the small wetland pockets will be impacted for lot development. However, any future development impacting wetlands will require permits and mitigation by the St. Johns River Water Management District.

Associated Impacts: The AE flood zone is found mostly in the northern and southern portions of the site and is associated with some of the Category III wetlands.

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 wetlands 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. In order to achieve this objective and its associated policies, the City shall continue to work with the applicable regional, state and federal agencies charged with these regulatory responsibilities.

**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.

**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.

**Wildlife**

The applicant submitted a wildlife and habitat assessment of the subject site (February 2021) on file with the Planning and Development Department. Listed wildlife species utilizing the subject property were not observed during the site assessment. However, listed species with the potential to occur on the subject property were included due to the existing habitat. If the St. Johns River Water Management District (SJRWMD), and/or local government permits are required for the proposed development, U.S. Fish and Wildlife Service (USFWS) and/or Fish and Wildlife Conservation (FWC) may be notified and allowed to comment on listed species with the potential to occur on the subject property. Additional information may be requested from the applicant to document whether the project proposes to impact any potentially occurring listed wildlife species.

**Conservation Coastal Management Element**

**Policy 3.5.5**

The City shall maintain a land development review process for the assessment and protection of listed species and their habitat, which shall apply to issuance of development permits and land clearing, excluding bona fide silvicultural and agricultural activities. Projects which contain areas identified for protection shall be required to incorporate creative project

designs through utilization of such measures as clustering, mixed land use designations and transfer of development rights programs. For purposes of Policy 3.5.5, the term listed species shall be limited to listed animal species as defined in the Definitions Section of this Element.

## **PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on August 6, 2021, the required notices of public hearing signs were posted. Twenty-six (26) 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 2, 2021. The applicant was the only one in attendance of the meeting for this application.

## **CONSISTENCY EVALUATION**

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

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

##### *Development Areas*

*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.

*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.

- 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 1.1.10      Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.
- 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 1.1.20A      Extensions of the Development Areas will be noted in each land use amendment where an extension is needed or requested concurrent with a Future Land Use Map Amendment. In addition, plan amendments shall meet the requirements as set forth in Policy 1.1.21 and 1.1.22.
- Policy 1.1.20B      Expansion of the Development Areas shall result in development that would be compatible with its surroundings. When considering land areas to add to the Development Areas, after demonstrating that a need exists in accordance with Policy 1.1.21, inclusion of the following areas is discouraged;  
1. Preservation Project Lands  
2. Conservation Lands  
3. Agricultural Lands, except when development proposals include Master Planned Communities or developments within the Multi-Use Future Land Use Category, as defined in this element



The following areas are deemed generally appropriate for inclusion in Development Areas subject to conformance with Policy 1.1.21:

1. Land contiguous with the Development Area and which would be a logical extension of an existing urban scale and/or has a functional relationship to development within the Development Area.
2. Locations within one mile of a planned node with urban development characteristics.
3. Locations within one-half mile of the existing or planned JTA RTS.
4. Locations having projected surplus service capacity where necessary facilities and services can be readily extended.
5. Public water and sewer service exists within one-half mile of the site.
6. Large Scale Multi-Use developments and Master Planned Communities which are designed to provide for the internal capture of daily trips for work, shopping and recreational activities.
7. Low density residential development at locations up to three miles from the inward boundary of the preservation project lands. Inward is measured from that part of the preservation project lands closest to the existing Suburban Area such that the preservation lands serves to separate suburban from rural. The development shall be a logical extension of residential growth, which furthers the intent of the Preservation Project to provide passive recreation and low intensity land use buffers around protected areas. Such sites should be located within one-half mile of existing water and sewer, or within JEA plans for expansion.

**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.

**Policy 1.1.22**

Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery

system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

**Policy 1.2.6** The City shall ensure through the implementation of Chapter 654, Ordinance Code (Code of Subdivision Regulations) that suitable lands and/or easements are available for the provision of utility and transportation facilities necessary to support proposed development, and implement improvements with minimum land use, social and environmental disruption. Consider the location and timing of new public facility construction in requests for Future Land Use Map series amendments.

**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.

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

**Objective 3.1** Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.

**Policy 3.1.6** The City shall provide for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

**Pending Property Rights Element (Ordinance 2021-334-E)**

**Goal 1** The City will recognize and respect judicially acknowledged and constitutionally protected private property rights in accordance with the Community Planning Act established in Chapter 163, Florida Statutes.

**Objective 1.1** Local decision making shall be implemented and applied with sensitivity for private property rights and shall not be unduly restrictive.

Policy 1.1.1 The City will ensure that private property rights are considered in local decision making.

Policy 1.1.2 The following rights shall be considered in local decision making:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

According to the Category Description in the Future Land Use Element (FLUE), the Agriculture-IV (AGR-IV) functional land use category accommodates primarily agriculture activities with some single family dwellings and are intended to preserve the existing rural character of outlying areas of the City.

The Low Density Residential (LDR) land use category in both the Rural and Suburban Areas primarily permits low density residential development in the form of single-family and multi-family dwellings at a density up to 7 dwelling units per acre when full urban services are available. Plan amendment requests for new LDR designations are discouraged in the Rural Area because they would potentially encourage urban sprawl.

The 56.86 acre subject site is located within the boundaries of the Rural Development Area. According to the locational criteria of the operative provisions in the FLUE, low density development of lands is encouraged within the Suburban Development Area. Likewise, the Rural Development Area provides that development should only occur at very low densities. The LDR land use category allows a maximum of 7 dwelling units per acre, and the LDR category description states that plan amendment requests for new LDR designations are discouraged in the Rural Area because they could encourage urban sprawl. However, directly abutting the subject site to the east are lands in the LDR land use categories in the Suburban Development Area. Also, the Suburban Development Area is located north and south of the site. The expansion of the Suburban Development Area would be a logical extension of the Suburban Development Area boundary. The density of the property would not exceed 7 dwelling units per acre, the maximum set forth in the LDR, Suburban Development Area characteristics. The proposed amendment demonstrates the need for the change in the Development Area boundary meeting FLUE Policies 1.1.20, 1.1.20A, 1.1.20B and 1.1/22. The applicant has also provided a justification for expansion of the development area and that is included on page 23 of this report.

The proposed LDR land use is consistent with the future development trends and land use patterns in the area while contributing additional lands for residential development and increasing the amount of land available to accommodate anticipated growth and the projected population as called for in FLUE Objectives 1.1 and 3.1 and Policies 1.1.5, 1.1.21 and 3.1.6.

Given the adjacent LDR land use categories to the east, the proposed land use amendment is a logical extension of LDR resulting in a compatible and appropriate transition of land use for the area, meeting FLUE Goal 1 and Policy 1.1.10.

The property will be accessed from Garden Street, a collector roadway. The proposed development will be evaluated at site plan review which will identify the access to the development, the internal circulation and connection and ensure an efficient transportation network in order to provide consistency with FLUE Goal 3 and Policy 1.2.6.

A JEA letter of service availability has been provided and is on file with the Planning and Development Department. The letter, dated September 30, 2020, identifies an existing 16-inch water main within the Garden Street right-of-way. Also, there is an 8-inch water line along Garden Street that is to be upsized to a 12-inch PVC. In addition an existing 12-inch sanitary sewer force main is present at the intersection of Garden Street and Imeson Road. The JEA Availability letter confirms the amendment's consistency with FLUE Policy 1.2.9.

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 site is located within the boundaries of the Northwest Jacksonville Vision Plan. There are no specific recommendations for this area within the Plan. However, under Theme 1 of the Plan, the plan recommends strengthening existing neighborhoods and creating new neighborhoods. The proposed residential development is an additional housing alternative thereby promoting Theme 1 of the Plan.

### **Strategic Regional Policy Plan**

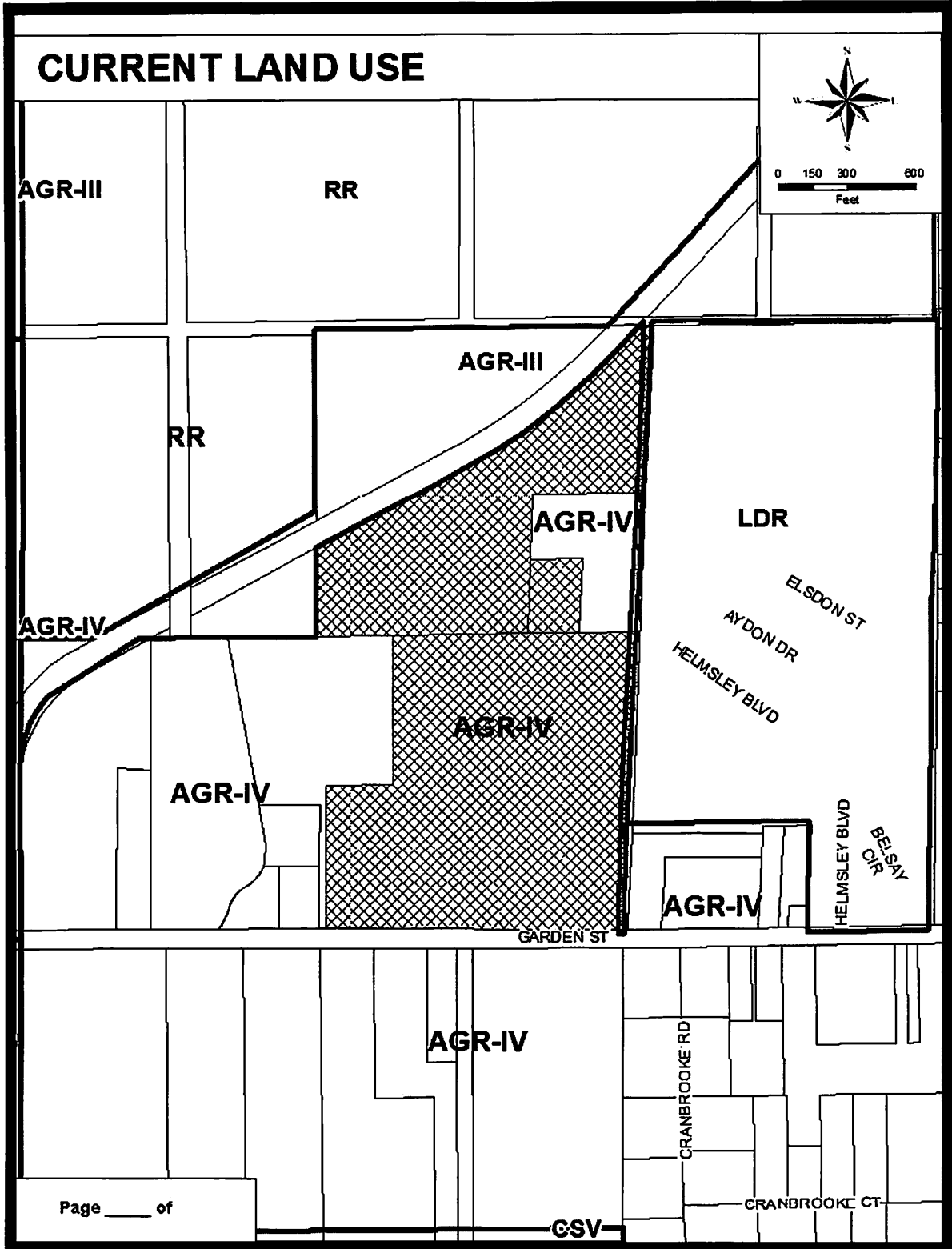
The proposed amendment is consistent with the following Policy of the Strategic Regional Policy Plan:

Objective: Housing options that provide choices to all of our residents and promote demographic and economic diversity as one way to ensure that our communities are viable and interesting places for the long term.

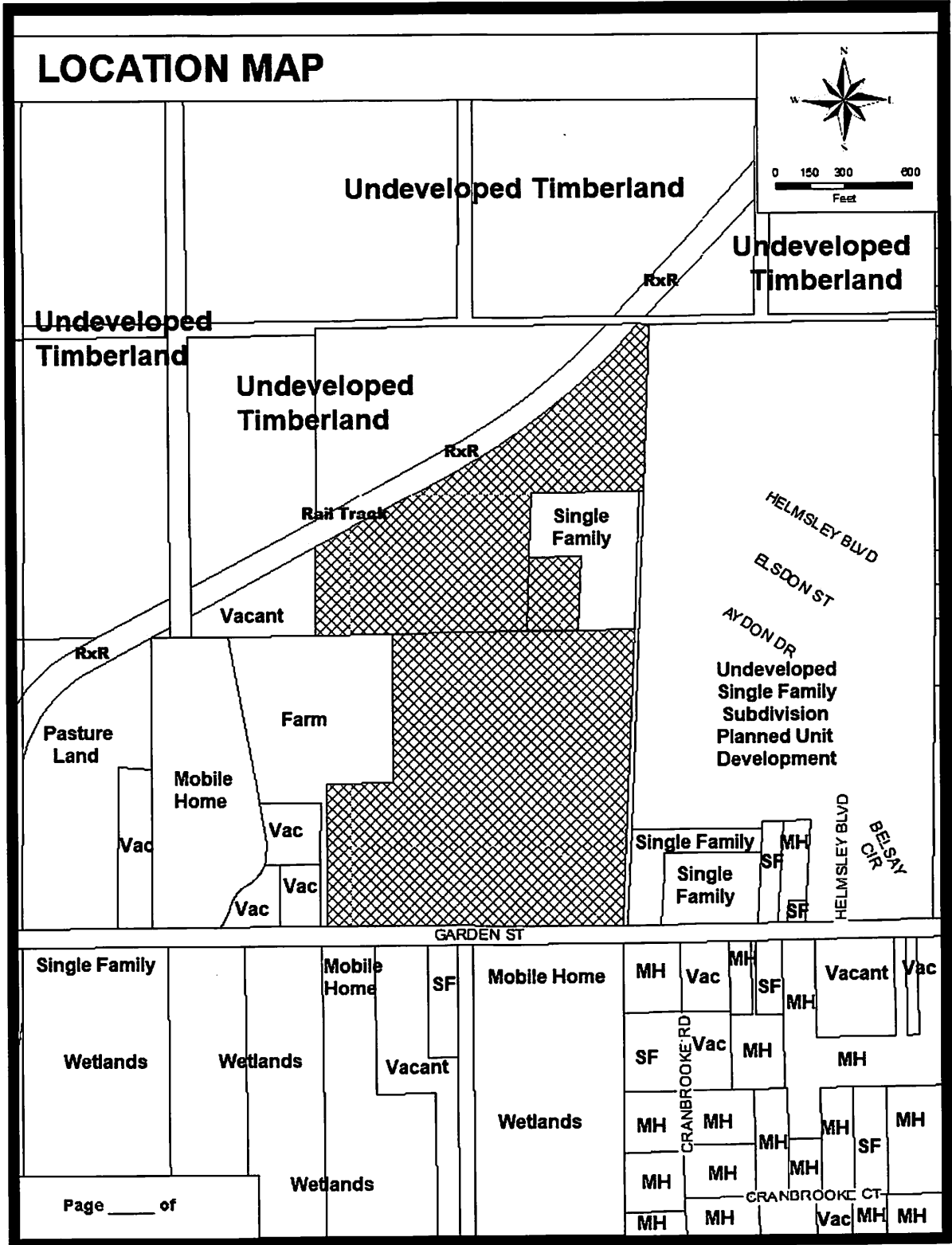
Policy 21: The Region supports diverse and sufficient housing stock to provide choices for all households, from single persons to extended families with children.

The proposed land use amendment would create a location for the development of new housing stock for the area. Therefore, the proposed amendment is consistent with Policy 21 of the Strategic Regional Policy Plan, Regional Health Element.

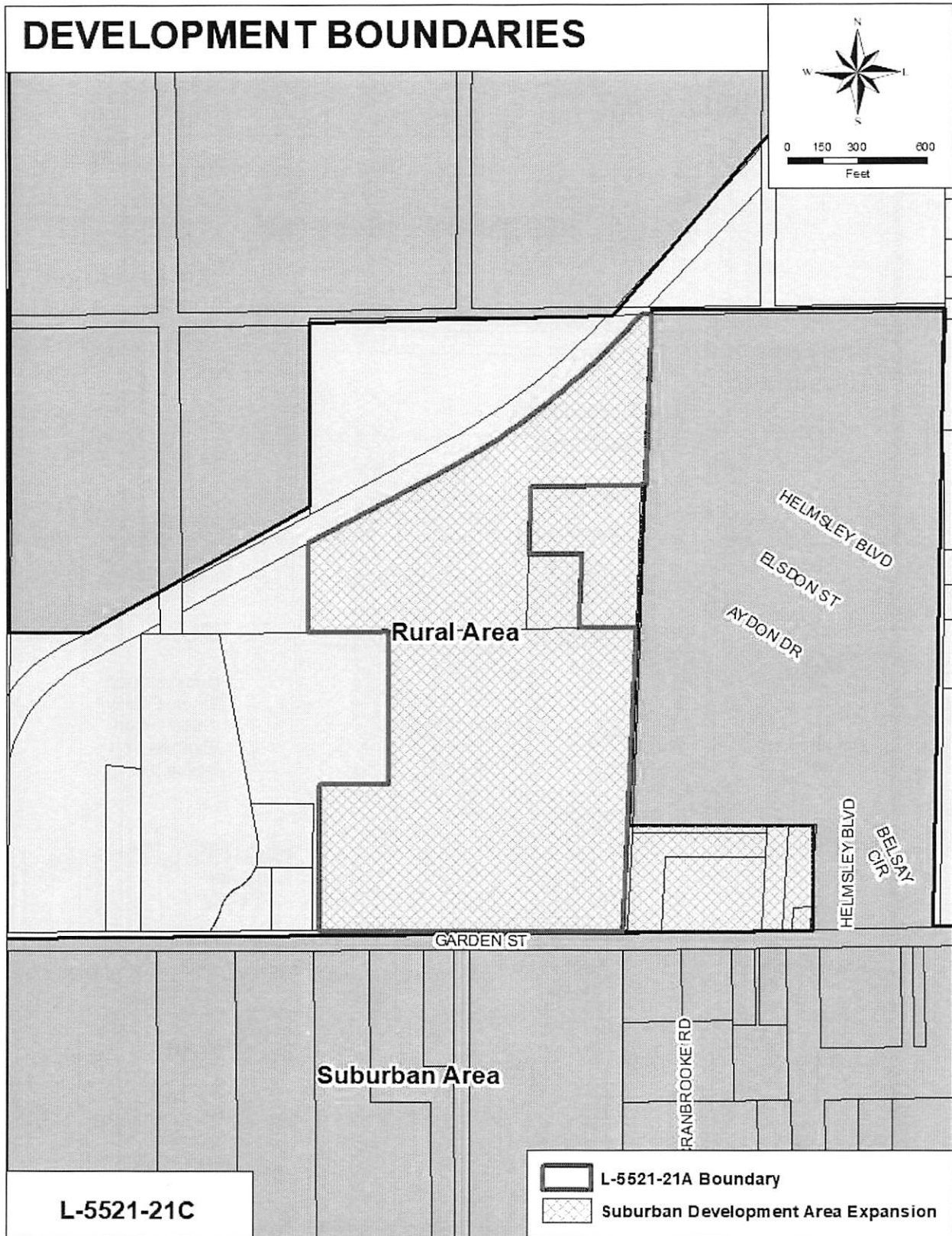
**LAND USE AMENDMENT MAP**



# LAND UTILIZATION MAP



# DEVELOPMENT BOUNDARY MAP





# APPLICANT'S JUSTIFICATION REGARDING THE SUBURBAN BOUNDARY EXTENSION



Hart Resources LLC

March 10, 2021

Edward D. Lukacovic  
City of Jacksonville  
214 N. Hogan Street  
Jacksonville, Florida 32202  
Sent via E-mail to lukacov@coj.net

RE: Request to Extend the Suburban Boundary

Dear Mr. Lukacovic:

This letter of request is to extend the Suburban Boundary for the property listed in application L-5521-21A located at 8475 Garden Street. The arguments in favor of extending the Suburban Boundary/Development area are listed below.

1. FLUE Policy 1.1.20B: "Expansion of Development Areas shall result in development that would be compatible with its surroundings."
  - a. The property is adjacent to the Summerglenn Development containing 211 single family lots (per PUD approved by 2020-0174-E).
  - b. This part of Jacksonville has seen continued growth and the development of this property will provide housing options to individuals employed in and around this area.
  - c. With the surrounding growth and expansion of new subdivisions in the area, water and sewer is available to the property (per JEA Letter of availability 2020-3206)
  - d. For the reasons stated above, the proposed development of the property and expansions of the Suburban Development Area to include the property is consistent with the surroundings.
2. FLUE 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."

1

8051 Tara Lane, Jacksonville, Florida 32216  
904-993-5008 • Fax 904-438-5070 • curtishart@hartresources.net

## **APPLICANT'S JUSTIFICATION REGARDING THE SUBURBAN BOUNDARY EXTENSION (CONTINUED)**

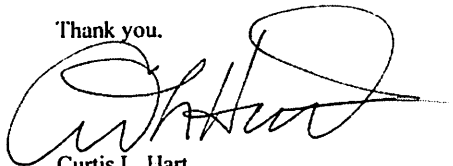
- a. According to COJ's website, "North Jacksonville continues to be one of the fastest growing areas of Jacksonville."
  - b. The surrounding area continues to see increased industrial and commercial development that will supply jobs to the area.
  - c. With the expansion of utilities in the area, this proposed project will provide additional housing that otherwise would not be available to those homeowners not wanting to be on well and septic.
  - d. This development would provide adequate choices for those residents and employees in the area.
3. FLUE Policy 1.1.21: "The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology."
- a. As noted, north Jacksonville is one of the fastest growing areas of Jacksonville, per the City of Jacksonville.
4. FLUE Policy 1.1.21: "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."
- a. As previously stated, this proposed project is adjacent to a single-family subdivision and would be consistent with the land development pattern in the area.
  - b. Furthermore, this would provide additional housing for those employed by the growing commercial and industrial uses in the area.
5. FLUE Policy 1.1.20B: "Expansion of the Development Areas shall result in development that would be compatible with its surroundings. When considering land areas to add to Development Areas, after demonstrating that a need exists in accordance with Policy 1.1.21, inclusion of the following areas is discouraged: (1) Preservation Project Lands; (2) Conservations Lands; (3) Agricultural Lands, except when development proposals include Master Planned Communities or developments within the Multi-Use Future Land Use Category, as defined in this element."
- a. As stated above, a need for this type of development exists.
  - b. This property is not Preservation Project Land.
  - c. This property is not Conservation Land.
  - d. This property is requesting a land use change from AGR-IV to LDR.
    - i. The property now has full urban services and facilities.
    - ii. Since the property has full urban services and facilities, concerns relating to infrastructure costs associated with "sprawl" and which underly the concept of Development Areas, are not present here.
6. FLUE Policy 1.1.20B: "The following areas are deemed generally appropriate for including Development Areas subject to conformance with Policy 1.1.21:"
- a. Land contiguous with the Development Area and which would be a logical extension of an existing urban scale and/or has a functional relationship to the development within the Development Area.

**APPLICANT'S JUSTIFICATION REGARDING THE SUBURBAN  
BOUNDARY EXTENSION (CONTINUED)**

- i. This property is adjacent to the Suburban Development area and forms a logical and expansion of the Suburban Development Area.
  - ii. Extending the Suburban Development Area will allow for the requested LDR land use to be consistent with the adjacent property to the east.
- b. Locations having projected surplus service capacity where necessary facilities and services can be readily expanded.
  - i. As stated earlier, JEA has confirmed available capacity for the proposed development.
- c. Public water and sewer service exists within one-half mile of the site.
  - i. There is public water and sewer service within one-half mile of the site.
- d. Large Scale Multi-Use developments and Master Planned Communities which are designed to provide for the internal capture of daily trips for work, shopping, and recreational activities.
  - i. This property is not a Multi-Use development but it is intended to provide additional housing options for those employed in the area, therefor reducing trips of those employees who travel outside of the area for housing.

For the reasons state above, please accept this letter of request to extend the Suburban Development Area.

Thank you.



Curtis L. Hart  
Hart Resources, LLC