

# City of Jacksonville, Florida

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*Donna Deegan, Mayor*

City Hall at St. James  
117 W. Duval St.  
Jacksonville, FL 32202  
(904) 630-CITY  
www.coj.net

August 17, 2023

The Honorable Ronald B. Salem, Pharm. D., President  
The Honorable Kevin Carrico, LUZ Chair  
And Members of the City Council  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report / Ordinance No. 2023-419/Application No. L-5835-23C**

Dear Honorable Council President Salem, Honorable Council Member and LUZ Chairman Carrico and Honorable Members of the City Council:

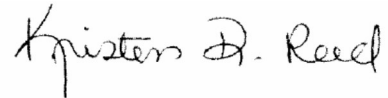
Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **APPROVED** Ordinance 2023-419 on August 17, 2023.

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

|                           |        |
|---------------------------|--------|
| Alexander Moldovan, Chair | Aye    |
| Ian Brown, Vice-Chair     | Aye    |
| Jason Porter, Secretary   | Absent |
| Marshall Adkison          | Absent |
| Daniel Blanchard          | Aye    |
| David Hacker              | Aye    |
| Morgan Roberts            | Aye    |

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 "Kristen D. Reed". The signature is written in a cursive style with a large initial 'K'.

Kristen D. Reed, AICP  
Chief of the 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**

**Small-Scale Future Land Use Map Amendment – August 11, 2023**

**Ordinance/Application No.:** 2023-419/ L-5835-23C

**Property Location:** 0 US Highway 301 South, between Interstate 10 and Fiftone Road

**Real Estate Number(s):** a portion of 000982-3000

**Property Acreage:** 5.00 acres

**Planning District:** District 4, Southwest

**City Council District:** District 12

**Applicant:** Fred Atwill

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

**Proposed Land Use:** Community/General Commercial (CGC)

**Current Zoning:** Agriculture (AGR)

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

**Development Boundary:** Rural Area

**RECOMMENDATION: APPROVE**

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

I-10 & U.S. Route 301 Interchange redevelopment coming on line combined with the planned development of the MU property located directly across U.S. Route 301 makes this property’s location ready for commercial support development to augment the county’s southerly growth along the U.S. 301 corridor.

**BACKGROUND**

The 5.0 acre subject site is undeveloped and located along the east side of U.S. Highway 301 South, a principal arterial road, south of Interstate 10 (I-10), between I-10, a limited access interstate, and Fiftone Road, an unclassified road. The applicant is proposing a Future Land Use Map (FLUM) amendment from Agriculture (AGR) to Community/General Commercial (CGC) to allow for commercial development. The applicant is also proposing a companion rezoning from Agriculture (AGR) to Commercial Community / General

(CCG-1), which is pending concurrently with this application, pursuant to Ordinance 2023-420.

There has been one land use change near the subject site. A 7,002.25 acre site, located across Highway 301 from the subject site was amended from Agriculture (AGR) I, II, and III to MU with Site Specific Future Land Use Element (FLUE) Policy 4.3.20, pursuant to Ordinance 2021-302-E. The site is currently undeveloped, however, the amendment allows the development of a specific mix of uses which are mostly residential, but also include commercial, office, and industrial uses.

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

North: Land Use: Heavy Industrial (HI), AGR  
 Zoning: Industrial Heavy (IH), AGR  
 Property Use: CSX Railroad, Undeveloped, Interstate 10

South: Land Use: AGR  
 Zoning: AGR  
 Property Use: CSX Railroad, Undeveloped

East: Land Use: AGR  
 Zoning: AGR  
 Property Use: CSX Railroad, Undeveloped

West: Land Use: AGR, MU  
 Zoning: AGR, Planned Unit Development (PUD)  
 Property Use: Utility, 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**

| <b>Development Analysis</b>                  |   |                         |
|--|---|-------------------------|
| Development Boundary                         | Rural Area  |                         |
| Roadway Frontage Classification / State Road | US Highway 301 South (US-301) – Principal Arterial Road |                         |
| Plans and/or Studies                         | Southwest Vision Plan                                   |                         |
| Site Utilization                             | Current:<br>Undeveloped                                 | Proposed:<br>Commercial |

| <b>Development Analysis</b>                   |  |   |
|---|--|---|
| Land Use / Zoning                             | Current:<br>AGR / AGR  | Proposed:<br>CGC / CCG-1  |
| Development Standards for Impact Assessment   | Current:<br>1 DU per 2.5 Acres   | Proposed:<br>Scenario 1: 100% Commercial at 0.35 FAR<br>Scenario 2: 100% Residential at 15 DUs / Acre |
| Development Potential                         | Current:<br>2 DUs  | Proposed:<br>Scenario 1: 76,230 sq. ft.<br>Scenario 2: 75 DUs   |
| Net Increase/Decrease in Maximum Density      | Scenario 1: Decrease of 2 DUs<br>Scenario 2: Increase of 73 DUs                                      |   |
| Net Increase/Decrease in Potential Floor Area | Scenario 1: Increase of 76,230 Sq. Ft.<br>Scenario 2: No increase or decrease.                       |   |
| Population Potential                          | Current:<br>5 people   | Proposed:<br>Scenario 1: Not applicable<br>Scenario 2: 176 people                                     |
| <b>Special Designation Areas</b>              |  |   |
| Aquatic Preserve                              | No   |   |
| Evacuation Zone                               | No   |   |
| Airport Environment Zone                      | No   |   |
| Industrial Preservation Area                  | No   |   |
| Cultural Resources                            | No   |   |
| Archaeological Sensitivity                    | Low  |   |
| Historic District                             | No   |   |
| Coastal High Hazard Area                      | No   |   |
| Adaptation Action Area                        | No   |   |
| Groundwater Aquifer Recharge Area             | 0-4 inches   |   |
| Wellhead Protection Zone                      | No   |   |
| Boat Facility Siting Zone                     | No   |   |
| Brownfield                                    | No   |   |
| <b>Public Facilities</b>                      |  |   |
| Potential Roadway Impact                      | Scenario 1: Increase of 3,069 net new daily trips<br>Scenario 2: Increase of 487 net new daily trips |   |
| Potential Public School Impact                | 17 new students  |   |
| Water Provider                                | JEA (per application) – No JEA service within ¼ mile   |   |
| Potential Water Impact                        | Scenario 1: increase of 3,279 gallons per day  |   |

| <b>Development Analysis</b>                          |   |
|--|---|
|  | Scenario 2: increase of 17,093 gallons per day  |
| Sewer Provider                                       | JEA (per application) – No JEA service within ¼ mile  |
| Potential Sewer Impact                               | Scenario 1: increase of 2,459 gallons per day<br>Scenario 2: increase of 12,820 gallons per day |
| Potential Solid Waste Impact                         | Scenario 1: decrease of 116 tons per year<br>Scenario 2: increase of 189 tons per year          |
| Drainage Basin/Sub-basin                             | Brady / Yellow Branch / Deep Creek  |
| Recreation and Parks                                 | Loblolly Mitigation Preserve  |
| Mass Transit Access                                  | Not applicable  |
| <b>Natural Features</b>                              |   |
| Elevations   | 84-87 feet  |
| Land Cover   | 4430: Forest Regeneration<br>6430: Wet prairie<br>6463: Mixed Scrub-shrub wetland               |
| Soils  | 51: Pelham Fine Sand  |
| Flood Zones  | No  |
| Wetlands   | Category III  |
| Wildlife (applicable to sites greater than 50 acres) | Not applicable  |

**Utility Capacity**

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

The applicant has provided a JEA Availability Letter, dated May 22, 2023, as part of the companion rezoning application. According to the letter, there is an existing 16-inch water main along Normandy Boulevard, approximately 13,500 feet east of 301. There is an existing 16-inch sewer force main along Normandy Boulevard, approximately 18,500 feet east of 301. The letter also lists special sewer connection conditions, including the requirement of a privately owned and maintained pump station and a JEA dedicated forcemain, provided that no units will be platted or sold fee simple.

JEA does not provide water or sewer services within ¼ of a mile of the subject site.

**Transportation**

**Background Information:**

The subject site is 5.0 acres and is accessible from US 301 Hwy S, a FDOT Principal Arterial. The proposed land use amendment is located within the Rural Development Area

and Mobility Zone 6. The applicant proposes to change the existing land use from Agriculture (AGR) to Community/Commercial General (CGC).

**Comprehensive Plan Consistency:**

The Trip Generation Analysis is consistent with most recent version of the Transportation Element (TE) of the City of Jacksonville Comprehensive Plan (TE Objective 2.4 and Policies 1.2.1 and 2.4.2).

Transportation Element

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

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

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

**Trip Generation Estimation:**

Table A provides the daily trip generation comparison between the current and proposed comprehensive plan land uses and the potential transportation impacts on the roadway network. The current land use would result in 19 daily trips. If the land use is amended to allow for this proposed CGC development, this will result in 3,088 or 506 daily trips.

**Transportation Planning Division RECOMMENDS the following:**

The difference in daily trips for the proposed land use amendment will result in 3,069 or 487 net new daily trips when compared to the existing land use. US 301 Hwy S is subject to FDOT review and access management requirements. The Transportation Planning Division recommends ongoing coordinating efforts with the City of Jacksonville Traffic Engineer and FDOT to determine if a traffic operational analysis is needed.

**Table A**  
**Trip Generation Estimation Scenarios**

| Current Land Use Scenario    | ITE Land Use Code | Potential Number of Units | Estimation Method   | Gross Trips                                 | Less Pass-By Trips | Daily Trips  |
|------------------------------|-------------------|---------------------------|---------------------|---|--------------------|--------------|
| AGR                          | 210               | 2 SF DUs                  | T = 9.43 (X)        | 19  | 0                  | 19           |
|                              |                   |                           |                     | <i>Existing Scenario Total</i>              |                    | <b>19</b>    |
| Proposed Land Use Scenario 1 | ITE Land Use Code | Potential Number of Units | Estimation Method   | Gross Trips                                 | Less Pass-By Trips | Daily Trips  |
| CGC                          | 821               | 76,230 SF                 | T = 67.52 (X) /1000 | 5,147                                       | 2,059              | 3,088        |
|                              |                   |                           |                     | <i>Proposed Scenario 1 Total</i>            |                    | <b>3,088</b> |
| Proposed Land Use-Scenario 2 | ITE Land Use Code | Potential Number of Units | Estimation Method   | Gross Trips                                 | Less Pass-By Trips | Daily Trips  |
| CGC                          | 220               | 75 MF DUs                 | T= 6.74 (X)         | 506   | 0                  | 506          |
|                              |                   |                           |                     | <i>Proposed Scenario 2 Total</i>            |                    | <b>506</b>   |
|                              |                   |                           |                     | <b>Scenario 1 Difference in Daily Trips</b> |                    | <b>3,069</b> |
|                              |                   |                           |                     | <b>Scenario 2 Difference in Daily Trips</b> |                    | <b>487</b>   |

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

### School Impacts

Based on the impact assessment standards detailed in FLUE Policy 1.2.16, the 5.0 acre proposed land use map amendment has a development potential of 75 dwelling units. The proposed development was analyzed in accordance with the adopted level of service standards (LOS) for school capacity as established in the Interlocal Agreement (ILA) and the Public Schools and Facilities Element. The ILA was entered into in coordination with the Duval County Public School System (DCPS) and the other municipalities within Duval County.

School concurrency LOS is the methodology used to analyze and to determine whether there is adequate school capacity for each school type (elementary, middle, and high school) to accommodate a proposed development. The LOS (105% of permanent capacity) is based on Concurrency Service Areas (CSAs), not the closest school in the area for elementary, middle and high schools, as well as on other standards set forth in the City of Jacksonville School Concurrency Ordinance.

In evaluating the proposed residential development for school concurrency, the following results were documented:



Application Review Request: COJ P/Ds: School Impact Analysis  
 Proposed Name: L-5835-23C US HWY 301  
 Requested By: Ed "Luke" Lukacovic  
 Reviewed By: W. Randall Gallup  
 Date: 7/23/2023

Analysis based on maximum dwelling units: 25

| School Type        | CSA <sup>1</sup> | 2022-23 Enrollment/CSA | Current Utilization (%) | New Student/Development <sup>2</sup> | 5-Year Utilization (%) | Available Seats - CSA <sup>3</sup> | Available Seats - Adjacent CSA 1 & 2 |
|--------------------|------------------|------------------------|-------------------------|--------------------------------------|------------------------|------------------------------------|--------------------------------------|
| Elementary         | 8                | 5,666                  | 75%                     | 9                                    | 83%                    | 2,144                              | 4,805                                |
| Middle             | 7                | 1,018                  | 71%                     | 3                                    | 79%                    | 335                                | 98                                   |
| High               | 8                | 2,697                  | 89%                     | 5                                    | 84%                    | 284                                | 2,260                                |
| Total New Students |                  |                        |                         | 17                                   |                        |                                    |                                      |

**NOTES:**

<sup>1</sup> Proposed Development's Concurrently Service Area (CSA)

<sup>2</sup> Student Distribution Rate

ES-125

MS-051

HS-074

The Student Distribution Rate is calculated for each school type by dividing the total number of public school students enrolled in that school type in Duval County (104,757) by the number of total permitted housing units (418,708) for the same year, generating a yield of 0.250.

<sup>3</sup> Available CSA seats include current reservations

The available seats in the CSA and adjacent CSAs include concurrency reservations.

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

#### Public School Facilities Element

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

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

Objective 3.1 Adopted Level of Service (LOS) Standards  
Through the implementation of its concurrency management systems and in coordination with the DCPS, the City shall ensure that the capacity of schools is sufficient to support new residential developments at the adopted level of service (LOS) standards within the period covered in the five-year schedule of capital improvements and the long range planning period. These standards shall be consistent with the Interlocal Agreement agreed upon by the DCPS, the City and the other municipalities. Minor deviations to the LOS standards may occur, so long as they are limited, temporary and with scheduled capacity improvements, school capacity is maximized to the greatest extent feasible.

Policy 3.1.1 The LOS standards set forth herein shall be applied consistently for the purpose of implementing school concurrency, including determining whether sufficient school capacity exists to accommodate a particular development application, and determining the financial feasibility of DCPS Five-Year Capital Facilities Plan and the City's Capital Improvement Plan.

#### Supplemental School Information:

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

Application Review Request: COJ PDD: Baseline Checklist Review

Proposed Name: L-5835-23C US HWY 301

Requested By: Ed "Luke" Lukacovic

Reviewed By: W. Randall Galtup

Due: 7/23/2023

Analysis based on maximum dwelling units: 75

| SCHOOL <sup>1</sup>     | CSA | STUDENTS<br>GENERATED<br>(Rounded) <sup>2</sup> | SCHOOL CAPACITY <sup>3</sup><br>(Permanent/Portables) | CURRENT<br>ENROLLMENT<br>20-Day Count<br>(2022/23) | % OCCUPIED | 4 YEAR<br>PROJECTION |
|-------------------------|-----|---|---|--|------------|----------------------|
| Marnie Auges Jones #236 | 8   | 9   | 455   | 419  | 92%        | 89%                  |
| Baldwin Middle/High     | 7   | 3   | 432   | 594  | 138%       | 125%                 |
| Baldwin Middle/High     | 8   | 5   | 572   | 787  | 138%       | 125%                 |
|                         |     | 17  |   |  |            |                      |

NOTES:

<sup>1</sup> Attendance school may not be in proposed development's Concurrency Service Area (CSA).

<sup>2</sup> Student Distribution Rate

ES-125

MS-051

HS-074

0.250

The Student Distribution Rate is calculated for each school type by dividing the total number of public school students enrolled in that school type in Duval County (104,757) by the number of total permitted housing units (418,708) for the same year, generating a yield of 0.250.

<sup>3</sup> Does not include ESE & room exclusions

### **Archaeological Sensitivity**

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low sensitivity for the presence of archaeological resources. 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 1.2.5 The Planning and Development Department shall maintain and update for planning and permitting purposes, a series of GIS data layers and maps depicting recorded archaeological sites, historic districts and local landmarks.

### **Wetlands**

Review of City data indicates the potential existence of wetlands on the subject site and as such, based upon the city's geographic information data, the Planning and Development Department has determined the general location, type(s), size, quality and functional value of all wetlands located within the boundaries of the application site. Based on the information noted below, the proposed amendment is consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

### Wetlands Characteristics:

Approximate Size: 2.43 acres

General Location(s): The wetlands are located in two isolated pockets of the application site. One pocket (0.41 of an acre) is located at the northwest corner of the application site and other pocket (2.02 acres) is located at the center area of the subject property.

Quality/Functional Value: The wetlands have a medium functional value for water filtration attenuation and flood water capacity due to their isolation, size and having an indirect impact on the City's waterways.

Soil Types/ Characteristics: (82) Pelham fine sand, depressional, 0 to 2% slopes – The Pelham series consists of nearly level, very drained soils. They formed in thick deposits of sandy and loamy marine sediments. They are located in depressions and the soil is moderately permeable. The high-water table is generally less than 12 inches to near the soil surface.

Wetland Category: Category III

Consistency of

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

Environmental Resource Permit (ERP): Not provided by the applicant and none according to the St. Johns River Water Management District web site.

Wetlands Impact: None anticipated at this time.

Associated Impacts: None.

Relevant Policies: CCME Policies 4.1.3 and 4.1.6

Conservation /Coastal Management Element (CCME)

Policy 4.1.3

The following performance standards shall apply to all development, except public utilities and roadways, permitted within Category I, II, and III wetlands:

(a) Encroachment

Encroachment in Category I, II, or III wetlands is the least damaging and no practicable on-site alternative exists; and

(b) No net loss

Development is designed and located in such a manner that there is no net loss to the wetland functions including but not limited to:

- i the habitat of fish, wildlife and threatened or endangered species,
- ii the abundance and diversity of fish, wildlife and threatened or endangered species,
- iii the food sources of fish and wildlife including those which are threatened or endangered,
- iv the water quality of the wetland, and
- v the flood storage and flood conveyance capabilities of the wetland; and

(c) Floodplain protection

Buildings are built at an elevation of sufficient height to meet the designated flood zone standards as set forth by the Federal Emergency Management Agency. The design must be in conformance with Chapter 652 (Floodplain Regulations) of the Ordinance Code; and

(d) Stormwater quality

In the design and review of developments which will discharge stormwater into the Category I, II, or III wetlands the following performance standards shall be used to protect water quality:

- i Issuance of a Management and Storage of Surface Waters permit pursuant to Chapter 40C-4 or 40C-40, F.A.C. or a stormwater permit issued pursuant to Chapter 40C-42, F.A.C., provides assurances necessary for compliance with subsections (i) - (iv) above provided the stormwater management system is constructed in accordance with the permit; and
  - ii Regular monitoring and maintenance program on an annual basis for the performance of stormwater treatment systems
- (e) **Septic tanks**  
 Septic tanks, drainfields and/or greywater systems are located outside the Category I, II, or III wetland area and not within 75 feet of the mean high water line of tidal bodies or within 75 feet of any wetland unless the Duval County Health Department grants a variance for a hardship case pursuant to the provisions of Section 381.0065, F.S. Where public utilities are available, development is required to connect to these facilities; and
- (f) **Hydrology**  
 The design of the fill shall include measures to maintain the wetlands hydrology of the site.

**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.

### **Aquifer Recharge**

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

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

- Policy 1.2.3 The City shall continue to coordinate with the SJRWMD and utilize the best available resources and information including the latest update of the Floridan Aquifer Recharge GIS grid coverage to protect the functions of the natural groundwater aquifer recharge areas and to discourage urban sprawl.
- Policy 1.2.7 Within two years of establishment by the SJRWMD and the Water Resources Management Plan of prime recharge areas for the Floridan Aquifer, the Planning and Development Department shall prepare maps of such designated areas showing the special zoning and land use consideration the City has established for such areas as designated by the latest update of the Floridan Aquifer Recharge GIS grid coverage.

### **PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on July 31, 2023, the required notices of public hearing signs were posted. Eight (8) 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 July 31, 2023. No members of the public attended to speak on the proposed amendment.

# **CONSISTENCY EVALUATION**

## **Consistency with 2045 Comprehensive Plan Goals, Objectives and Policies**

### Future Land Use Element (FLUE)

#### *Development Area*

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

Goal 1                      To ensure that the character and location of land uses optimize the combined potentials for economic benefit, enjoyment, wellness and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

Policy 1.1.21              Rezoning and amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business with the intent that this balance of uses shall:

A.              Foster vibrant, viable communities and economic development opportunities;

B.              Address outdated development patterns; and/or

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

The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be



- limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.
- Goal 3 To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.
- Objective 3.2 Promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.
- Policy 3.2.1 The City shall encourage development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

Property Rights Element (PRE)

- Goal 1 The City will recognize and respect judicially acknowledged and constitutionally protected private property rights in accordance with the Community Planning Act established in Chapter 163, Florida Statutes.
- Objective 1.1 Local decision making shall be implemented and applied with sensitivity for private property rights and shall not be unduly restrictive.
- Policy 1.1.1 The City will ensure that private property rights are considered in local decision making.
- Policy 1.1.2 The following rights shall be considered in local decision making:
1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
  2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
  3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
  4. The right of a property owner to dispose of his or her property through sale or gift.

According to the Future Land Use Element (FLUE), Agriculture (AGR) is intended to provide for agricultural uses and to preserve the existing rural character of outlying areas of the City. Most AGR lands are located in the Rural Area of the City where full urban services and facilities will not be provided by the City during the planning time frame.

Accordingly, the principal activities allowed in these categories are agriculture and related uses, such as farming, horticulture, forestry and logging, storage, processing and wholesale distribution of farm supplies and products, and other resource dependent uses. In order to preserve the rural character of these areas, residential uses are permitted at very low densities.

Community/General Commercial (CGC) is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. Plan amendment requests for new CGC designations are discouraged in the Rural Area because they would potentially encourage urban sprawl.

The applicant is proposing a change from AGR to CGC to allow for commercial development of the property. While the locational criteria of the CGC land use category states that amendments within the Rural Area should be discouraged, the subject site is located along a 4-lane divided highway that is classified as a principal roadway. Additionally, the subject site is located approximately 1 mile south of the Interstate-10 (I-10) and US-301 Interchange, which is an existing commercial area. The proposed amendment offers an expansion of the commercial node extending from the interchange. As defined in the FLUE, development within the rural development area may occur within the Rural Area providing that it is consistent with the Operational Provisions and the Land Use Category Descriptions. The proposed amendment meets the intent of the CGC land use category description to provide commercial development which serves large areas and a diverse set of neighborhoods in the form of nodes and corridors.

The proposed amendment offers an expansion of the commercial node extending from the interchange of I-10 and US-301 and along the US 301 corridor. The node is presently precluded from commercial expansion to the north of the subject site, due to the CSX railyard, which is located within the HI land use category between the subject site and I-10. The proposed amendment would offer the opportunity for commercial development to support the nearby industrial and residential uses. Therefore, the amendment is consistent with FLUE Goals 1 and 3, Objective 3.2, and Policies 1.1.21 and 3.2.1.

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 application site lies within the Southwest Jacksonville Vision Plan. While the plan makes no specific recommendation for the subject site, it provides several themes that include broad recommendations for implementation. Theme 5, "Connect centers with greenways, open spaces, parks, and alternative transportation amenities", encourages activity at intersections. The proposed amendment would allow for commercial

development located within one mile of the intersection of Interstate 10 and US 301, a limited access highway and a major arterial road, respectively.

### **Strategic Regional Policy Plan**

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

Policy 4: The Region supports strategies identified by the Regional Community Institute as they worked on First Coast Vision, including:

- Maintenance of a diversity of land use in the Region.

The proposed amendment would allow for an increase in opportunities for commercial development, maintaining the diversity of land use types in the Northeast Florida region. Therefore, the proposed amendment is consistent with the Strategic Regional Policy Plan.

**LAND USE AMENDMENT**  
**FIELD / LOCATION / CURRENT LAND USE MAP**

