

City of Jacksonville, Florida

Lenny Curry, Mayor

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

May 4, 2023

The Honorable Terrance Freeman, 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. 2023-201/Application No. L-5783-22C

Dear Honorable Council President Freeman, 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 2023-201 on May 4, 2023.

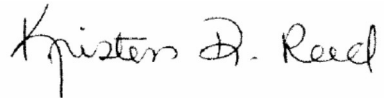
P&DD Recommendation	APPROVE
PC Issues:	None
PC Vote:	6-0 APPROVE

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

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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 Community Planning Division
City of Jacksonville - Planning and Development Department
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Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment – April 14, 2023

Ordinance/Application No.: 2023-201 / L-5783-22C

Property Location: 0 Broward Road, 0 Clark Road between Belleshore Circle and Interstate Center Drive

Real Estate Number(s): 020691-0020; 020696-0010; and 022163-0000

Development Area: Suburban Development Area

Property Acreage: 12.21 acres

Planning District: District 6, North

City Council District: Council District 8

Applicant: Curtis Hart

Current Land Use: Low Density Residential (LDR) (12.10 acres)
Community/General Commercial (CGC) (0.11 acre)

Proposed Land Use: Medium Density Residential (MDR) (8.57 acres)
Conservation (CSV) (3.64 acres)

Current Zoning: Residential Low Density - 60 (RLD-60) (12.10 acres)
Commercial Community/General – 1 (CCG-1) (0.11 acre)

Proposed Zoning: Residential Medium Density – D (RMD-D)
(8.57 acres)
Conservation (CSV) (3.64 acres)

RECOMMENDATION: APPROVE

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

The property is adjacent to MDR. The proposed land use change to MDR would be consistent and compatible with the surrounding area.

BACKGROUND

The 12.21 acre subject site is located on the north side of Broward Road and approximately 1/3 of a mile west of the corner of Interstate-95 and Clark Road. According to the City’s Functional Highways Classification Map, Broward Road is a collector road.

The southeast side of the site abuts a tributary of the Trout River. This portion contains Category I wetlands that are designated to be put into conservation. This area of the subject site contains environmentally sensitive lands as it contains salt marsh and riverine wetlands and is almost entirely in the Coastal High Hazard Area (CHAA) and the AE flood zone. Property southwest of the subject site was put in conservation in 2021 pursuant to ordinances 2021-338-E and 2021-337-E.

Other recent land use changes in the area include a land use change from CGC to MDR on approximately 5 acres of land south-southeast of the subject site pursuant to Ordinance 2021-413-E, and a similar change of an approximately 5-acre site from CGC to MDR south of the subject site, across Broward Road, pursuant to Ordinance 2021-68-E.

The applicant is proposing an amendment to the Future Land Use Map series (FLUMs) from Low Density Residential (LDR) and Community/General Commercial (CGC) to Medium Density Residential (MDR) and Conservation (CSV), with a companion rezoning application from Residential Low Density-60 (RLD-60) and Commercial Community/General – 1 (CCG-1) to Residential Medium Density – D (RMD-D) and Conservation (CSV). Ordinance 2023-202 is pending concurrently with this application.

The property is currently undeveloped land surrounded by a mix of uses. More specific uses along with the zoning and land use categories are listed below.

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

North: Land Use: LDR, Public Buildings and Facilities (PBF)
Zoning: RLD-60, Public Buildings and Facilities – 2 (PBF-2), and Planned Unit Development (PUD)
Property Use: Retention pond, charter school, single-family residential

South: Land Use: CSV, CGC and MDR
Zoning: CSV, RMD-D, and CCG-1
Property Use: Commercial, undeveloped

East: Land Use: CGC, MDR, Business Park (BP)
Zoning: PUD, CCG-1, Industrial Business Park (IBP), and RMD-D
Property Use: Commercial, undeveloped

West: Land Use: LDR and CSV
Zoning: RLD-60 and CSV
Property Use: Retention pond, single-family residential

IMPACT ASSESSMENT

Potential impacts of a proposed land use map amendment have been analyzed by comparing the Development Impact Standards for the subject site’s existing vs. proposed land use categories unless maximum density/intensity is noted on the Annotated FLUM or is in a site specific policy. Development Impact Standards are detailed in FLUE Policy 1.2.16, *Development Standards for Impact Assessment*. These standards produce development potentials as shown in this section.

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

Land Use Amendment Impact Assessment - Application Number L-5783-22C

Development Analysis 12.21 Acres / 531,867 sq. ft.		
Development Boundary	Suburban Development Boundary	
Roadway Frontage Classification / State Road	Broward Rd. – Collector	
Plans and/or Studies	North Jacksonville Vision Plan	
Site Utilization	Current: Vacant	Proposed: Residential
Land Use / Zoning	Current: LDR (12.10 acres) and CGC (0.11 acre) / RLD-60 and CCG-1	Proposed: MDR (8.57 acres) and CSV (3.64 acres) / RMD-D and CSV
Development Standards for Impact Assessment	Current: LDR: 5 DU / Acre CGC: Scenario 1: 0.35 FAR Scenario 2: 20% @ 0.35 FAR, 80% @ 15 DU/Acre	Proposed: LDR: 15 DU / Acre CSV: No Impacts
Development Potential	Current: Scenario 1: 60 SF DU and 1,677 sq. ft commercial Scenario 2: 60 SF DU, 1 MF DU, and	Proposed: 128 MF DU

Development Analysis		12.21 Acres / 531,867 sq. ft.	
		335 sq. ft. commercial	
Net Increase or Decrease in Maximum Density	Scenario 1: Increase of 68 DU Scenario 2: Increase of 67 DU		
Net Increase or Decrease in Potential Floor Area	Scenario 1: Decrease of 1,677 sq. ft. Scenario 2: Decrease of 335 sq. ft.		
Population Potential	Current: Scenario 1: 159 people Scenario 2: 161 people	Proposed: 300 People	
Special Designation Areas			
Aquatic Preserve	No		
Septic Tank Failure Area	No		
Evacuation Zone	Evacuation Zone A		
Airport Environment Zone	No		
Industrial Preservation Area	No		
Cultural Resources	None		
Archaeological Sensitivity	High and Medium		
Historic District	No		
Coastal High Hazard	Yes, proposed to go to CSV Land Use		
Adaptation Action Area	Yes (100%)		
Groundwater Aquifer Recharge Area	Discharge		
Wellhead Protection Zone	No		
Boat Facility Siting Zone	MPP – Unacceptable (1 dock per 100')		
Brownfield	No		
Public Facilities			
Potential Roadway Impact	Scenario 1: 381 net new daily trips Scenario 2: 413 net new daily trips		
Potential Public School Impact	31 Students		
Water Provider	JEA		
Potential Water Impact	Scenario 1: Increase of 14,036 gpd Scenario 2: Increase of 13,868 gpd		
Sewer Provider	JEA		
Potential Sewer Impact	Scenario 1: Increase of 10,527 gpd Scenario 2: Increase of 10,401 gpd		
Potential Solid Waste Impact	Scenario 1: Increase of 174 tons per year Scenario 2: Increase of 174 tons per year		
Drainage Basin/Sub-basin	Trout River (both)		
Recreation and Parks	Bert Maxwell Boat Ramp (0.75 miles)		
Mass Transit Access	0.4 miles – Route 1, stop 3229		
Natural Features			
Elevations	10' to 0', (sloping down from northwest to southeast)		

Development Analysis		12.21 Acres / 531,867 sq. ft.
Land Cover	1400: Commercial and Services 4110: Pine Flatwoods 6300: Wetland Forested Mixed 6420: Saltwater Marshes	
Soils	58: Pottsburg fine sand, high, 0-3 % slopes 68: Tisonia mucky peat, 0 to 1% slopes, very frequently flooded	
Flood Zones	AE and 0.2 % chance	
Wetlands	Yes – Cat 1 – 2.96 Acres	
Wildlife (applicable to sites greater than 50 acres)	N/A	

Utility Capacity

The calculations to determine the water and sewer flows contained in this report and/or this spreadsheet have been established by the City of Jacksonville Planning and Development Department and have been adopted by JEA solely for 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 November 26, 2019, identifies an existing 16-inch water within the Broward Road right-of-way, adjacent to the property. JEA provided that the location will need to be field verified by the developer during project design. Lot will require water main construction in right-of-way and individual water services. Connection to the proposed point of connection is contingent upon inspection and acceptance of the mains by JEA. JEA must approve construction and accept the lines prior to meter issuance.

There are two sewer connections identified in the letter of availability. Connection point 1 is an existing 8-inch gravity sewer main within the Belleshore Circle right-of-way, approximately 650 feet northwest of the property. Connection point 2 is an existing 16-inch sewer force main within the Broward Road right-of-way, adjacent to the property. JEA provided that the point of connection location is to be field verified by the developer during project design. Connection to the proposed point of connection is contingent upon inspection and acceptance of the mains by JEA. Each lot will require sewer main construction in right-of-way and individual laterals. If gravity flow cannot be achieved, then the sewer point of connection cannot be utilized unless written approval from the JEA Alternative Connection Committee is granted. Connection to the JEA owned sewer system for the project may require the design and construction of an onsite, JEA owned and maintained pump station, and a JEA dedicated force main with a minimum 4-inch diameter.

Transportation

The subject site is 12.21 acres and is accessible from Broward Rd, a collector facility. The proposed land use amendment is located within the Suburban Development Area and Mobility Zone 4. The applicant proposes to change the existing land use from Community General Commercial (CGC) and Low Density Residential (LDR) to Medium Density Residential (MDR) and Conservation (CSV).

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 482 or 450 daily trips, depending on the scenario. If the land use is amended to allow for this proposed MDR & CSV development, this will result in 863 daily trips.

Transportation Planning Division **RECOMMENDS** the following:

The difference in daily trips for the proposed land use amendment will result in 381 or 413 net new daily trips, depending on the scenario when compared to the existing land use. The Transportation Planning Division recommends ongoing coordinating efforts with the City of Jacksonville Traffic Engineer to determine if a traffic operational analysis is needed.

Table A
Daily Trip Generation Estimation Scenarios

Existing Land Use-Scenario 1	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC	822	1,677 SF	T = 54.45 (X) / 1000	91	36	55
LDR	215	60 SF DUs	T= 7.20 (X)	432	0	432
				Total Trips for Existing Scenario 1 Land Use		482
Existing Land Use-Scenario 2	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC- N	822	335 SF	T = 54.45 (X) / 1000	19	8	11
CGC- R	220	1 MF DU	T = 6.74 (X)	7	0	7
LDR	215	60 SF DUs	T= 7.20 (X)	432	0	432
				Total Trips for Existing Scenario 2 Land Use		450
Proposed Land Use	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
MDR	220	128 MF DUs	T= 6.74 (X)	863	0	863
				Total Trips for Proposed Land Use		863
				Scenario 1 Difference in Daily Trips		381
				Scenario 2 Difference in Daily Trips		413

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

School Capacity

The 12.21 acre proposed land use map amendment has a development potential of 128 dwelling units and 31 new students. 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.

Evaluation of the proposed residential development for school concurrency:

Application Review Request: COJ PDD: School Impact Analysis Proposed Name: L-5783-22C Yellow Bluff Road Requested By: Ed "Luke" Lukacovic/Eric Hinton Reviewed By: Shalene B. Estes Due: 4/4/2023							
Analysis based on maximum dwelling units: <u>128</u>							
School Type	CSA ¹	2022-23 Enrollment/CSA	Current Utilization (%)	New Student/Development ³	5-Year Utilization (%)	Available Seats - CSA ²	Available Seats - Adjacent CSA 2&7
Elementary	1	11,216	56%	16	57%	7,119	3,183
Middle	1	6,876	80%	6	86%	1,610	453
High	1	7,054	72%	9	62%	1,365	1,544
Total New Students				31			

NOTES:

¹ Proposed Development's Concurrency Service Area (CSA)

² Available CSA seats include current reservations

³ Student Distribution Rate

ES-.125

MS-.051

HS-.074

0.250

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

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 3.2 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:

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.

Application Review Request: COJ PDD: Baseline Checklist Review Proposed Name: L-5783-22C Yellow Bluff Road Requested By: Ed "Luke" Lukacovic / Eric Hinton Reviewed By: Shalene B. Estes Due: 4/4/2023 Analysis based on maximum dwelling units: <u>128</u>						
SCHOOL ¹	CSA	STUDENTS GENERATED (Rounded) ³	SCHOOL CAPACITY ² (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2022/23)	% OCCUPIED	4 YEAR PROJECTION
Highlands ES #99	1	16	536	451	84%	104%
Highlands MS #244	1	6	1071	685	64%	62%
First Coast HS #265	7	9	2212	2095	95%	89%
		31				
NOTES: ¹ Attendance school may not be in proposed development's Concurrency Service Area (CSA) ² Does not include ESE & room exclusions ³ Student Distribution Rate ES-.125 MS-.051 HS-.074 0.250 <hr/> 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.						

Evacuation Zone

The subject site is within Evacuation Zone A and surrounded by Evacuation Zones A and B. As such, the land use application was routed to the City's Emergency Preparedness Division (EPD) for review and comment. EPD was provided with the land use application and the development potential of the proposed land use amendment change. Per EPD's evaluation, provided below, it was determined that the impact of the subject small scale land use amendment on countywide evacuation timing would be negligible.

Conservation /Coastal Management Element (CCME)

Policy 7.1.6 The City shall not amend the Future Land Use Element or the Future Land Use Map series unless; the requested change can be determined to not exceed the established hurricane evacuation times; the requested change is for a lower density; or the requested change for increased density provides adequate remedies to reduce impacts on hurricane evacuation times which exceed the acceptable standard.

Memo from EPD, dated April 4, 2023:

The proposed properties in land use amendment L-5783-22C will be in close proximity to Zoo Parkway and Main Street North, indicating sufficient access to I-95 (0.89 road miles), primary evacuation route.

In consideration of the surrounding evacuation zones (Zone A and B), nearest evacuation routes, and the estimate of 381- 413 additional daily trips, the development of the proposed properties could create a localized impact to the traffic flow on I-95 during an emergency evacuation scenario. The changes proposed through land use amendment application L-5783-22C would have a minimal impact on countywide evacuation clearance time within Duval County. Site design techniques that minimize disruption to existing traffic flow are encouraged. Any development should incorporate appropriate mitigation techniques to reduce flood vulnerability and minimize impacts to the floodplain, as they are *located right along the Trout River which is prone to flooding*.

Archaeological Sensitivity

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

Adaptation Action Area (AAA)

The City of Jacksonville implemented the 2015 Peril of Flood Act (Chapter 2015-69, Laws of Florida) by establishing an Adaptation Action Area (AAA). The AAA boundary is an area that experiences coastal flooding due to extreme high tides and storm surge. The area is vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure needs and adaptation planning. Ordinance 2020-732-E expands the AAA boundaries to those areas within the projected limits of the Category 3 storm surge zone and those contiguous areas of the 100-year and 500-year Flood Zones.

The entire subject site is within the Adaptation Action area and subject to coastal flooding during cataclysmic hurricane storms. The City will continue to enforce building standards and requirements to minimize structural damage to property in hazardous coastal areas. Future City expenditures for infrastructure improvements will be limited to meeting the needs of existing residents and resource protection.

Conservation/Coastal Management Element

Policy 11.5.2 The City shall consider the implications of the AAA when reviewing changes to the use, intensity and density of land lying within the AAA.

Future Land Use Element

Policy 1.5.14 In accordance with the Conservation and Coastal Management Element, the City shall encourage environmentally sensitive areas to be placed in a Conservation land use category, Conservation zoning district, and/or conservation easement.

Coastal High Hazard Area (CHHA)

The area of the subject site that is proposed for Conservation is located within a Coastal High Hazard Area (CHHA) and Adaptation Action Area (AAA), as defined by Sections 163.3178(2)(h) and 163.3164(1), Florida Statutes. The map at the end of this report shows the portion of the property within the CHHA. The amendment request for the subject site is to change the land use designation for portions of the property in the CHHA from LDR and CGC to CSV. No development is proposed on the portion of the subject site that is located within the CHHA.

Conservation/Coastal Management Element

Objective 7.4 Limit development density and intensity within the Coastal High Hazard Area (CHHA) and direct it outside of the CHHA, and mitigate the impact of natural hazards in the area.

Policy 7.4.8 The City shall promote, in instances where a proposed project is located within the CHHA, the clustering of uses. Such clustering will be used to limit the acreage within the CHHA that will be affected by the proposed development, and will serve to limit the amount of infrastructure provided within the CHHA. To demonstrate compliance with the clustering concept identified in this policy, proposed site plans may be required to include conditions that restrict future development on any other portion of the site within the CHHA and /or place a conservation easement on any remaining wetlands within the CHHA not already proposed for impacts.

Policy 11.5.1 The City of Jacksonville shall recognize the Coastal High Hazard Area (CHHA) identified in Map C-18 as also encompassing the Adaptation Action Area (AAA) for those low-lying coastal zones that may experience coastal flooding due to extreme high tides and storm surge and are vulnerable to the impacts of rising sea level. (§163.3177(6)(g)(10), F.S.) Land within the AAA is subject to potential high tide inundation under a horizon 2060 two foot sea level rise scenario.

Policy 11.5.3 The City shall recognize existing regulations, programs and policies that overlap with the AAA and that are currently in place to limit public investment and address appropriate development and redevelopment

practices related to flooding. These regulations, programs and policies include but are not limited to the floodplain management ordinance, CHHA policies, the Local Mitigation Strategy and the Post Disaster Redevelopment Plan and shall only be applied in cases where such regulation would otherwise apply to a development or redevelopment project.

Future Land Use Element

Policy 1.5.14 In accordance with the Conservation and Coastal Management Element, the City shall encourage environmentally sensitive areas to be placed in a conservation land use category, Conservation zoning district, and/or conservation easement.

Flood Zones

A majority of the Flood Zones within the site are proposed to be in the CSV land use.

Of the portion of the subject site the applicant is applying to change the land use to MDR, approximately 0.85 of an acre is in the AE Flood Zone and approximately 2 acres are in the 0.2% Annual Chance Flood Hazard Flood Zone.

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

The AE flood zone is defined as an area within the 100-year floodplain or SFHA where flood insurance is mandatory.

0.2 PCT Annual Chance Flood Hazard – areas within the 500-year floodplain and outside of the SFHA. Flood insurance is not mandatory within these flood zones. The areas are deemed to be subject to moderate flood hazards.

Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

Conservation /Coastal Management Element (CCME)

Policy 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.

Policy 11.3.18 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.

Wetlands

Review of City data indicates the potential existence of wetlands on the subject site and as such, 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 City’s geographic information data. Based on the information noted below, the proposed amendment is consistent with the Conservation/Coastal Management Element (CCME) wetlands policies. The wetland map is attached at the end of this report.

Wetlands Characteristics:

Approximate Size: 2.96 Acres

General Location(s): Located along the southeastern boundary of the property.

Quality/Functional Value: The Category I wetland is a salt marsh which has an extremely high functional value due to its water filtration attenuation of coastal waters and reduction of storm surge in coastal high hazard areas during cataclysmic coastal storms.

Soil Types/ Characteristics: (68) Tisonia mucky peat – consists of nearly level, very poorly drained, organic soils. These soils formed from nonwoody halophytic plants remain underlain by fine textured sediments. They are in tidal marshes. The soil is very slowly permeable. The high-water table generally is at or near the surface, and areas are flooded twice daily by fluctuating tides for very brief periods.

Wetland Category: Category I

Consistency of Permitted Uses: Residential uses are permitted subject to the limitations of CCME Policy 4.1.5 shown below.

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

Wetlands Impact: None. Category I wetlands are to be placed into the Conservation (CSV) land use category for protection. The wetlands buffer a small tributary estuarian creek that drains into Trout River.

Associated Impacts: The wetland area coincides with the AE Flood Zone and Coastal High Hazard Area (CHHA).

Relevant Policies:

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;

- (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 4.1.5

The permitted uses within Category I and II wetlands shall be limited to the following land uses and associated standards, provided such use is consistent with the Future Land Use Map series (FLUMs):

(1) Conservation uses, provided the following standards are met:

- (a) Dredge and fill
Dredging or filling of the Category I and II wetlands shall not exceed more than 5% of the wetlands on-site; and
- (b) Vegetation
For Category I wetlands:
All native vegetation outside the development area is maintained in its natural state.

For Category II wetlands:
No more than 10% of the arial extent of the vegetation outside the development area may be altered or removed; and

(2) Residential uses, provided the following standards are met:

(a) Density/Dredge and fill

Where lots, except for lots of record as defined in the Future Land Use Element, are located totally within the wetlands:

- i density shall not exceed one (1) dwelling unit per five (5) acres; and

- ii buildings shall be clustered together to the maximum extent practicable; and
- iii dredging or filling shall not exceed 5% of the wetlands on-site; and

(b) Vegetation

For Category I wetlands:

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

For Category II wetlands:

No more than 10% of the arial extent of the vegetation outside the development area may be altered or removed; and

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

(a) Vegetation

For Category I wetlands:

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

For Category II wetlands:

No more than 10% of the arial extent of the vegetation outside the development area may be altered or removed; and

(b) Boat facilities siting and operation

Boat facilities are further subject to Objectives 10.1, 10.2, 10.3, 10.5 and 10.6 and their related policies of this element.

(4) Access to a permitted use, subject to the requirements of (a), (b), and (f) as noted in the performance standards outlined in Policy 4.1.3 above.

(5) Any use which can be shown to be clearly in the public interest, subject to the requirements of (a), (b), (d) and (f) as noted in the performance standards outlined in Policy 4.1.3 above.

(6) For Category II wetlands only, silvicultural uses are allowed, provided the following standards are met:

Best Management Practices: Silviculture

Such activities are conducted in compliance with the provisions of the "Silvicultural Best Management Practices Manual", as may be amended, published by the Florida Division of Forestry, Department of Agriculture and Consumer Services.

Manatee Protection Plan Boat Facility Siting Zone

The subject property is located in a Manatee Protection Plan (MPP) Boat Facility Siting Zone. Under Duval County's MPP, the application site is in an area classified as Unacceptable. In Unacceptable zones, development of docks may occur if the development is proposed at a level of one slip for every 100 feet of shoreline owned or controlled by the applicant.

Dock construction permits must be approved by the Florida Department of Environmental Protection and the St. Johns River Water Management District.

Conservation Coastal Management Element

Policies 10.1.1 The location of future boat facilities shall be consistent with the recommendations within the Future Land Use Element and the Recreation and Open Space Element of the 2030 Comprehensive Plan, as well as any Vision Plan, and any other special study or plan adopted by the City, such as the Boat Facilities Siting Plan located in the MPP.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on April 3, 2023, the required notices of public hearing signs were posted. Twenty-seven (27) 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 April 3, 2023. No members of the public attended the meeting to address the land use application.

CONSISTENCY EVALUATION

Consistency with 2030 Comprehensive Plan Goals, Objectives and Policies

Future Land Use Element (FLUE)

Development Area

Suburban Area (SA): The SA is the third tier Development Area and generally corresponds with the urbanizing portions of the City in areas that have usually been developed after consolidation. Development should generally continue at low densities with medium density development at major corridor intersections and transit stations. Development at these locations should promote a compact and interconnected land development form and is therefore encouraged to employ urban development characteristics as further described in each land use plan category.

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 1.1.21 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 1.1.24 The City will encourage new development to locate in the Urban Core, Southwest, North, and Northwest planning districts through such measures as economic incentives, greater marketing assistance, etc.
- 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.

- Objective 1.5 Maintain, enhance and conserve natural and environmental resources, especially coastal resources, and ensure that all development and redevelopment within the coastal area is consistent with the Conservation/Coastal Management Element, including the Hurricane Evacuation Plan, and Aquifer Recharge Sub-element.
- Policy 1.5.2 Permit no new development, expansion or replacement of existing development in areas designated on the Future Land Use Map series as Conservation, unless development is undertaken by federal, state or local government in the public interest, and the impacts are mitigated.
- Policy 1.5.14 In accordance with the Conservation and Coastal Management Element, the City shall encourage environmentally sensitive areas to be placed in a Conservation land use category, Conservation zoning district, and/or conservation easement.
- 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.
- Policies 3.1.1 The City shall develop through the Planning and Development Department an incentive program to promote infilling of residential development on vacant land designated for residential use on the Future Land Use Map series. These incentives will be reflected in the Zoning Code of the City's Land Development Regulations.
- Policy 3.1.3 Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.
- 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.
- Objective 6.3 The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have

infrastructure, utilities, and public facilities, while addressing the needs of City residents.

Conservation and Coastal Management Element (CCME)

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.

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.

Land use category descriptions:

Low Density Residential: According to the FLUE, the Low Density Residential (LDR) land use category in the Suburban Development Area is intended to provide for low density residential development. Residential development is permitted at up to seven (7) dwelling units per acre when full urban services are available.

Community/General Commercial: 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 in a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. The CGC land use category in the Suburban Development Area is intended to provide development in a nodal development pattern.

Medium Density Residential: Medium Density Residential (MDR) in the Suburban Development Area is intended to provide compact low to medium density mixed use development. Plan amendment requests for new MDR designations are preferred in locations which are supplied with full urban services and in locations which serve as a transition between commercial and residential land uses.

Multi-family and single-family dwellings are the predominant development typology in this category. The maximum gross density in the Suburban Development Area shall be 20 units per acre, and the minimum gross density shall generally be greater than seven (7) units per acre.

Conservation: Conservation (CSV) lands are areas with valuable environmental resources, such as sensitive vegetation, high value habitat, wetlands, high aquifer recharge potential, carbon sinks and unique coastal areas. Some resource systems are highly sensitive and easily destroyed by indiscriminate human activity. These will be protected through public or private nonprofit ownership and management over time.

The Conservation category depicted on the FLUMs includes areas that are protected through public or private nonprofit ownership and management. Development potential in these areas is generally limited to open space, resource and recreational uses. Conservation areas may include regional, state or national forests, parks, sanctuaries, preserves and Special Management Areas. More specific uses and activities permitted in these areas are guided by the approved management plans for each area when such plans exist. This category also includes some sites that are presently privately owned, are located in DRIs or PUDs, and are protected by development agreements or conveyed development rights, or the sites have been proposed for acquisition.

Analysis:

The application to change the land use designation of the subject site from LDR and CGC to MDR (8.57 acres) and CSV (3.64 acres) would serve the dual purpose of providing additional housing options on undeveloped land, which is keeping in character with the recent amendments to sites surrounding the subject site, and preserving environmentally sensitive land that is currently designated as LDR and CGC.

The subject site is located on Broward Road and is served by public water and sewer services. The applicant provided a JEA letter of availability, dated November 26, 2019, identifying an existing 16-inch water main adjacent to the property and provides

conditions noted above. There are no gravity sewer mains abutting the property; however, there is an existing 8-inch gravity sewer main within the Belleshore Circle right of way, approximately 650 feet northwest of the property. There is also an existing 16-inch sewer force main within the Broward Road right of way, adjacent to the property. The letter of availability provides special conditions for connection to central sewer which are also noted above. Therefore, the proposed amendment is consistent with FLUE Policy 1.2.9.

The proposed amendment of 8.57 acres to MDR would allow for development of additional housing options in the North Planning District to accommodate future growth and development through the planning timeframe of the 2030 Comprehensive Plan. The property is underutilized and undeveloped land in the Suburban Development Area which has access to centralized water and sewer. Development of this site is considered infill development. Therefore, the amendment is consistent with FLUE Objectives 1.1 and 3.1, and Policies 1.1.5, 1.1.21, 1.1.24, 3.1.1 and 3.1.6.

The proposed amendment to MDR would provide multi-family residential development resulting in a compatible development pattern with the single-family development north and west of the subject site, the charter school north of the site, and several surrounding commercial uses. The application site is currently undeveloped land. Therefore, the proposed land use amendment to MDR is consistent with FLUE Objective 6.3 and Policies 1.1.10 and 3.1.3.

The 3.64-acre portion of the site proposed to be put into conservation is an environmentally sensitive area, identified as a Category 1 wetland, or salt marsh, within the CHHA and a flood zone. The proposed amendment is being sought in order to protect and conserve the environmentally sensitive land. For these reasons, the proposed amendment of the portion of the subject site to conservation is consistent with FLUE Objective 1.5, and Policies 1.5.2 and 1.5.14, as well as CCME Goal 4 and Objective 4.1.

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 subject property is located within the boundaries of the North Jacksonville Vision Plan (2003). The Plan offers no specific recommendations for the location of the subject site. However, the Plan does recommend strengthening existing neighborhoods under the Plan's "Guiding Theme One". The proposed land use amendment to MDR would increase the residential presence in the area and will strengthen the existing neighborhood. Therefore, the proposed development is consistent with the North Jacksonville Vision Plan.

The Plan also includes a strategy to “preserve conservation areas in a systems approach.” The proposed land use amendment of the portion of the site to CSV is also consistent with the intent of the Vision Plan.

Strategic Regional Policy Plan

The proposed amendment is consistent with the following Objective of the Strategic Regional Policy Plan, Regional Health Subject Area:

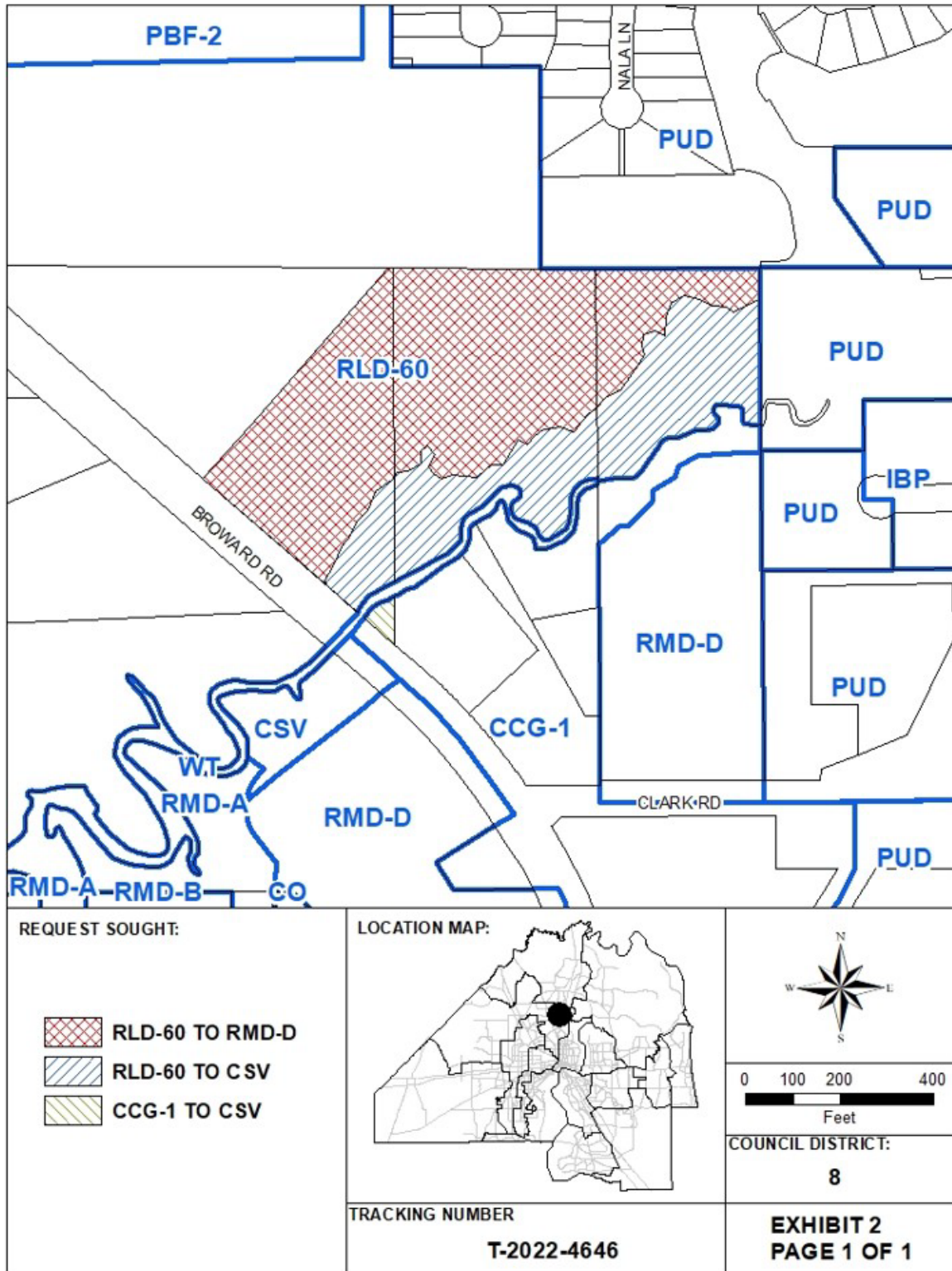
Objective: Housing Options That Provide Choices to All of Our Residents and Promote Demographic and Economic Diversity as one Way to Ensure that our Communities are Viable and Interesting Places for the Long Term.

The proposed amendment is also consistent with the following Objective and Policy of the Strategic Regional Policy Plan, Natural Resources Subject Area:

Objective: Resource Adaptation

Policy 4: The Region supports preservation of ecosystem services for clean air, water, habitat for wildlife populations, and flood control.

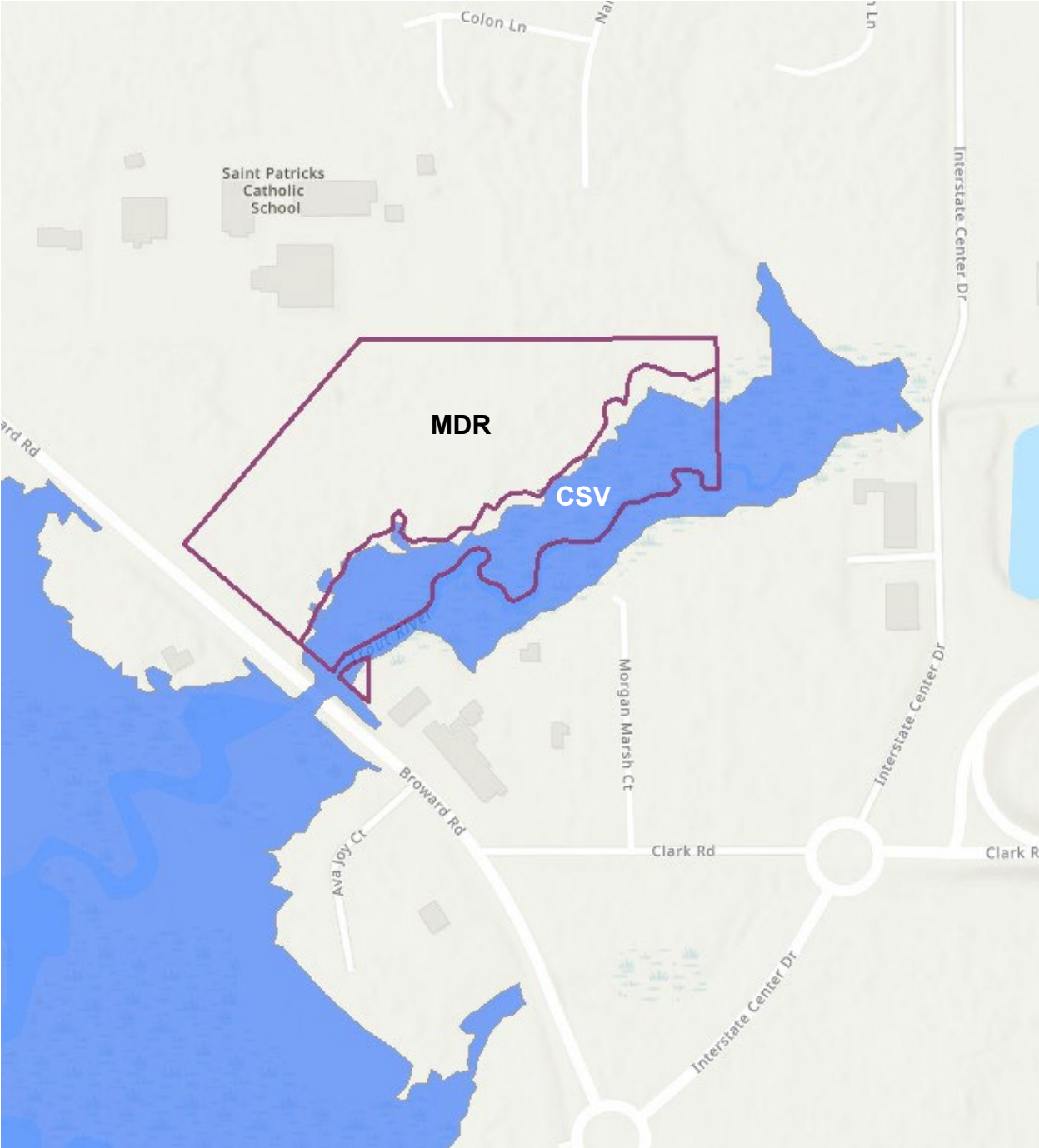
Post Adoption Map



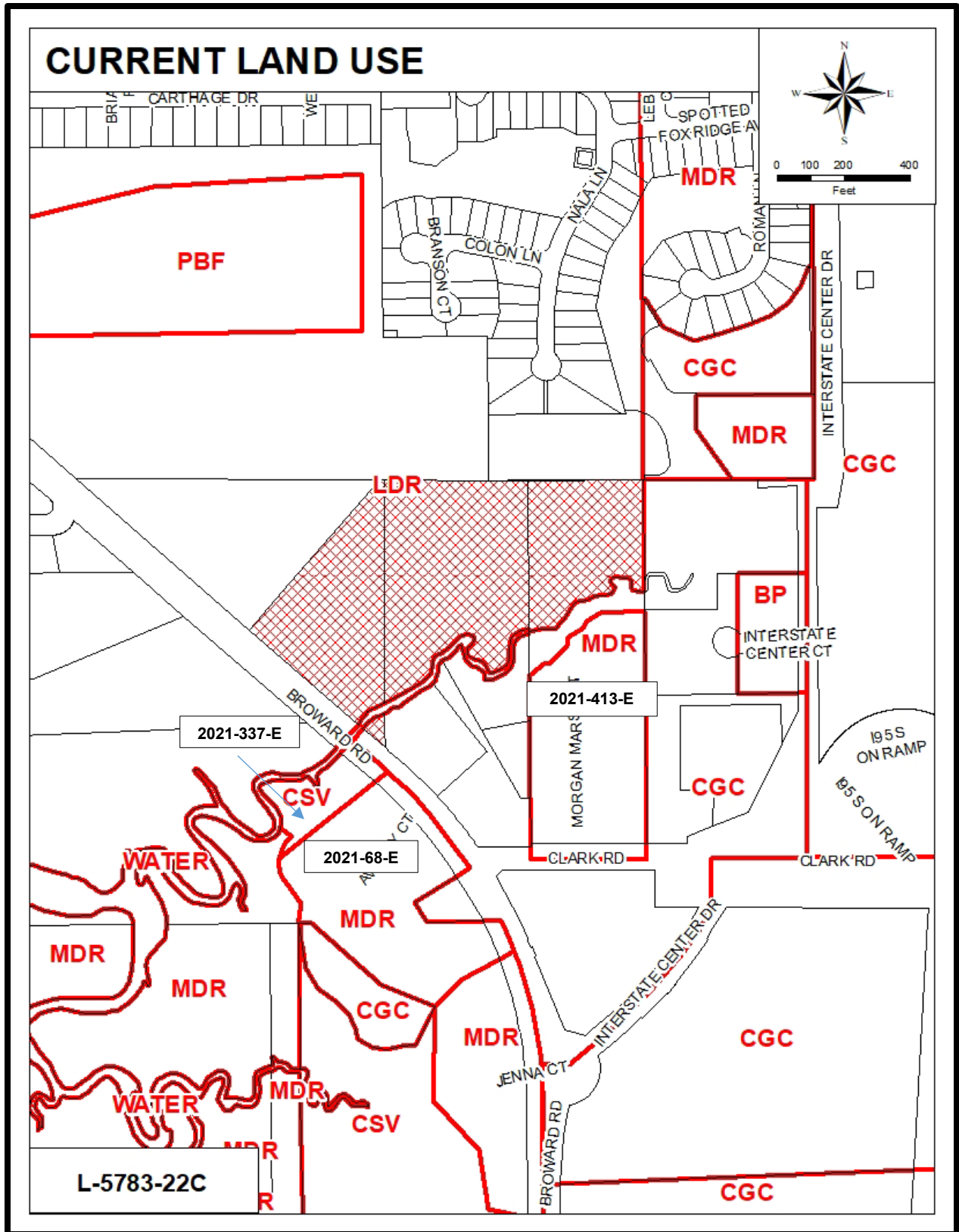
Wetlands Map



Area of Application Site within the CHHA (Blue) with Proposed Amendments



CURRENT LAND USE MAP



LAND UTILIZATION MAP

