

# City of Jacksonville, Florida

*Lenny Curry, Mayor*

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

March 3, 2022

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

**RE: Planning Commission Advisory Report / Ordinance No. 2022-082/Application No. L-5644-21C**

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

Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **APPROVED** Ordinance 2022-082 on March 3, 2022.

P&DD Recommendation

DENY

PC Issues:

One neighbor attended the meeting and indicated that they were not in opposition but that they had concerns about current industrial user in the area that dump trash along the road.

The Commission noted that the wetlands and flood zones would be protected by existing environmental regulations/agencies. Additionally, the Commission discussed the fact that since the site is in an industrial overlay zone and located near existing industrial lands, industrial development was the most logical use of the property.

PC Vote:

**7-0 APPROVE**

David Hacker, Chair

Aye

Alexander Moldovan, Vice-Chair

Aye

Ian Brown, Secretary

Aye

Marshall Adkison

Absent

Daniel Blanchard

Aye

Joshua Garrison

Aye

Jason Porter

Aye

Jordan Elsbury

Aye

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

Sincerely,

*Kristen D. Reed*

Kristen D. Reed, AICP  
Chief of Community Planning Division  
City of Jacksonville - Planning and Development Department  
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**Report of the Jacksonville Planning and Development Department**

**Small-Scale Future Land Use Map Amendment – February 25, 2022**

**Ordinance/Application No.:** 2022-082 / L-5644-21C

**Property Location:** 4016 and 4044 Edgewood Drive between Pickettville Road and Keen Road

**Real Estate Number(s):** 042186-0000 and 042191-0000

**Property Acreage:** 3.78 Acres

**Planning District:** District 5, Northwest

**City Council District:** District 10

**Applicant:** Annie Rose Clayton

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

**Development Area:** Suburban Development Area

**Proposed Land Use:** Light Industrial (LI)

**Current Zoning:** Residential Low Density-120 (RLD-120)

**Proposed Zoning:** Industrial Light (IL)

***RECOMMENDATION: DENY***

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

To use for business commercial wholesale.

**BACKGROUND**

The 3.78 acre subject site consisting of two parcels is located on the west side of Edgewood Drive between Pickettville Road and Keen Road. According to the City's Functional Highways Classification Map, all tree roads are considered local roadways.

The subject site is currently used as a single-family dwelling. However, based on aerial photographs dating back to 2013, the property was used for auto/truck storage in violation of land use and zoning regulations. Ownership of the property changed in 2021 and the site is now cleaned up. The applicant seeks an amendment to the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan from Low Density Residential (LDR) to Light Industrial (LI) in order to use the property for

a commercial wholesale business. A companion rezoning has been filed and is pending concurrently with the land use amendment, via Ordinance 2022-083, to change the zoning district of the site from Residential Low Density-120 (RLD-120) to Industrial Light (IL).

The application site is surrounded by a mix of uses in the Low Density Residential (LDR), Light Industrial (LI), and Heavy Industrial (HI) land use categories. More specific uses along with the current zoning districts are listed below.

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

North: Land Use: Light Industrial (LI) and Heavy Industrial (HI)  
Zoning: Industrial Light (IL) and Industrial Business Park (IBP)  
Property Use: Vacant undeveloped land and open storage

South: Land Use: Low Density Residential (LDR) LI, Medium Density Residential (MDR) and Community/General Commercial (CGC)  
Zoning: Residential Low Density-120 (RLD-120), IL, Commercial Community/General-2 (CCG-2) and Residential Medium Density-Mobile Home (RMD-MH)  
Property Use: Single-family homes, vacant undeveloped land, parking lot, light manufacturing, warehouse, and mobile home park

East: Land Use: LI  
Zoning: IL  
Property Use: Open storage, store/office, warehouse and vacant undeveloped land

West: Land Use: HI and LDR  
Zoning: IL, IBP and Residential Rural-Acre (RR-Acre)  
Property Use: Pickettville land fill, mobile home open storage and Cemetery

## **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.

**Land Use Amendment Impact Assessment - Application Number L-5644-21C**

<b>Development Analysis</b>		<b>3.78 Acres</b>
Development Boundary	Suburban Development Area	
Roadway Frontage Classification / State Road	Edgewood Drive – Local Road	
Plans and/or Studies	Northwest Jacksonville Vision Plan	
Site Utilization	Current: Single-Family	Proposed: Commercial wholesale business
Land Use / Zoning	Current: LDR / RLD-120	Proposed: LI / IL
Development Standards for Impact Assessment	Current: 5 single-family DUs per acre	Proposed: 0.40 FAR
Development Potential	Current: 18 single-family DUs	Proposed: 65,862 sq. ft. industrial space
Net Increase or Decrease in Maximum Density	Decrease of 18 single-family DUs	
Net Increase or Decrease in Potential Floor Area	Increase of 65,862 sq. ft. of industrial space	
Population Potential	Current: 47 people	Proposed: 0 people
<b>Special Designation Areas</b>		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	No	
Industrial Preservation Area	Industrial Situational Compatibility Zone	
Cultural Resources	Florida Master Site File: DU 19022	
Archaeological Sensitivity	High, medium and low sensitivity	
Historic District	No	
Coastal High Hazard/Adaptation Action Area	No	
Groundwater Aquifer Recharge Area	Discharge area	
Adaptation Action Area	Yes – 100% of site	
Wellhead Protection Zone	No	
Boat Facility Siting Zone	No	
Brownfield	No	
<b>Public Facilities</b>		
Potential Roadway Impact	Increase in 151 net new daily trips	
Potential Public School Impact	Not applicable	
Water Provider	JEA	
Potential Water Impact	Decrease of 2,405 gpd	
Sewer Provider	Private septic system	
Potential Sewer Impact	Decrease of 1,804 gpd	
Potential Solid Waste Impact	Increase of 157.26 tons per year	
Drainage Basin/Sub-basin	Basin: Trout River Sub-basin: Little Sixmile Creek	
Recreation and Parks	James Fields Park	
Mass Transit Access	Bus Stop 5118 Edgewood Avenue and McLendon Street; JTA Bus Routes 32 and 51	

<b>Development Analysis</b>		<b>3.78 Acres</b>
<b>Natural Features</b>		
Elevations	2 to 10 feet above mean sea level	
Land Cover	75% (1100) Residential Low Density and 25% (6270) Mixed wetland hardwoods	
Soils	(51) Pelham fine sand and (49) Pamlico muck depressional (wetland soil)	
Flood Zones	AE – 3.78 acres (entire site)	
Wetlands	Yes; Category II – Approximately 0.88 of an acre	
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).

Two JEA letters of service availability have been provided and are on file with the Planning and Development Department. The letters, dated December 22, 2021 for 4016 Edgewood Drive and 4044 Edgewood Drive, identify an existing 12-inch water main within the Edgewood Drive right-of-way but no sanitary sewer main within ¼ mile of the application site.

In accordance to Chapter 381, F.S., the site cannot dispose of industrial wastes into private septic systems. Construction permits may not be issued for an onsite sewage treatment and disposal system in any area used or zoned for industrial or manufacturing purposes where a publicly owned or investor owned sewage treatment system is available (located within one-fourth mile) or where the system will receive toxic, hazardous, or industrial waste. Buildings located in areas zoned or used for industrial or manufacturing purposes, when such buildings are to be served by onsite sewage treatment and disposal systems, must receive written approval from the Department of Health. Approvals will not be granted when the proposed use of the system is to dispose of toxic, hazardous, or industrial wastewater or toxic or hazardous chemicals. Once an onsite disposal system is permitted, the owner must obtain an annual system operating permit and change of use requires the owner or tenant to obtain a new annual system operating permit from the Department of Health.

### Future Land Use Element

**Policy 1.2.9** Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

**Transportation**

The subject site is 3.78 acres and is accessible from Edgewood Drive, an unclassified facility. The proposed land use amendment is located within the Suburban Development Area and Mobility Zone 9. The applicant proposes to change the existing land use from Low Density Residential (LDR) to Light Industrial (LI).

**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 170 daily trips. If the land use is amended to allow for this proposed LI development, this will result 321 daily trips.

**Transportation Planning Division RECOMMENDS the following:**

The difference in daily trips for the proposed land use amendment is an increase of 151 net new daily trips 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 as a result of this land use amendment.

**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
LDR	210	18 SF DUs	T = 9.43 (X)	170	0	170
				<i>Existing Scenario 1 Total</i>		<b>170</b>

Proposed Land Use Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
LI	110	65,862 SF	T = 4.87 (X) / 1000	321	0	321
				<b>Proposed Scenario 1 Total</b>		<b>321</b>
				<b>Proposed Net New Daily Total</b>		<b>151</b>

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

### Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low, medium and high sensitivity for the presence of archaeological resources. Projects that move forward through the Site Review process may be required to perform a Professional Archaeological Reconnaissance Survey on the portion of the site that is in a high sensitivity area. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

### Historic Preservation Element

Policy 1.2.6 The Planning and Development Department shall maintain and update for planning and permitting purposes, a U.S.G.S. series of topographic maps upon which recorded archaeological sites are shown.

### Florida Master Site File: DU 19022

The structure at 4016 Edgewood Drive was constructed c.1940 and was surveyed in 2007. The structure is a frame vernacular residence featuring board and batten exterior wall fabric, gable roof with composition shingles covering a T-shaped plan, and an entrance located in an incised entry porch on the south elevation. Due to a lack of architectural significance and lack of historic associations, the building fails to meet the minimum criteria for listing on the National Register. The evaluation found that the structure is not eligible for a local register, National Register or as a contributor to a National Register district.

### 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 (100%) is within the Adaptation Action area and subject to coastal flooding during cataclysmic hurricane storms. The site is within 2 to 10 feet above mean sea level. 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.

**Flood Zones**

The entire 3.78 acre subject site is located within AE 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. 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 existence of wetlands on the subject site and 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 inconsistent with the Conservation/Coastal Management Element (CCME) wetlands policies

Wetlands Characteristics:

Approximate Size: 0.88 of an acre

General Location(s): Wetlands are located in the western portion of the application site. The wetlands on the property are a portion of a larger wetland system that buffers Little Sixmile Creek that drains northeast into Sixmile Creek.

Quality/Functional: The wetland has an extremely high functional value for water filtration attenuation and flood water capacity, is located within the 100 year flood zone, and has a direct impact on the City's waterways.

Soil Types/  
Characteristics: (49) Pamlico muck, depressional – The Pamlico series consists of nearly level, very poorly drained, acid soils formed non-woody fibrous hydrophytic plant remains overlying sandy marine sediments. These soils occur on tributaries of major streams, in depressions and drainageways. They are on flood plains. The soils are rapidly permeable. The high water table generally is at or near the surface, and areas are subject to frequent flooding for brief periods.

Wetland Category: Category II

Consistency of  
Permitted Uses: Uses located within Category II wetlands are generally limited to conservation, residential, water-dependant/water related and silviculture, subject to CCME Policies 4.1.3 and 4.1.5

Environmental Resource  
Permit (ERP): No Environmental Resource Permit has be issued at this time of application.

Wetlands Impact: Not enough information to determine impact. No development plan has been submitted. Uses of the Light Industrial (LI) land use category are not permitted in Category II wetlands as stated in CCME polices listed below.

Associated Impacts: Wetlands of the site are located in the flood zones and Adaptation Action Area of Little Sixmile Creek.

Relevant Policies: CCME Policies 4.1.3 and 4.1.5 – see below

Conservation/Coastal Management Element

### **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 4.1.5**

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 aerial 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 aerial 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 aerial 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.

### **Industrial Zones**

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

### **Future Land Use Element**

Policy 3.2.29 The City shall continue to update its comprehensive inventory and mapping of Industrial lands to identify and protect existing strategically located industrial lands for future expansion and economic development. These areas are crucial to the long term economic well-being of the City and are identified on the Industrial Preservation Map (Map L-23) as "Industrial Sanctuary" or "Areas of Situational Compatibility".

Policy 3.2.30 The area shown on the Industrial Preservation Map (Map L-23) as “Industrial Sanctuary” or “Areas of Situational Compatibility” are presumed to be appropriate for land use map amendments to industrial categories, subject to a case-by-case review of consistency with State and regional plans and the Comprehensive Plan.

### **Evacuation Zone**

The subject site is within Evacuation Zone C. 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.

According to EPD’s evaluation, the proposed property at 4016 and 4044 Englewood Drive will be in close proximity to New Kings Road indicating sufficient access to I-295 (4.24 road miles) and I-95 (5.01 road miles), primary evacuation routes.

In consideration of the surrounding evacuation zones (Zone A, Zone C, Zone D, and Zone E), nearest evacuation routes, and the estimate of 151 additional daily trips, the development of the proposed property at 4016 ad 4044 Englewood Drive could create a localized impact to the traffic flow on I-295 and I-95 during an emergency evacuation scenario. The changes proposed through land use amendment application L-5644-21C 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.

### **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.

## **PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on February 10, 2022, the required notices of public hearing signs were posted. Fourteen (14) 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 February 14, 2022. One member of the public in attendance of the meeting was concerned with drainage issues on the property and the potential of contamination to the creek.

# **CONSISTENCY EVALUATION**

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

### Future Land Use Element (FLUE)

#### *Development Area*

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

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

Policy 1.1.5 The amount of land designated for future development should provide for a balance of uses that:

- A. Fosters vibrant, viable communities and economic development opportunities;
- B. Addresses outdated development patterns;
- C. Provides sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.

Policy 1.1.21 Future amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population of the area and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business consistent with FLUE Policy 1.1.5. The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.

- Policy 3.2.1 The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.
- Policy 3.2.2 The City shall promote, through the Land Development Regulations, infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize.
- Policy 3.2.30 The area shown on the Industrial Preservation Map (Map L-23) as “Industrial Sanctuary” or “Areas of Situational Compatibility” are presumed to be appropriate for land use map amendments to industrial categories, subject to a case-by-case review of consistency with State and regional plans and the Comprehensive Plan.
- Policies 7.1.1 The Planning and Development Department shall consider the land use impact on the St. Johns River and its tributaries by reviewing the future land use designation and land development regulations of those properties that are contiguous with and immediately adjacent to a water body. The following concerns will be considered for those properties:
- Wetlands
  - Impervious surface potential
  - Coastal High Hazard Area (CHHA)
  - Septic Tank Failure Areas
  - Environmentally Sensitive Areas
  - Flood zones
  - Aquifer recharge zones
  - Wellhead protection areas

Conservation/Coastal Management Element

- 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 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 aerial 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 aerial 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 aerial 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.

**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 Category Descriptions of the Future Land Use Element (FLUE), Low Density Residential (LDR) in the Suburban Development Area is intended to provide for low-density residential development. Generally, single-family detached housing should be the predominant development typology in this category. Mixed use developments utilizing the Traditional Neighborhood Development (TND) concept, which is predominantly residential but includes a broad mixture of secondary recreational,

commercial, public facilities and services may also be permitted. Residential development is permitted at up to seven (7) dwelling units per acre where centralized water and sewer is available.

Light Industrial (LI) land use category provides for the location of industrial uses which have fewer objectionable impacts than Heavy Industrial (HI) on residential areas such as noise, odor, toxic chemical and wastes. Principal uses in the LI category include but are not limited to light assembly and manufacturing, packaging, processing, storage and warehousing.

While the amendment could be considered a logical extension of the abutting LI land use and could further the intent of the Industrial Situational Compatibility zone, the environmental characteristics (Category II wetlands and flood zones) of the site and the lack of access to centralized sewer make the amendment inconsistent with FLUE Goal 1, Policies 1.1.21, 3.2.7, 7.1.1 and CCME Policies 2.7.3 and 4.1.5.

The subject site is located adjacent to Category II wetlands that buffer Little Sixmile Creek. In addition, the request is to amend a portion of the wetland to the LI land use category is not permitted and could lead to environmental degradation. Therefore, the proposed amendment is inconsistent with FLUE Goal 1 and CCME Polies 4.1.3 and 4.1.5.

The proposed amendment would provide additional LI designated land adjacent to an existing industrial area. The small scale amendment to take 3.78 acres from LDR to LI would support real estate market flexibility for industrial uses. Analysis of the surrounding area demonstrates that the land could be suitable for industrial development and would continue the existing industrial land use pattern. Thus, the proposed amendment could be consistent with FLUE Policies 1.1.5, 1.1.21, 3.2.1, 3.2.2 and 3.2.30.

Both the existing and proposed land use designation maintain the private property rights of the owner of record; have 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, private property rights, as identified in PRE Goal 1, Objective 1.1 and Policies 1.1.1 and 1.1.2, are not impacted under either land use category.

### **Vision Plan Consistency**

The site is located within the boundary of the Northwest Jacksonville Vision Plan area. The proposed land use amendment from LDR to LI would disrupt the residential fabric of the existing neighborhood; this is inconsistent with Guiding Theme 1 of the Vision Plan, which seeks to strengthen existing neighborhoods and create new neighborhoods. The request for an LI designation on the subject site would create a disjointed land use fabric to the adjacent single-family dwellings and residential land use to the south, and as such is inconsistent with Guiding Theme 3 of the Plan, which seeks to focus on organizing growth.

## **Strategic Regional Policy Plan**

The proposed amendment is consistent with the following Policy of the Northeast Florida Regional Council (NEFRC) Strategic Regional Policy Plan (March 2021), Regional Transportation Element Goal, Objective, and portions of Policy 4:

**Goal** Create efficient connectivity within the Region, and with state, national, and global economies. Include centers of population and jobs that are well-connected, limit commute times for most residents and provide opportunities for all residents of the region to work if they choose.

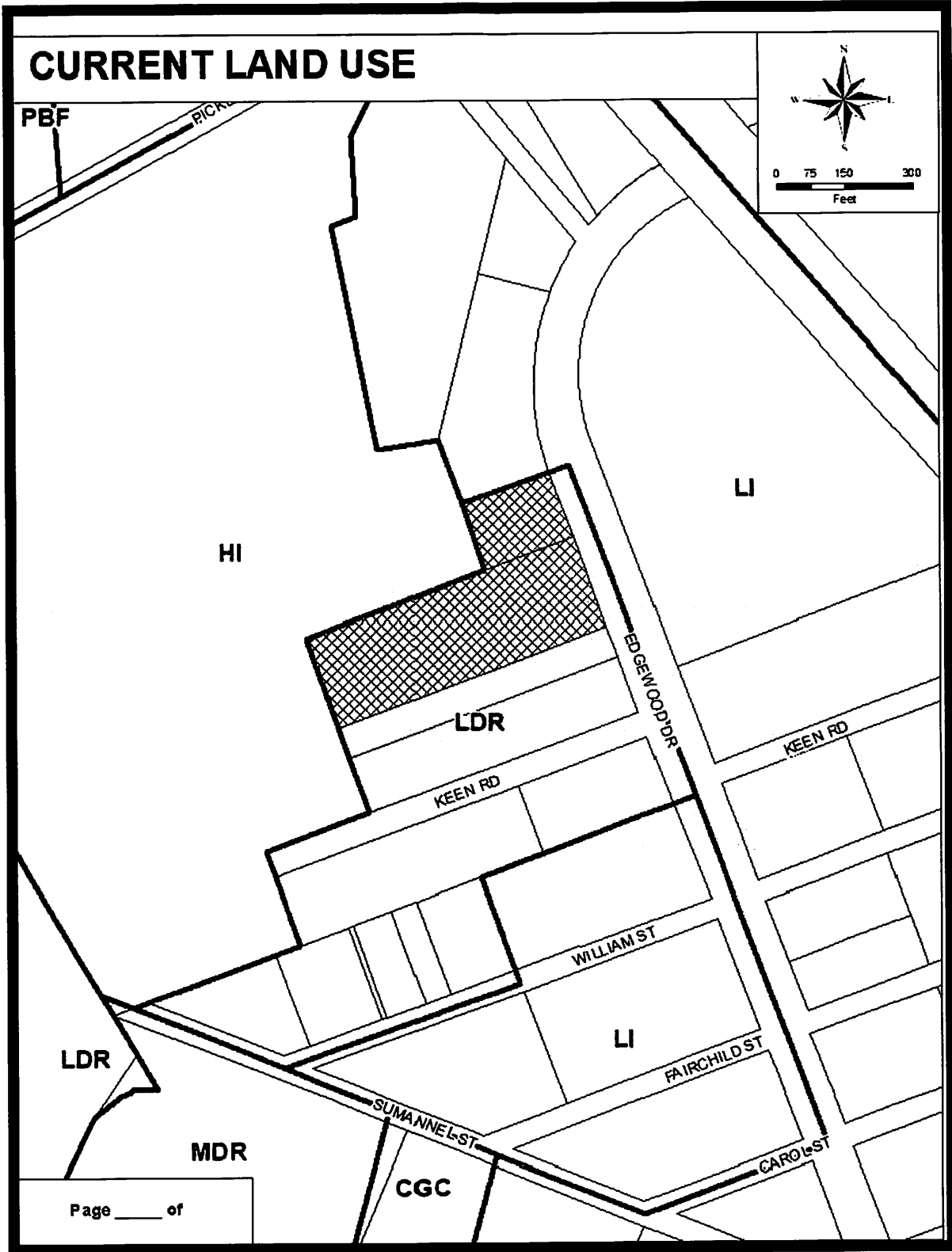
**Objective** Integrated Planning: The link between land use, resources and mobility.

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

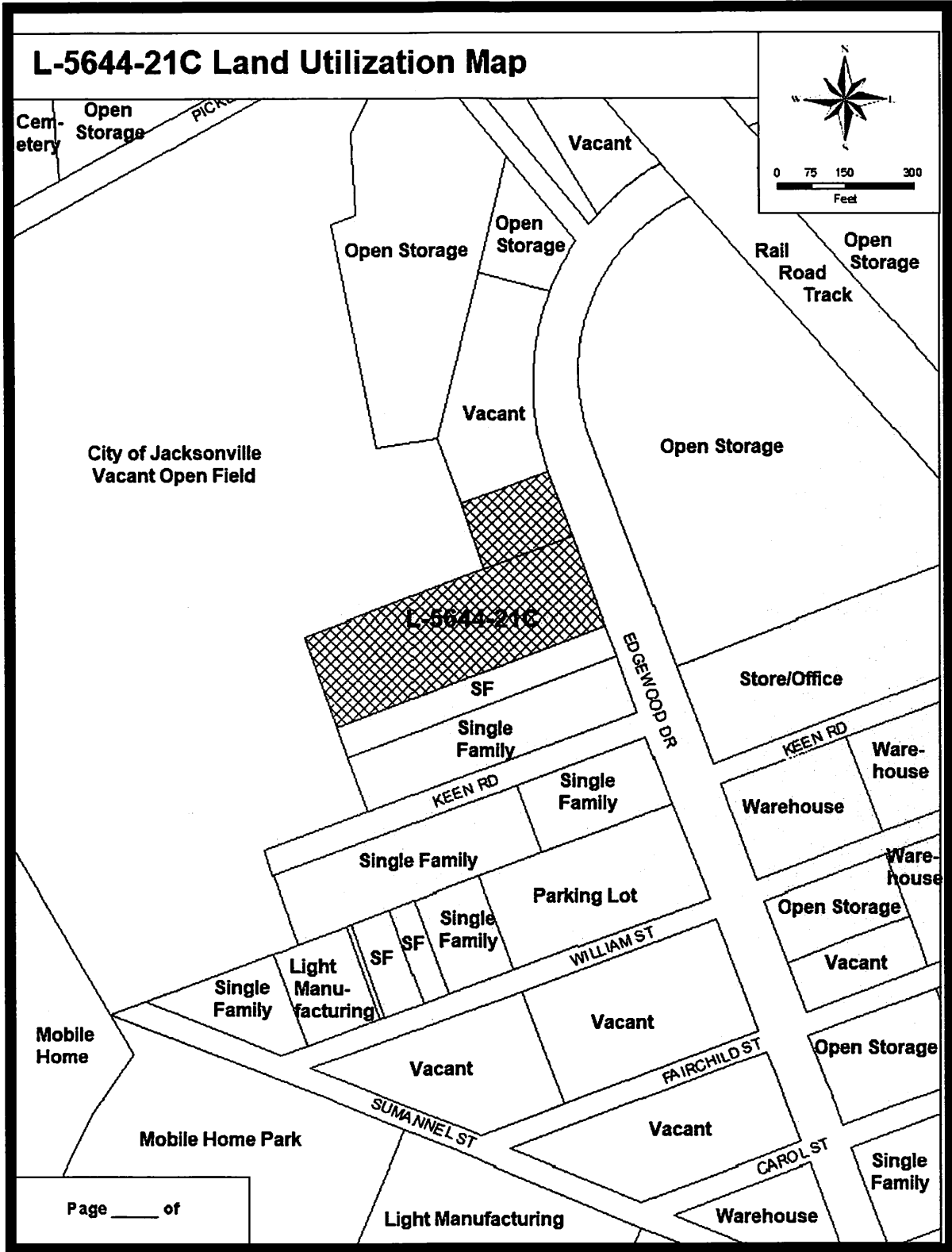
- Local governments as they identify areas appropriate for mixed-use development.
- Incentives for dense and/or mixed use development.
- Maintenance of a diversity of land use in the region.
- Infill and redevelopment.

The proposed land use amendment to LI promotes an environment that is conducive to extending the spread of industrial lands to the south into residential areas. LI is not a mixed use land use category. In addition, there are vacant industrial lands to the north and west of the site. Therefore this proposed amendment is not infill and redevelopment. Therefore, the proposed amendment is inconsistent with Transportation Element Goal, Objective and Policy 4 of the Strategic Regional Policy Plan.

# CURRENT LAND USE AMENDMENT MAP



# LAND USE AMENDMENT LAND UTILIZATION MAP



L-5644-21C LAND USE AMENDMENT WETLANDS MAP

