

# City of Jacksonville, Florida

*Lenny Curry, Mayor*

City Hall at St. James  
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Jacksonville, FL 32202  
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April 21, 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. 2022-0195/Application No. L-5652-21C**

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 2022-0195 on April 21, 2022.

|                     |                    |
|---------------------|--------------------|
| P&DD Recommendation | APPROVE            |
| PC Issues:          | None               |
| <b>PC Vote:</b>     | <b>7-0 APPROVE</b> |

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

**Small-Scale Future Land Use Map Amendment – April 15, 2022**

**Ordinance/Application No.:** 2022-195 / L-5652-21C

**Property Location:** 0 Broward Road, south of Clark Road and east of the intersection of Broward Road and Interstate Center Drive.

**Real Estate Number(s):** 022105 0010

**Property Acreage:** 16.19 acres

**Planning District:** District 6, North

**City Council District:** District 8

**Applicant:** T.R. Hainline, Esquire

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

**Proposed Land Use:** Community/General Commercial (CGC) with site specific Future Land Use Element (FLUE) Policy 4.4.28

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

**Proposed Zoning:** Planned Unit Development (PUD)

**Development Boundary:** Urban Area

**RECOMMENDATION: APPROVE**

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

To allow for residential development of an under-utilized parcel.

**BACKGROUND**

The undeveloped 16.19 acre subject site is located south of Clark Road and east of the intersection of Broward Road and Interstate Center Drive. The applicant is proposing a Future Land Use Map (FLUM) amendment from Community/General Commercial (CGC) to Community/General Commercial (CGC) with site specific FLUE Policy 4.4.28 (detailed below and included as Exhibit 3, dated February 18, 2022, to the Ordinance) to allow for use of the site as a single-use residential development . The applicant is also proposing

a companion rezoning from Commercial/Community General-1 (CCG-1) to Planned Unit Development (PUD) which is pending concurrently with this amendment, pursuant to Ordinance 2022-196.

There have been three proximate land use amendments and one pending land use amendment within recent years. South of the subject site, at the intersection of Broward Road and Zoo Parkway (SR-105), is a pending land use amendment, with a request that is similar to this proposed amendment, from CGC to CGC with Site Specific Policy 4.4.26, pursuant to Ordinance 2022-148. To the southwest of the subject site, across Broward Road, an approximately 15.54 acre site was amended from Low Density Residential (LDR), Medium Density Residential (MDR), and CGC to Conservation (CSV), pursuant to Ordinance 2021-337-E. Just north of the CSV designation is an approximately 5.04 acre site that was amended from CGC to MDR, pursuant to 2021-68-E. North of the subject site, across Clark Road, is an approximately 5.08 acre site that was amended from CGC to MDR, pursuant to Ordinance 2021-413-E.

Proposed site specific FLUE Policy 4.4.28

Pursuant to the authority granted by Sec. 163.3187(1)(b), Florida Statutes, Ordinance 2022-195 for a small scale amendment is approved subject to the following:

To implement Policy 1.1.5 of the 2030 Comprehensive Plan Future Land Use Element, the following shall apply to this small scale land use map amendment:

- o Development shall be exempt from the Community/General Commercial Urban Area Development Characteristic prohibiting ground floor residential uses abutting the roadways classified as arterials or higher on the Functional Highway Classification Map.
- o Single use residential development shall be permitted on 100% of the site.

The amendment allows for the option of single use residential development. The amendment provides an additional location for residential uses, providing 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.

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

North: Land Use: CGC, MDR, BP  
Zoning: IBP, RMD-D, PUD  
Property Use: Undeveloped, Commercial uses

South: Land Use: CGC  
Zoning: CCG-1, CO  
Property Use: Hotel, Interstate-95, Undeveloped

East: Land Use: CGC, BP

Zoning: CCG-1, IBP  
 Property Use: Church, Union Hall, Interstate-95

West: Land Use: CGC, CSV, MDR  
 Zoning: CCG-1, CSV, RMD-D, CO  
 Property Use: Undeveloped, Conservation land

**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 in order to assess the potential impacts. Supplemental information related to these impacts are depicted as scenario 2 in the Impact Assessment Baseline Review Table and, as relevant, in the analysis following the table.

**Impact Assessment Baseline Review**

| <b>Development Analysis</b>                  |   |   |
|--|---|---|
| Development Boundary                         | Urban Area  |   |
| Roadway Frontage Classification / State Road | Broward Road – Collector and Interstate Center Drive - Unclassified   |   |
| Plans and/or Studies                         | North Jacksonville Vision Plan  |   |
| Site Utilization                             | Current:<br>Undeveloped   | Proposed:<br>Multi-family Residential   |
| Land Use / Zoning                            | Current:<br>CGC / CCG-1   | Proposed:<br>CGC with Site Specific Policy 4.4.28 / PUD   |
| Development Standards for Impact Assessment  | Current:<br>Scenario 1: 100% non-residential at 0.35 FAR<br>Scenario 2: 80% residential at 30 DU/Acre And 20% non-residential at 0.35 FAR | Proposed:<br>Scenario 1: 100% non-residential at 0.35 FAR<br>Scenario 2: 100% residential at 30 DU/Acre |
| Development Potential                        | Current:<br>Scenario 1: 246,832 Sq. Ft.<br>Scenario 2: 49,366 Sq. Ft. and 388 MF DUs  | Proposed:<br>Scenario 1: 246,832 Sq. Ft.<br>Scenario 2: 485 MF DUs                                      |
| Net Increase/Decrease in Maximum Density     | Scenario 1: Not applicable<br>Scenario 2: Increase of 97 DUs  |   |

| <b>Development Analysis</b>                   |   |
|---|---|
| Net Increase/Decrease in Potential Floor Area | <u>Scenario 1</u> : No net increase or decrease<br><u>Scenario 2</u> : Decrease of 49,366 Sq. Ft.         |
| Population Potential                          | Current:<br><u>Scenario 1</u> : Not applicable<br><u>Scenario 2</u> : 911 people                          |
|   | Proposed:<br><u>Scenario 1</u> : Not applicable<br><u>Scenario 2</u> : 1,139 people                       |
| <b>Special Designation Areas</b>              |   |
| Aquatic Preserve                              | No  |
| Septic Tank Failure Area                      | No  |
| Airport Environment Zone                      | No  |
| Industrial Preservation Area                  | No  |
| Cultural Resources                            | No  |
| Archaeological Sensitivity                    | Low, Medium, High   |
| Historic District                             | No  |
| Coastal High Hazard Area                      | No  |
| Adaptation Action Area                        | Yes   |
| Groundwater Aquifer Recharge Area             | No  |
| Wellhead Protection Zone                      | No  |
| Boat Facility Siting Zone                     | No  |
| Brownfield                                    | No  |
| <b>Public Facilities</b>                      |   |
| Potential Roadway Impact                      | <u>Scenario 1</u> : no net new daily trips<br><u>Scenario 2</u> : no net new daily trips                  |
| Potential Public School Impact                | <u>Scenario 1</u> : Not applicable<br><u>Scenario 2</u> : 119 new students                                |
| Water Provider                                | JEA   |
| Potential Water Impact                        | <u>Scenario 1</u> : no net increase or decrease<br><u>Scenario 2</u> : Increase of 20,327 gallons per day |
| Sewer Provider                                | JEA   |
| Potential Sewer Impact                        | <u>Scenario 1</u> : no net increase or decrease<br><u>Scenario 2</u> : Increase of 15,245 gallons per day |
| Potential Solid Waste Impact                  | <u>Scenario 1</u> : no net increase or decrease<br><u>Scenario 2</u> : Increase of 173 tons per year      |
| Drainage Basin/Sub-basin                      | Trout River / Trout River   |
| Recreation and Parks                          | Bert Maxwell Boat Ramp  |
| Mass Transit Access                           | JTA Bus Route 1   |
| <b>Natural Features</b>                       |   |
| Elevations                                    | 5-12 feet   |

| <b>Development Analysis</b>                          |  |
|--|--|
| Land Cover   | 4340: Upland Mixed coniferous/hardwood<br>6460: mixed scrub-shrub                |
| Soils  | 14: Boulogne Fine Sand<br>22: Evergreen-Wesconnett Complex<br>32: Leon Fine Sand |
| Flood Zones  | 0.2 Percent Annual Chance Flood Hazard flood zone                                |
| Wetlands   | 6460: mixed scrub-shrub  |
| Wildlife (applicable to sites greater than 50 acres) | Not Applicable   |

### **Utility Capacity**

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

The applicant has provided a JEA letter of service availability dated November 16, 2021, which was submitted with the companion PUD rezoning application identifying that the site has access to both water and sewer connections along Broward Road. The letter also identified special conditions that need to be met in order to obtain sewer service, including the design and construction of a pump station and dedicated force main.

### 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 16.19 acres and is accessible from Broward Road, a collector facility and Interstate Center Drive, a local facility. The proposed land use amendment is located within the Urban Development Area and Mobility Zone 4. The applicant proposes to change the existing land use from Community General Commercial (CGC) land use to CGC land use subject to a site-specific policy that allows for 100% of residential uses.

### **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 7,034 or 4,615 daily trips depending on the scenario. If the land use is amended to allow for this proposed CGC with a site-specific policy, this will result 3,269 daily trips.

**Transportation Planning Division RECOMMENDS the following:**

The difference in daily trips for the proposed land use amendment will result in no net new daily trips when compared to the existing land use. However, the subject site is an existing green field, and it currently has zero traffic impacts. Therefore, 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**  
**Trip Generation Estimation Scenarios**

| <b>Current Land Use Scenario 1</b> | <b>ITE Land Use Code</b> | <b>Potential Number of Units</b> | <b>Estimation Method</b> | <b>Gross Trips</b>                    | <b>Less Pass-By Trips</b> | <b>Daily Trips</b> |
|------------------------------------|--------------------------|----------------------------------|--------------------------|---------------------------------------|---------------------------|--------------------|
| CGC                                | 820                      | 246,832 SF                       | T = 37.01 (X) / 1000     | 9,135                                 | 2,101                     | 7,034              |
|                                    |                          |                                  |                          | <b>Existing Scenario 1 Total</b>      |                           | <b>7,034</b>       |
| <b>Current Land Use Scenario 2</b> | <b>ITE Land Use Code</b> | <b>Potential Number of Units</b> | <b>Estimation Method</b> | <b>Gross Trips</b>                    | <b>Less Pass-By Trips</b> | <b>Daily Trips</b> |
| CGC-N                              | 821                      | 49,366 SF                        | T = 67.52 (X) / 1000     | 3,333                                 | 1,333                     | 2,000              |
| CGC-R                              | 220                      | 388 MF DUs                       | T = 6.74 (X)             | 2,615                                 | 0                         | 2,615              |
|                                    |                          |                                  |                          | <b>Existing Scenario 2 Total</b>      |                           | <b>4,615</b>       |
| <b>Proposed Land Use</b>           | <b>ITE Land Use Code</b> | <b>Potential Number of Units</b> | <b>Estimation Method</b> | <b>Gross Trips</b>                    | <b>Less Pass-By Trips</b> | <b>Daily Trips</b> |
| CGC- R                             | 220                      | 485 MF DUs                       | T = 6.74 (X)             | 3,269                                 | 0                         | 3,269              |
|                                    |                          |                                  |                          | <b>Proposed Scenario 2 Total</b>      |                           | <b>3,269</b>       |
|                                    |                          |                                  |                          | <b>Scenario 1 Net New Daily Total</b> |                           | <b>0</b>           |
|                                    |                          |                                  |                          | <b>Scenario 2 Net New Daily Total</b> |                           | <b>0</b>           |

Source: Trip Generation Manual, 10th Edition, Institute of Engineers

### School Capacity

The 16.19 acre proposed land use map amendment has a development potential of 485 dwelling units and, under scenario 2, 119 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.

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

| <b>Application Review Request:</b> COJ PDD: School Impact Analysis<br><b>Proposed Name:</b> L-5652-21C North Broward Road<br><b>Requested By:</b> Ed "Luke" Lukacovic / Krista Fogarty<br><b>Reviewed By:</b> Shalene B. Estes<br><b>Due:</b> 3/23/2022 |                  |                        |                         |                                      |                        |                                    |                                    |
|---|------------------|------------------------|-------------------------|--------------------------------------|------------------------|------------------------------------|------------------------------------|
| <b>Analysis based on maximum dwelling units:</b> 485  |                  |                        |                         |                                      |                        |                                    |                                    |
| School Type   | CSA <sup>1</sup> | 2021-22 Enrollment/CSA | Current Utilization (%) | New Student/Development <sup>3</sup> | 5-Year Utilization (%) | Available Seats - CSA <sup>2</sup> | Available Seats - Adjacent CSA 2&7 |
| Elementary  | 1                | 10,651                 | 54%                     | 60                                   | 59%                    | 8,062                              | 3,373                              |
| Middle  | 1                | 7,527                  | 88%                     | 24                                   | 86%                    | 807                                | 791                                |
| High  | 1                | 8,087                  | 80%                     | 35                                   | 72%                    | 1,116                              | 1,778                              |
| <b>Total New Students</b>   |                  |                        |                         | <b>119</b>                           |                        |                                    |                                    |

**NOTES:**

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

<sup>2</sup> Available CSA seats include current reservations

<sup>3</sup> Student Distribution Rate

ES-.125

MS-.051

HS-.074

0.250

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

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:**

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

| <b>Application Review Request: COJ PDD: Baseline Checklist Review</b><br><b>Proposed Name: L-5652-21C North Broward Road</b><br><b>Requested By: Ed "Luke" Lukacovic / Krista Fogarty</b><br><b>Reviewed By: Shalene B. Estes</b><br><b>Due: 3/23/2022</b><br>Analysis based on maximum dwelling units: <b>485</b> |     |   |   |  |            |                      |
|--|-----|---|---|--|------------|----------------------|
| SCHOOL <sup>1</sup>  | CSA | STUDENTS<br>GENERATED<br>(Rounded) <sup>3</sup> | SCHOOL CAPACITY <sup>2</sup><br>(Permanent/Portables) | CURRENT<br>ENROLLMENT<br>20 Day Count<br>(2021/22) | % OCCUPIED | 4 YEAR<br>PROJECTION |
| Highland ES #99  | 1   | 60  | 536   | 445  | 83%        | 111%                 |
| Highland MS #244   | 1   | 24  | 1071  | 697  | 65%        | 75%                  |
| First Coast HS #265  | 7   | 35  | 2212  | 2194   | 99%        | 101%                 |
|  |     | 119   |   |  |            |                      |

**NOTES:**

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

<sup>2</sup> Does not include ESE & room exclusions

<sup>3</sup> Student Distribution Rate

ES-.125  
 MS-.051  
 HS-.074  


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 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.

### **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.

### **Flood Zones**

Approximately 1.01 acres of the subject site is located within the 0.2 Percent 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 0.2 Percent Annual Chance Flood Hazard flood zone is defined as an area 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 1.4.4 The City shall require all development within the 100-year flood plain to be in strict conformance with all applicable federal, State, regional and local development regulations.

Policy 2.7.1 The City shall continue to define the surface hydrology of the area to determine flood plain vulnerability and sensitivity, and will determine appropriate protection measures.

Policy 2.7.3 The City shall protect appropriate floodplain areas for the public benefit and restore degraded floodplain areas by:

- A. Land acquisition or conservation easement acquisition;
- B. Regulation, including setbacks, buffer zones, designated wildlife corridors, low density zoning, performance standards and open space requirements; and
- C. Incentives, including tax benefits and transfer of development rights.

### **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 2021-732-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 property is located within the AAA boundary (Ordinance 2021-732-E).

### 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.

### **Evacuation Zone**

The subject site is within Evacuation Zone 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. Their complete analysis is below.

#### EPD Response:

The proposed property in land use amendment L-5652-21C will be in close proximity to North Main Street, indicating sufficient access to I-95 (0.29 road miles) and I-295 (3.85 road miles), primary evacuation routes.

In consideration of the surrounding evacuation zones (Zone A and Zone B), nearest evacuation routes, and the decrease of 1,346 – 3,765 additional daily trips, the development of the proposed property 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-5652-21C 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.

**Wetlands**

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

**Wetlands Characteristics:**

Approximate Size: 2.27 Acres

General Location(s): The wetlands area is primarily a freshwater marsh located near the eastern side of the property.

Quality/Functional Value: The wetland has a low functional value for water filtration attenuation and flood water storage capacity due to its isolation, size and/or the lowering of the hydro-period due to nearby site grading or drainage/retention improvements. In addition the wetland has no clear or significant impact on the City's waterways.

Soil Types/  
Characteristics: 22- Evergreen-Wesconnett Complex

The Evergreen series consists nearly level, very poorly drained soils. Generally, the high water table is at or above the surface for very long periods.

The Wesconnett series consists of nearly level, very poorly drained, sandy soils. Generally the high water table is at or above the surface for very long periods.

Wetland Category: Category III

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

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

**Wetlands Impact:** The proposed site plan included with the companion Planned Unit Development application indicates that the wetlands will be impacted by the proposed development.

**Associated Impacts:** Wetland is associated with 0.2 percent hazard flood chance flood zone.

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

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

- i Issuance of a Management and Storage of Surface Waters permit pursuant to Chapter 40C-4 or 40C-40, F.A.C. or a stormwater permit issued pursuant to Chapter 40C-42, F.A.C., provides assurances necessary for compliance with subsections (i) - (iv) above provided the stormwater management system is constructed in accordance with the permit; and
  - ii Regular monitoring and maintenance program on an annual basis for the performance of stormwater treatment systems
- (e) **Septic tanks**  
Septic tanks, drainfields and/or greywater systems are located outside the



Category I, II, or III wetland area and not within 75 feet of the mean high water line of tidal bodies or within 75 feet of any wetland unless the Duval County Health Department grants a variance for a hardship case pursuant to the provisions of Section 381.0065, F.S. Where public utilities are available, development is required to connect to these facilities; and

(f) Hydrology

The design of the fill shall include measures to maintain the wetlands hydrology of the site.

**Policy 4.1.6**

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

(1) Any use not otherwise listed below, provided all of the basic requirements outlined in Policy 4.1.3 above are met:

(a) Silvicultural uses, provided the following standards are met:

Best Management Practices: Silviculture

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

(b) Agricultural uses, provided the following standards are met:

Best Management Practices: Agriculture

Such activities are to be in compliance with Chapter 40C-44, F.A.C.

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

Future Land Use Element

**Policy 4.1.10**

The City hereby incorporates Map L-5 that depicts Salt Water Marshes, Riverine/Estuarine Wetlands and All Other Wetlands. Notwithstanding the permitted land uses according to the Future Land Use Map series (FLUMs), the permitted land uses within such areas shall be limited to the permitted land uses and associated standards of Objectives 4.1, 4.2, 4.3 and 5.1 and related policies of the Conservation/Coastal Management Element.

## **PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on March 31, 2022, the required notices of public hearing signs were posted. Fifteen (15) 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 March 28, 2022. No members of the public attended to speak on the proposed amendment.

## **CONSISTENCY EVALUATION**

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

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

##### *Development Area*

*Urban Area (UA):* The UA is the second tier Development Area and generally corresponds with the densely developed portions of the City that have been in residential or employment generating uses prior to consolidation. It also includes major corridors which connect the other Development Areas. Similar to the Urban Priority Area (UPA), the intent of the UA is to encourage revitalization and the use of existing infrastructure through redevelopment and infill development, but at moderate urban densities which are transit friendly. Also similar to the UPA, the UA is intended to support multi-modal transportation and the reduction of per capita greenhouse gas emissions and vehicle miles traveled. Development is 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 1.1.12 Promote the use of Planned Unit Developments (PUDs), cluster developments, and other innovative site planning and smart growth techniques in all commercial, industrial and residential plan categories,

in order to allow for appropriate combinations of complementary land uses, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations.

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

Policy 1.1.22 Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

Policy 1.1.25 The City will encourage the use of such smart growth practices as:

1. Interconnectivity of transportation modes and recreation and open space areas;
2. A range of densities and types of residential developments;
3. A mix of uses including office, commercial, and residential which encourage internal capture of trips;
4. Use of the Development Areas;
5. Revitalization of older areas and the downtown, and
6. Purchase of land through the Preservation Project to remove it from development and preserve it as open space, recreation or conservation use.

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.

- Policy 1.3.8** The City shall require through the development review process, the interconnections of land uses in order to reduce the need for trip generation and encourage alternative methods of movement. The development review criteria shall include provisions for convenient on-site traffic flow, considering need for vehicular parking.
- Goal 3** To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.
- Objective 3.1** Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.
- Policy 3.2.1** The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.
- Policy 3.2.7** The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the of the areas served, availability of public facilities, and market demands.
- 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.

#### Property Rights Element (PRE)

- Goal 1** The City will recognize and respect judicially acknowledged and constitutionally protected private property rights in accordance with the Community Planning Act established in Chapter 163, Florida Statutes.
- Objective 1.1** Local decision making shall be implemented and applied with sensitivity for private property rights and shall not be unduly restrictive.

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

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

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

According to the Future Land Use Element (FLUE), Community/General Commercial (CGC) is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods in order to reduce the number of Vehicle Miles Traveled. CGC also allows for multi-family residential at densities up to 40 units per acre in the Urban Area, subject to the provision that residential uses shall not be the sole use and shall not exceed 80 percent of a development.

The applicant is proposing a change from CGC to CGC with site specific Future Land Use Element (FLUE) Policy 4.4.28. The site specific policy permits single use residential development on 100 percent of the site and exempts development from the Community/General Commercial Urban Area Development Characteristic prohibiting ground floor residential uses abutting the roadways classified as arterials or higher on the Functional Highway Classification Map. The amendment allows for the option of single use residential development. The amendment provides an additional location for residential uses, providing 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.

The CGC designation is consistent and compatible with the existing commercial corridor along Broward Road consistent with FLUE Goal 1 and Policies 3.2.1 and 3.2.7. Further, the site offers an infill redevelopment opportunity on a site that has existing infrastructure consistent with FLUE Objective 6.3 and the intent of the urban development area.

While CGC is a commercial category, it also allows for residential development. The proposed site specific policy and the companion PUD rezoning application and policy indicate an intent to develop the site as a residential development. The proposed use of the site for a residential development would allow for a wider mix of uses along the Broward Road corridor, consistent with Goal 3 of the FLUE, and ensure adequate land is

designated for residential uses, while maintaining compatibility with the surrounding area, consistent with FLUE Objective 3.1. Additionally, the proposed companion PUD rezoning allows for an opportunity to offer innovative site design techniques, consistent with FLUE Policy 1.1.12.

Consistent with FLUE Policy 1.2.9, the applicant has provided a JEA letter of service availability dated November 16, 2021, which was submitted with the companion PUD rezoning application identifying that the site has to access to both water and sewer connections along Broward Road. The letter also identified special conditions that need to be met in order to obtain sewer service, including the design and construction of a pump station and dedicated force main.

The proposed amendment would encourage reuse of the site within the Urban Development Area, where access to full urban services, including public transit, is available, along with a mix of uses. The proposed reuse of the site as residential will broaden the mix of uses in the area. As such, the proposed amendment is consistent with FLUE Policies 1.1.22, 1.1.25, and 1.3.8.

The proposed small scale amendment would have no impact on the amount of CGC designated land throughout the City, as the site is already designated as CGC and the companion PUD still permits the development of commercial uses. Thus, the proposed amendment is consistent with FLUE Policies 1.1.5 and 1.1.21.

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 Shared Vision and Master Plan (2003). The Plan offers no specific recommendations for the location of the subject site. However, the Plan does recommend clustering new development in order to provide greater environmental protection and public benefit. The companion PUD can address clustering development out of the environmentally sensitive areas, as well as provide a redevelopment opportunity.

### **Strategic Regional Policy Plan**

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

Goal: A safe, sanitary, efficient and resilient housing supply that provides lifestyle choice (agricultural, rural, suburban, and urban) and affordable options for all income, age and ability groups, equitably placed in vibrant, viable and accessible communities throughout the region.



The proposed land use amendment would increase opportunities for residential development, providing a wider range of housing in the northeast Florida region and creating a location for the development of new housing stock for the area. Therefore, the proposed amendment is consistent with the Strategic Regional Policy Plan.

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

