

City of Jacksonville, Florida

Lenny Curry, Mayor

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

January 19, 2023

The Honorable Terrance Freeman, President
The Honorable Kevin Carrico, LUZ Chair
And Members of the City Council
117 West Duval Street
Jacksonville, Florida 32202

RE: Planning Commission Advisory Report / Ordinance No. 2022-892/Application No. L-5756-22C

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

Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **APPROVED** Ordinance 2022-892 on January 19, 2023.

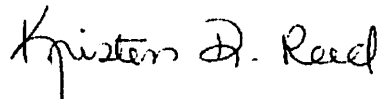
P&DD Recommendation	APPROVE
PC Issues:	None
PC Vote:	6-0 APPROVE

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

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

Sincerely,



Kristen D. Reed, AICP
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Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment – January 13, 2023

Ordinance/Application No.: 2022-892 / L-5756-22C

Property Location: 5175 Justamere Road between 103rd Street and Magnolia Hills Drive

Real Estate Number(s): 012966 0100

Development Area: Suburban Area

Property Acreage: 14.98 acres

Planning District: District 4, Southwest

City Council District: District 12

Applicant: William Michaelis, Esquire

Current Land Use: Low Density Residential (LDR)

Proposed Land Use: Medium Density Residential (MDR)

Current Zoning: Planned Unit Development (PUD) (9.42 acres)
Commercial Office (CO) (0.27 of an acre)
Residential Low Density-100B (RLD-100B) (5.29 acres)

Proposed Zoning: Planned Unit Development (PUD) (14.98 acres)

RECOMMENDATION: APPROVE

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

To allow for development of the property with townhomes.

BACKGROUND

The subject 14.98 acre site is currently includes residential uses on the site. The property is located at 5175 Justamere Road, a local roadway, north of 103rd Street, a minor arterial roadway and west of Magnolia Valley Drive, an unclassified roadway. The applicant is proposing an amendment to the Future Land Use Map series (FLUMs) from Low Density Residential (LDR) to Medium Density Residential (MDR), with a companion rezoning application from Planned Unit Development (PUD), Commercial Office (CO) and

Residential Low Density-100B (RLD-B) to Planned Unit Development (PUD). The applicant seeks to develop the site with townhomes. Property in the MDR land use category directly abuts the subject property on the east. The land use application would extend the existing MDR category.

Directly south of the site fronting 103rd Street includes undeveloped land in the CGC land use category. Further south of the site across 103rd Street includes land in the MDR land use category that is developed with large lot single-family residential uses and a church. Additionally, south of the site in the Low Density Residential (LDR) land use category is the Bent Creek Golf Course and Community entrance. Southwest of the site fronting 103rd Street is a property that was recently approved for a land use change from CGC to MDR (Ordinance 2022-307-E) for the development of multi-family housing. Directly north and west of the site is the Magnolia Glenn single-family subdivision in the LDR land use category. Further west of the site is Bishop Snyder High School in the CGC land use category. Across Samaritan Way further west of the subject site, a 22 acre land use amendment from CGC to Residential-Professional-Institutional (RPI) was recently approved for a multi-family development (Ordinance 2021-867-E). East of the site are warehouse and service garage uses in the MDR and CGC land use categories.

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

North: Land Use: LDR

Zoning: PUD

Property Use: Magnolia Glynn single-family subdivision

South: Land Use: CGC and MDR

Zoning: CO, PUD, CCG-1, RMD-A

Property Use: undeveloped land, JEA utility, Family Dollar store, warehouse, across 103rd Street includes church, single-family residential and recreation uses

East: Land Use: MDR, CGC

Zoning: RMD-A, PUD,

Property Use: warehouse, outdoor storage, service garage

West: Land Use: LDR, CGC

Zoning: PUD, RR-Acre, CCG-1

Property Use: Magnolia Glynn single-family subdivision, JEA easement, Bishop John Snyder High School

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.

Development Analysis		L-5756-22C / 14.98 acres	
Development Boundary	Suburban		
Roadway Frontage Classification / State Road	Justamere Road – unimproved local road		
Plans and/or Studies	Southwest Jacksonville Vision Plan		
Site Utilization	Current: Single-family residential	Proposed: Multi-family residential	
Land Use / Zoning	Current: LDR / PUD, CO & RLD-100B	Proposed: MDR / PUD	
Development Standards for Impact Assessment	Current: 5 DU/Acre	Proposed: 15 DU/Acre	
Development Potential	Current: 74 dwelling units	Proposed: 224 dwelling units	
Net Increase or Decrease in Maximum Density	Increase of 156 dwelling units		
Net Increase or Decrease in Potential Floor Area	Not Applicable		
Population Potential	Current: 196 people	Proposed: 526 people	
Special Designation Areas			
Aquatic Preserve	NO		
Septic Tank Failure Area	NO		
Evacuation Zone	NO		
Airport Environment Zone	150-foot Height Restriction Zone for NAS Jax		
Industrial Preservation Area	NO		
Cultural Resources	NO		
Archaeological Sensitivity	Low Sensitivity		
Historic District	NO		
Coastal High Hazard	NO		
Adaptation Action Area	NO		
Groundwater Aquifer Recharge Area	0-4 inches		
Wellhead Protection Zone	NO		
Boat Facility Siting Zone	NO		
Brownfield	NO		
Public Facilities			
Potential Roadway Impact	Increase of 812 net new trips		
Potential Public School Impact	55 students		
Water Provider	JEA		
Potential Water Impact	Increase of 34,273 gallons per day		
Sewer Provider	JEA		
Potential Sewer Impact	Increase of 25,705 gallons per day		
Potential Solid Waste Impact	Increase of 405.6 tons per year		
Drainage Basin/Sub-basin	Ortega River / Ortega River		
Recreation and Parks	103 rd Street Sports Complex; Bent Creek Golf Course – both just south of the site		
Mass Transit Access	Three stops on JTA Bus Route 30 – just south of site along 103 rd Street		
Natural Features			
Elevations	72-82 feet		

Development Analysis		L-5756-22C / 14.98 acres
Land Cover	2110: Improved pastures (monocult, planted forage crops)	
Soils	14: Boulogne fine sand, 0 to 2 percent slopes; 22: Evergreen-Wesconnett complex, depressional, 0 to 2 percent slopes; 32: Leon fine sand, 0 to 2 percent slopes	
Flood Zones	NO	
Wetlands	Category III 6170: Mixed wetland hardwoods	
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 has been established by the City of Jacksonville Planning and Development Department and have been adopted by JEA solely to prepare this report and/or this spreadsheet. The method of calculating water and sewer flows in order to properly size infrastructure shall continue to be based on JEA’s Water, Sewer, and Reuse for New Development Projects document (latest edition). A JEA letter of service availability has been provided and is on file with the Planning and Development Department.

The applicant intends to use JEA water and sewer for the site development. The JEA Availability Letter, dated May 14, 2022, identifies two existing potable water mains and two sewer force mains on Magnolia Valley Drive and 103rd Street. Sewer connection along 103rd Street includes special conditions as outlined in the Availability Letter.

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 14.98 acres and is accessible from Justamere Road, an unclassified facility. The proposed land use amendment is located within the Suburban Development Area and Mobility Zone 6. The applicant proposes to change the existing land use from Low Density Residential (LDR) to Medium Density Residential (MDR).

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).

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 698 daily trips. If the land use is amended to allow for this proposed MDR development, this will result in 1,510 daily trips.

Transportation Planning Division RECOMMENDS the following:

The difference in daily trips for the proposed land use amendment will result in 812 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.

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	74 SF DUs	T = 9.43 (X)	698	0	698
<i>Existing Scenario Total</i>						698
Proposed Land Use Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
MDR	220	224 MF DUs	T = 6.74 (X)	1,510	0	1,510
<i>Proposed Scenario Total</i>						1,510
Proposed Net New Daily Total						812

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

School Capacity

Based on the impact assessment standards detailed in FLUE Policy 1.2.16, the 14.98 acre proposed land use map amendment has a development potential of 224 dwelling units.

The proposed development was analyzed in accordance with the adopted level of service standards (LOS) for school capacity as established in the Interlocal Agreement (ILA) and

the Public Schools and Facilities Element. The ILA was entered into in coordination with the Duval County Public School System (DCPS) and the other municipalities within Duval County.

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

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

Application Review Request: COJ PDD: School Impact Analysis Proposed Name: L-5756 - 22C Justamere Road Requested By: Helena Parola Reviewed By: Shalene B. Estes Due: 12/9/2022							
Analysis based on maximum dwelling units: 224							
School Type	CSA ¹	2022-23 Enrollment/CSA	Current Utilization (%)	New Student/Development ³	5-Year Utilization (%)	Available Seats - CSA ²	Available Seats - Adjacent CSA 1&2
Elementary	8	5,666	75%	28	83%	2,075	9,800
Middle	7	1,018	71%	11	79%	267	1,681
High	8	2,697	89%	16	64%	216	2,255
Total New Students				55			

NOTES:

¹ Proposed Development's Concurrently Service Area (CSA)

² Available CSA seats include current reservations

³ Student Distribution Rate

ES-.125

MS-.051

HS-.074

0.250

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

Potential school capacity impacts will be addressed through the Concurrency and Mobility Management System Office. The analysis does not reveal a deficiency in school capacity.

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

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.

Application Review Request: COJ PDD: Baseline Checklist Review Proposed Name: L-5756 - 22C Justamere Road Requested By: Helena Parola Reviewed By: Shalene B. Estes Due: 12/9/2022 Analysis based on maximum dwelling units: <u>224</u>						
SCHOOL ¹	CSA	STUDENTS GENERATED (Rounded) ³	SCHOOL CAPACITY ² (Permanent/Portables)	CURRENT ENROLLMENT 20-Day Count (2022/23)	% OCCUPIED	4 YEAR PROJECTION
Westview K8 #274	8	28	1498	1197	80%	85%
Westview K8 #274	8	11	1498	1197	80%	85%
Edward White Academy #248	2	16	2071	1574	76%	67%
		55				

NOTES:

- ¹ Attendance school may not be in proposed development's Concurrency Service Area (CSA)
- ² Does not include ESE & room exclusions

³ Student Distribution Rate
 ES-.125
 MS-.051
 HS-.074

 0.250

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 (+18,708) for the same year, generating a yield of 0.250.

Airport Environment Zone

The site is located within the 150 foot Height and Hazard Zone for Naval Air Station Jacksonville. Zoning will limit development to a maximum height of less than 150 feet unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards, or other potential hazards to the safe navigation of aircraft as required by Section 656.1005.1(d).

Future Land Use Element

Objective 2.5 Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

Aquifer Recharge

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

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

Policy 1.2.8 Within two years of establishment by the SJRWMD and the Water Resources Management Plan of prime recharge areas for the Floridan Aquifer, the Planning and Development Department shall prepare maps of such designated areas showing the special zoning and land use consideration the City has established for such areas as designated by the latest update of the Floridan Aquifer Recharge GIS grid coverage.

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 may be consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

Wetlands Characteristics:

Approximate Size: 1.31 Acres

General Location(s): The wetlands are located along the southern boundary and the southwest corner of the site.

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

Soil Types/ Characteristics: Boulogne fine sand, 0 to 2 percent slopes (14) –This soil series consists of nearly level, poorly drained, sandy soils. These soils formed in thick sandy marine sediments. They are in flatwoods. The soils are slowly permeable. Generally, the high water table is at a depth of 6-18 inches. Slopes are linear and range from 0 to 2 percent. The Boulogne soils are sandy, siliceous, thermic Typic Alaquods.

Evergreen-Wesconnett complex, depressional (22) – The Evergreen series consists of nearly level, very poorly drained soils. These soils formed in decomposed organic materials underlain by thick sandy marine sediments. They are in depressions. The soils are moderately slowly permeable to rapidly permeable. Generally, the high water table is at or above the surface for very long periods.

Wetland Category: Category III

Consistency of Permitted Uses: All uses consistent with CCME Policies 4.1.3 and 4.1.6

Environmental Resource Permit (ERP): Permit not provided by applicant

Wetlands Impact: The PUD site plan shows the avoidance of some of the wetlands on site.

Associated Impacts: none

Relevant Policies: CCME Policies 4.1.3 and 4.1.6

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 4.1.6

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.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on April 29, 2022, the required notices of public hearing signs were posted. Seventy-five (75) 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 January 3, 2023. No one from the public attended the meeting.

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.

- Policy 1.1.5 The amount of land designated for future development should provide for a balance of uses that:
 - A. Fosters vibrant, viable communities and economic development opportunities;
 - B. Addresses outdated development patterns;
 - C. Provides sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.

- Policy 1.1.10 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

- Policy 1.1.12 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 1.2.9 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 may be permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

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

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

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

Objective 6.3 The City shall accommodate growth in Jacksonville by encouraging and facilitating new 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 Category Descriptions within the Future Land Use Element (FLUE), the LDR land use category in the Suburban Area is intended to provide for low density residential development. The maximum gross density in the Suburban Area is 7 units/acre when full urban services are available to the site.

MDR in the Suburban Area is intended to provide compact medium density residential development. Plan amendment requests for new MDR designations are preferred in locations which are supplied with full urban services and in locations which serve as a transition between commercial and residential land uses. Multi-family dwellings are the predominant development typology in this category. The maximum gross density in the Suburban Area shall be 20 units per acre, and the minimum gross density shall generally be greater than seven (7) units per acre. Except residential density shall be 2 units/acre and the minimum lot size shall be half an acre when both centralized potable water and wastewater are not available. The maximum gross density shall be 4 units/acre and the minimum lot size shall be ¼ of an acre if either one of centralized potable water or wastewater services are not available.

According to the JEA Letter dated May 14, 2022, the site can be served by central water and sewer services consistent with FLUE Policy 1.2.9. The JEA Availability Letter identifies two existing potable water mains and two sewer force mains on Magnolia Valley Drive and 103rd Street. Sewer connection along 103rd Street includes special conditions.

The site abuts land in the MDR land use category on the east with property in the CGC land use category abutting the site to the south and LDR to the north and west. The proposed MDR land use would promote a transition of uses between the CGC to the south and the LDR to the north. Additionally, the proposed MDR would continue the

existing land use pattern in the surrounding area promoting a compact, compatible, and balanced land development pattern consistent with FLUE Goal 3 and Policy 1.1.22.

The subject site is underutilized vacant land located in the Suburban Area with access to full urban services. The proposed amendment to MDR would allow for increased housing options on an underutilized property, and as such, is consistent with FLUE Objectives 3.1 and 6.3 and Policy 3.1.6. The site will have a negligible impact on the amount of land needed to accommodate single-family or multi-family residential uses. The proposed amendment to MDR maintains a balance of uses in the area. Therefore, the amendment is consistent with FLUE Policies 1.1.5 and 1.1.21.

As with any PUD rezoning, the companion PUD should provide for buffers and site design techniques to promote compatibility with the surrounding areas of the amendment site and a gradation of uses and scale transition. The companion PUD must also address design elements, location of uses, internal roads and access points and protection of the wetland basins on the site. The companion PUD rezoning provides consistency with FLUE Policies 1.1.10 and 1.1.12.

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 "Suburban Area" and Jacksonville Heights Character Area of the Southwest Jacksonville Vision Plan (September 2003). While the Plan offers no specific recommendations for the location of the subject site, an implementation option listed under the guiding theme of "Strengthen existing neighborhoods and create new neighborhoods," states: "In the traditional, suburban and rural areas, create a vision for groups of neighborhoods" to create a cohesive community. The proposed land use amendment would allow for additional housing options on an underutilized property, thereby adding to the surrounding existing community. Given this, the proposed amendment is consistent with the Southwest Vision Plan.

Strategic Regional Policy Plan

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

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

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

The proposed land use amendment is consistent with Policy 21 of the Regional Health Subject Area as it encourages providing more housing options in the Southwest Planning District.

Land Use Amendment Location, Current Land Use and Field Map

