

City of Jacksonville, Florida

Lenny Curry, Mayor

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May 4, 2023

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

RE: Planning Commission Advisory Report / Ordinance No. 2023-223/Application No. L-5796-23C

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

Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **APPROVED** Ordinance 2023-223 on May 4, 2023.

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

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

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

Sincerely,

A handwritten signature in black ink that reads "Kristen D. Reed". The signature is written in a cursive, flowing style.

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

Small-Scale Future Land Use Map Amendment – April 28, 2023

Ordinance/Application No.: 2023-223 / L-5796-23C

Property Location: 12250 Normandy Boulevard, between POW-MIA Memorial Parkway and Cecil Commerce Center Parkway

Real Estate Number(s): 002185 0000

Property Acreage: 14.71 acres

Planning District: District 4, Southwest

City Council District: District 12

Applicant: Paul Harden, Esquire

Current Land Use: Community/General Commercial (CGC)

Proposed Land Use: Medium Density Residential (MDR)

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

Proposed Zoning: Planned Unit Development (PUD)

Development Boundary: Suburban Area

RECOMMENDATION: APPROVE

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

To develop as multi-family residential.

BACKGROUND

The 14.71 acre subject site is located along the south side of Normandy Boulevard (SR-228), a major arterial road, between POW-MIA Parkway, an unclassified road, and Cecil Commerce Center Parkway (SR-23), a limited access toll road. The applicant is proposing a Future Land Use Map (FLUM) amendment from Community/General Commercial (CGC) to Medium Density Residential (MDR) to allow for multi-family residential uses on the site. 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 application, pursuant to Ordinance 2023-224.

There have been three land use changes near the subject site and one previous amendment on the subject site. The property abutting the subject site to the north across Normandy Boulevard and to the south were both part of a 10,385-acre land use amendment that took place in 2002. This amended properties from Public Buildings and Facilities (PBF) to Multi-Use (MU) with a site-specific policy, Future Land Use Element Policy 4.3.8 (Ordinance 2002-0669-E), for the Cecil Field and Commerce Center. A 3.95-acre property to the east of the subject site, which now contains an open storage yard, was amended from Medium Density Residential (MDR) to LI pursuant to Ordinance 2007-1023-E. Abutting the subject site to the west is an 8.09-acre site that was amended from RR to CGC pursuant to 2007-1015-E. Ordinance 2020-284-E approved an amendment on the subject site from Rural Residential (RR) to CGC.

Additionally, there is a pending land use amendment on the site across Normandy Boulevard to the north of the subject site. The pending change is a request from CGC to LI on a 10.96 acre site. This request is pending concurrently pursuant to Ordinance 2023-162.

Areas surrounding the amendment site are largely undeveloped with some low density single-family dwellings and open storage uses.

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

North: Land Use: RR, CGC, and MU
Zoning: CCG-2, RR-Acre, CO, and PUD
Property Use: Single-family, Undeveloped and Open Storage

South: Land Use: MU
Zoning: PUD
Property Use: Undeveloped

East: Land Use: MU, RR, LI and BP
Zoning: PUD, RR-Acre, IL, IBP
Property Use: Undeveloped, Single-family, Open Storage and Church

West: Land Use: CGC, RR and MU
Zoning: CCG-1, RR-Acre, PUD
Property Use: Undeveloped, Single-family, and Retention Pond

IMPACT ASSESSMENT

Potential impacts of a proposed land use map amendment have been analyzed by comparing the Development Impact Standards for the subject site's existing vs. proposed land use categories unless maximum density/intensity is noted on the Annotated FLUM or is in a site specific policy. Development Impact Standards are detailed in FLUE Policy

1.2.16, *Development Standards for Impact Assessment*. These standards produce development potentials as shown in this section.

Where there is not an associated site-specific policy or note on the annotated FLUM, the impact assessment incorporates supplemental information for non-residential land use categories that permit residential uses to assess the potential impacts. Supplemental information related to these impacts 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

Development Analysis		
Development Boundary	Suburban Area	
Roadway Frontage Classification / State Road	Normandy Boulevard - Major Arterial / SR-228	
Plans and/or Studies	Southwest Jacksonville Vision Plan	
Site Utilization	Current: Vacant	Proposed: Multi-family
Land Use / Zoning	Current: CGC / CCG-1	Proposed: MDR / PUD
Development Standards for Impact Assessment	Current: Scenario 1: 100% non-residential at 0.35 FAR Scenario 2: 20% non-residential at 0.35 FAR and 80% Residential at 15 DU/Acre	Proposed: 15 DU/Acre
Development Potential	Current: Scenario 1: 224,268 Sq. Ft. Scenario 2: 44,853 Sq. Ft. and 176 DUs	Proposed: 220 DUs
Net Increase/Decrease in Maximum Density	<u>Scenario 1</u> : Increase of 220 DUs <u>Scenario 2</u> : Increase of 44 DUs	
Net Increase/Decrease in Potential Floor Area	<u>Scenario 1</u> : Decrease of 224,268 Sq. Ft. <u>Scenario 2</u> : Decrease of 44,853 Sq. Ft.	
Population Potential	Current: <u>Scenario 1</u> : Not applicable <u>Scenario 2</u> : 413 people	Proposed: 517 people
Special Designation Areas		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Evacuation Zone	No	
Airport Environment Zone	150 foot and 50-foot height zones, 60-db noise zone, and civilian notice zone for Cecil Field	
Industrial Preservation Area	Industrial Sanctuary	

Development Analysis	
Cultural Resources	No
Archaeological Sensitivity	Low
Historic District	No
Coastal High Hazard Area	No
Adaptation Action Area	No
Groundwater Aquifer Recharge Area	0-4 Inches
Wellhead Protection Zone	No
Boat Facility Siting Zone	No
Brownfield	No
Public Facilities	
Potential Roadway Impact	Scenario 1: no net new daily trips Scenario 2: no net new daily trips
Potential Public School Impact	54 new students
Water Provider	JEA
Potential Water Impact	Scenario 1: increase of 40,487 gallons per day Scenario 2: increase of 8,097 gallons per day
Sewer Provider	JEA
Potential Sewer Impact	Scenario 1: increase of 30,365 gallons per day Scenario 2: increase of 6,073 gallons per day
Potential Solid Waste Impact	Scenario 1: increase of 213 tons per year Scenario 2: increase of 42 tons per year
Drainage Basin/Sub-basin	Brady/Yellow Branch / Sal Taylor Creek
Recreation and Parks	Cecil Field
Mass Transit Access	No
Natural Features	
Elevations	79-84 feet
Land Cover	3200 Shrub and brushland (wax myrtle or saw palmetto, occasionally scrub oak) 6460 Mixed Scrub-Shrub Wetland 6300 Wetland Forest Mixed
Soils	14 Boulogne Fine Sand 35 Lynn Haven Fine Sand 22 Evergreen Westconnet Complex
Flood Zones	No
Wetlands	6460 Mixed Scrub-Shrub Wetland 6300 Wetland Forest Mixed
Wildlife (applicable to sites greater than 50 acres)	Not applicable

Utility Capacity

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

The applicant has provided a JEA Availability Letter, dated January 16, 2023, as part of the companion rezoning application. According to the letter, there is an existing 20-inch water main along POW MIA Memorial Parkway, approximately 5,700 feet west of the subject site. There is an existing 8-inch sewer force main along Normandy Boulevard, approximately 2,700 feet west of the property. The letter also lists special sewer connection conditions, including the requirement of a privately owned and maintained pump station, provided that no units will be platted or sold fee simple. Otherwise, a JEA owned and maintained pump station will be required.

The companion PUD written description indicates that the site will be served by JEA water and sewer. The MDR land use category requires connection to centralized JEA and water and sewer to develop multi-family dwellings.

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 14.71 acres and is accessible from Normandy Blvd (SR 228), a major arterial 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 Community General Commercial (CGC) 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).

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 6,391 daily trips. If the land use is amended to allow for this proposed MDR development, this will result in 1,817 or 1,186 daily trips depending on the scenario.

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. The Transportation Planning Division recommends ongoing coordinating efforts with FDOT and the City of Jacksonville Traffic Engineer to determine if a traffic operational analysis is needed.

Table A
Daily Trip Generation Estimation Scenarios

Existing Land Use-Scenario 1	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC	820	224,268 SF	T = 37.01 (X) / 1000	8,300	1,909	6,391
Total Trips for Existing Scenario 1 Land Use						6,391
Existing Land Use-Scenario 2	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC- N	821	44,853 SF	T = 67.52(X) / 1000	3,028	1,211	1,817
CGC- R	220	176 MF DUs	T = 6.74 (X)	1,186	0	1,186
Total Trips for Existing Scenario 2 Land Use						3,003
Proposed Land Use	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
MDR	220	220 MF DUs	T= 6.74 (X)	1,483	0	1,483
Total Trips for Proposed Land Use						1,483
<i>Scenario 1 Difference in Daily Trips</i>						0
<i>Scenario 2 Difference in Daily Trips</i>						0

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

School Capacity

The 14.71 acre proposed land use map amendment has a development potential of 220 dwelling units and 54 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:

Application Review Request: COJ PDD: School Impact Analysis
 Proposed Name: L-5796-23C Normandy Blvd.
 Requested By: Ed "Luka" Lukacovic / Krista Fogarty
 Reviewed By: Shalene B. Estes
 Date: 4/20/2023

Analysis based on maximum dwelling units: 220

School Type	CSA 1	2021-22 Enrollment/CSA	Current Utilization (%)	New Students/Development*	5-Year Utilization (%)	Available Seats - CSA 1	Available Seats - Adjacent CSA 1&7
Elementary	2	5,833	71%	27	69%	2,661	7,641
Middle	2	2,581	68%	11	65%	98	1,936
High	2	3,136	80%	16	82%	895	2,014
Total New Students				54			

NOTES:

¹ Proposed Development's Concurrent Service Area (CSA)

² 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.

³ Available CSA seats include current reservations

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

Public School Facilities Element

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

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

Objective 3.2 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.

Application Review Request: COJ PDD: Baseline Checklist Review

Proposed Name: L-5796-23C Normandy Blvd
Requested By: Ed "Luke" Lukacovic / Krista Fogarty
Reviewed By: Shalene B. Estes
Due: 4/20/2023

Analysis based on maximum dwelling units: 220

SCHOOL ¹	CSA	STUDENTS GENERATED (Rounded) ²	SCHOOL CAPACITY ³ (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2021/22)	% OCCUPIED	4 YEAR PROJECTION
Normandy Village ES #221	8	27	658	489	74%	80%
Charger Academy MS #216	2	11	1438	961	67%	59%
Ed White Academy HS #248	2	16	2071	1574	76%	67%
		54				

NOTES:

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

² Student Distribution Rate

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

The Student Distribution Rate is calculated for each school type by dividing the total number of public school students enrolled in that school type in Duval County (1,04,757) by the number of total permitted housing units (418,708) for the same year, generating a yield of 0.250.

³ Does not include ESE & room exclusions

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low sensitivity for the presence of archaeological resources. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Historic Preservation Element

Policy 1.2.6 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.

Aquifer Recharge

A portion of 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 Floridian 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 Floridian Aquifer Recharge GIS grid coverage.

Industrial Sanctuary

The subject property is in an area identified on the Industrial Preservation Map (Map L-23) as “Industrial Sanctuary.” Industrial uses are crucial to the long-term economic well-being of the City and these areas are presumed to be appropriate for land use map amendments to industrial categories, subject to FLUE Objective 3.2 and supporting policies as well as other applicable objectives and policies. The “Industrial Sanctuary Zone” is defined as a distinct geographical area predominately consisting of industrial uses and zoning districts and strategically located for future expansion and economic development.

The land use amendment is not converting land from industrial land use and, the amendment to MDR will facilitate the provision of a variety of housing options near the Cecil Commerce Center industrial complex. The provision of multi-family housing near a major employment center is complementary to meeting the employment needs of the area while also meeting the goals of creating a land use pattern that minimizes vehicle mile traveled.

Future Land Use Element

Policy 3.2.32 Where there is not an adopted neighborhood plan and/or study recommending the contrary, areas identified on the Industrial Preservation Map (Map L-23) as Industrial Sanctuary shall not be converted to non-industrial land uses.

Policy 3.2.19 The City shall prohibit expansion or new development of non-industrially designated land uses in industrially designated areas unless the use is determined to be an accessory and complementary use to the industrial area, unless otherwise provided for herein. Amend the Land Development Regulations to include standards and/or criteria for location and intensity of these types of non-industrial uses.

Airport Environment Zone

The site is located within the 150 foot Height and Hazard Zone for the Cecil Airport. Zoning will limit development to a maximum height of 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 safe navigation of aircraft as required by Section 656.1005.1(d).

Additionally, the amendment site is within the 60-64.99 Day-Night Sound Level (DNL) noise contour range. As such, this area is within the Civilian Influence Zone for Cecil Airport. In accordance with Section 656.1010, the plat for a subdivision shall indicate which lots are located within a Civilian Influence Zone. No person shall sell, transfer, or lease land within a Civilian Influence Zone, unless the prospective owner, transferee or lessee has been given a disclosure of airport proximity in writing, at the time of contract of sale, transfer, or lease.

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.

Policy 2.5.5C Within the 60DNL or higher area as depicted on Map L-22, entertainment assembly uses are only permitted in PUD developments

or pursuant to preliminary site development reviews in accordance with Section 656.1003 that were approved prior to March 27, 2007 or those uses meeting the nonconforming uses definition in Section 656.1008 of the City of Jacksonville Zoning Code. All other uses are allowed subject to disclosure requirements.

Policy 2.5.6 To ensure safety and education of citizens occupying properties that are located near military and civilian airports, the City requires disclosure of airport proximity to prospective owners or lessees in the Military and Civilian Influence Zones depicted on Map L-22.

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:	2.71 Acres
General Location(s):	Along the northern property line, abutting Normandy Boulevard.
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:	<p>Evergreen-Wesconnett Complex (22)- The Evergreen series and Wesconnett series are both nearly level poorly drained soils formed in thick sandy marine sediments. The Evergreen soils were also formed in decomposed organic materials. Generally the high water table is at or above the surface for very long periods.</p> <p>Lynn Haven fine sand (35) - gently sloping, poorly drained, sandy, generally found on flats and in steep areas of side slopes, formed in thick beds of sandy marine sediment. The wetland soils areas have water tables near or above the ground surface.</p>
Wetland Category:	Category III

Consistency of Permitted Uses: Any development within the wetlands must meet the performance standards in CCME policies 4.1.3, 4.1.4, and 4.1.6 below.

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

Wetlands Impact: Insufficient information to determine impacts

Associated Impacts: No associated impacts

Relevant Policies:

Conservation/Coastal Management Element

Goal 4 To achieve no further net loss of the natural functions of the City's remaining wetlands, improve the quality of the City's wetland resources over the long-term and improve the water quality and fish and wildlife values of wetlands.

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:

(1) Encroachment

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

(a) 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

(b) 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

(c) 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
- (d) 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
- (e) Hydrology
The design of the fill shall include measures to maintain the wetlands hydrology of the site.

Policy 4.1.4 Public utilities and roadways located in Category I, II, or III wetlands shall be subject to the requirements of (a), (b), and (d) as noted in the performance standards outlined in Policy 4.1.3 above.

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 12, 2023, the required notices of public hearing signs were posted. Sixteen (16) notices were mailed out to adjoining property owners informing them of the proposed land use change and pertinent public hearing and meeting dates.

The Citizen Information Meeting was held on April 17, 2023. 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

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.

Objective 1.1 Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs,

intergovernmental coordination mechanisms, and public/private coordination.

- Policy 1.1.5 The amount of land designated for future development should provide for a balance of uses that:
- A. Fosters vibrant, viable communities and economic development opportunities;
 - B. Addresses outdated development patterns;
 - C. Provides sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.
- Policy 1.1.21 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.
- 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.
- Policy 3.1.17 The City shall, through Land Development Regulations, require higher density residential development and supporting commercial facilities to locate on major arterial or collector roads used for mass transit routes, and in proximity to major employment areas in order to ensure

the efficient use of land, public facilities, and services, and transportation corridors.

Policy 3.2.19 The City shall prohibit expansion or new development of non-industrially designated land uses in industrially designated areas unless the use is determined to be an accessory and complementary use to the industrial area, unless otherwise provided for herein. Amend the Land Development Regulations to include standards and/or criteria for location and intensity of these types of non-industrial uses.

Policy 3.2.32 Where there is not an adopted neighborhood plan and/or study recommending the contrary, areas identified on the Industrial Preservation Map (Map L-23) as Industrial Sanctuary shall not be converted to non-industrial land uses.

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 to reduce the number

of Vehicle Miles Traveled. CGC also allows for multi-family residential at densities up to 20 units per acre in the Suburban Area, subject to the provision that residential uses shall not be the sole use and shall not exceed 80 percent of a development.

Medium Density Residential (MDR) is a category intended to provide compact medium to high density residential development and transitional uses between low density residential uses and higher density residential uses, commercial uses and public and semi-public use areas. Multi-family housing such as apartments, condominiums, townhomes and rowhouses should be the predominant development typologies in this category. MDR in the Suburban Development Area permits residential densities at a minimum of 7 units per acre and up to 20 units per acre.

The applicant is proposing a change from CGC to MDR to allow for multi-family development for a site that is in the Suburban Development Area, near a major employment center, within the Industrial Sanctuary, and that abuts an arterial road. The land use amendment is not converting land from industrial land use and, the amendment to MDR will facilitate the provision of a variety of housing options near the Cecil Commerce Center industrial complex. The provision of multi-family housing near a major employment center is complementary to meeting the employment needs of the area while also meeting the goal of creating a land use pattern that minimizes vehicle mile traveled. Therefore, the amendment is consistent with FLUE Goals 1 and 3, Objective 1.1, and Policies 1.1.5, 1.1.21, 1.1.22, 3.2.32 and 3.2.19.

The applicant has provided a JEA Availability Letter, dated January 16, 2023, as part of the companion rezoning application. According to the letter, there is an existing 20-inch water main along POW MIA Memorial Parkway, approximately 5,700 feet west of the subject site. There is an existing 8-inch sewer force main along Normandy Boulevard, approximately 2,700 feet west of the property. The letter also lists special sewer connection conditions, including the requirement of a privately owned and maintained pump station, provided that no units will be platted or sold fee simple. Otherwise, a JEA owned and maintained pump station will be required. The land use amendment application and companion PUD written description indicate that development will connect to JEA water and sewer infrastructure.

The proposed small-scale amendment would increase the amount of residentially designated land available to further meet the goal of meeting or exceeding the amount of land required to accommodate anticipated growth. Additionally, the amendment places housing opportunities near a major employment center. 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.

The proposed amendment was filed as an amendment to the 2030 Comprehensive Plan. However, the 2045 Comprehensive Plan became effective on April 7, 2023. Staff considered changes implemented under the 2045 Comprehensive Plan and finds that the MDR land use category permits multi-family dwellings at up to 30 units per acre for sites that do not abut land in the LDR or RR land use categories and that do front along a road classified as a collector or higher on the Functional Highway Classification Map. This is an increase from the 20 units per acre permitted in the 2030 Comprehensive Plan. However, the companion PUD zoning limits development to 17 units per acre. Therefore, staff finds that review of the amendment under the 2045 Comprehensive Plan would result in the same conclusion of consistency.

Vision Plan

The subject property is located within the boundaries of the Southwest Jacksonville Vision Plan. The site is located within the Suburban Area of the Vision Plan. While the plan does not provide specific recommendations for the subject site, it recommends access management through driveway consolidation, medians, and shared driveways. This recommendation should be addressed, where feasible, in the companion PUD zoning and during site plan review.

Strategic Regional Policy Plan

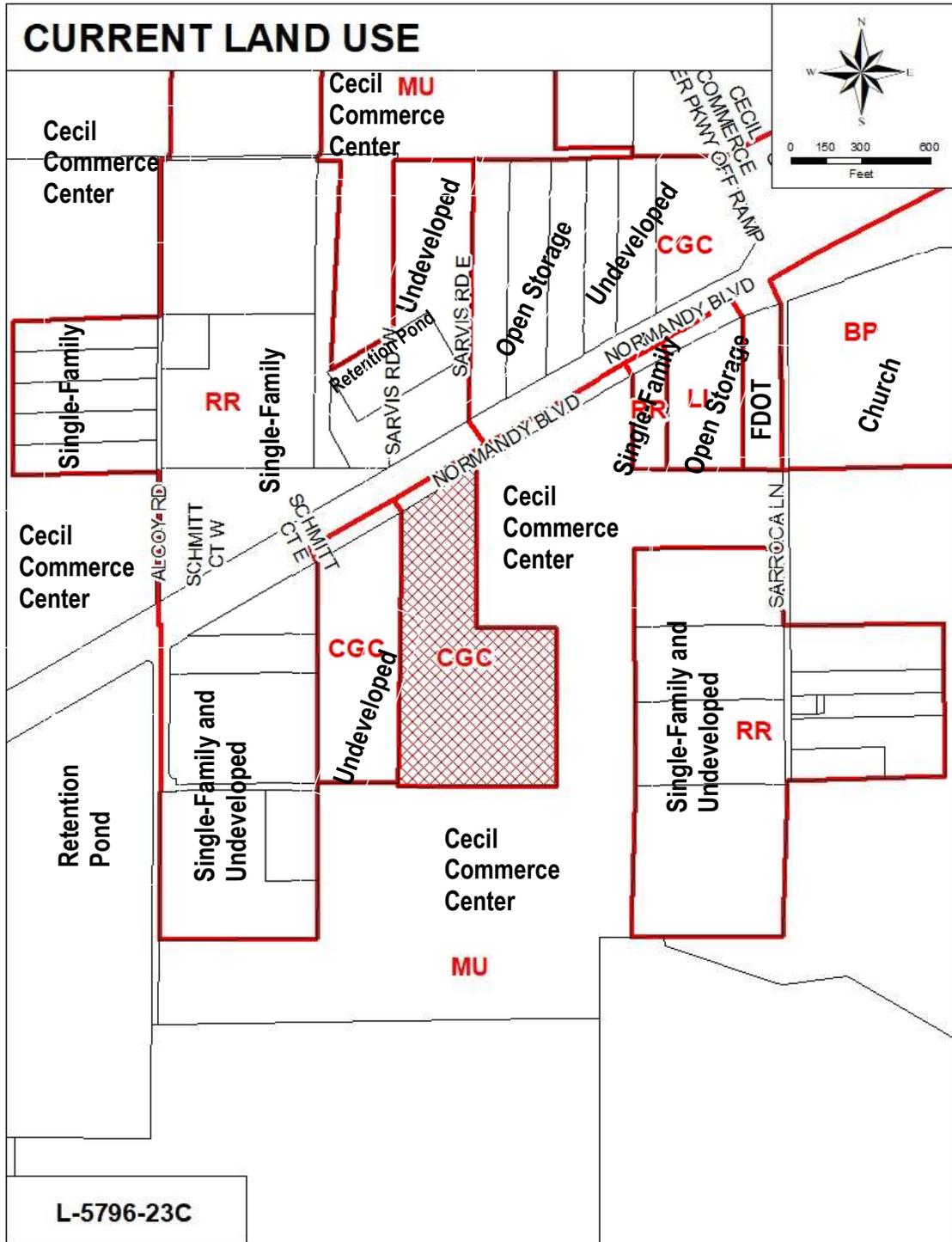
The proposed amendment is consistent with the following Objective and Policy of the Strategic Regional Policy Plan, Regional Health Subject Area:

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
FIELD / LOCATION / CURRENT LAND USE MAP



PROXIMATE LAND USE
AMENDMENTS MAP

