

# City of Jacksonville, Florida

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*Donna Deegan, Mayor*

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

October 5, 2023

The Honorable Ronald B. Salem, Pharm. D., 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. 2023-359/Application No. L-5807-23C**

Dear Honorable Council President Salem, 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 2023-359 on October 5, 2023.

P&DD Recommendation                      DENY

PC Issues:

One citizen spoke in opposition to the amendment because activities currently occurring on the site are in violation of the code and include frequent dump truck traffic that has damaged the road. The Citizen also expressed concern that the proposed RV park would result in an increase in crime.

The Planning Commissioners discussed issues raised by the citizen and concluded that converting the use to an RV park would resolve the issues. The Commissioners also noted that there is market demand for RV parks, especially in areas near recreational opportunities, such as the equestrian center and the 103<sup>rd</sup> Street Sports Complex.

October 5, 2023

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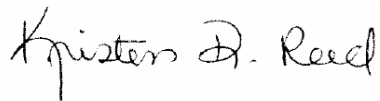
**PC Vote:**

**6-1 APPROVE**

Ian Brown, Chair	Aye
Jason Porter, Secretary	Absent
Marshall Adkison	Aye
Daniel Blanchard	Aye
Charles Garrison	Aye
David Hacker	Aye
Morgan Roberts	Aye
Jack Meeks	Nay

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

Sincerely,



Kristen D. Reed, AICP  
Chief of the 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 – September 29, 2023**

**Ordinance/Application No.:** 2023-359 / L-5807-23C

**Property Location:** 0, 10050, 10061, and 10144 Noroad; 0 Connie Jean Road; and 0 103<sup>rd</sup> Street between 103<sup>rd</sup> Street and Noroad

**Real Estate Number(s):** 012955-0010, 012956-0000, 012960-0000, 012961-0100, 012970-0100, 012971-0100, 012974-0055

**Property Acreage:** 37.86 acres

**Planning District:** District 4, Southwest

**City Council District:** Council District 12

**Applicant:** Michael Herzberg

**Current Land Use:** Community/ General Commercial (CGC) (0.86 of an acre), Medium Density Residential (MDR) (3.45 acres), Low Density Residential (LDR) (33.55 acres)

**Proposed Land Use:** Recreation and Open Space (ROS)

**Development Area:** Suburban

**Current Zoning:** Commercial Neighborhood (CN), Commercial/Community General -2 (CCG-2), Residential Medium Density-A (RMD-A), Residential Rural-Acre (RR-Acre)

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

***RECOMMENDATION: Deny***

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

To permit ROS uses as per the future land use category description.

**BACKGROUND**

The 37.86 acre subject site is located on both the north and south sides of Noroad, a local roadway, and just north of 103<sup>rd</sup> Street, a minor arterial roadway. Presently, the property includes a mix of vacant land, a single-family dwelling and auto storage. The applicant is

proposing an amendment to the Future Land Use Map series (FLUMs) from CGC, MDR and LDR to ROS to allow for the development of a travel trailer RV Park. The companion rezoning from CN, CCG-2, RMD-A and RR-Acre to PUD is pending concurrently with this land use amendment application pursuant to Ordinance 2023-360.

The area surrounding the amendment site is a mix of vacant land and single-family residential in the LDR land use category with commercial uses further south fronting 103<sup>rd</sup> Street. Abutting the property on the eastern boundary is Westview K-8 School.

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

North: Land Use: LDR

Zoning: Residential Low Density-60 (RLD-60) and RR-Acre

Property Use: single family residential

South: Land Use: CGC and MDR

Zoning: Planned Unit Development (PUD), CCG-2, Commercial /Community General-1 (CCG-1), CN

Property Use: vacant land, warehouse, service garage, open storage, church

East: Land Use: LDR

Zoning: Public Buildings and Facilities-2 (PBF-2) and RR-Acre

Property Use: Westview K-8 School, vacant and timber land, single-family residential

West: Land Use: LDR and MDR

Zoning: RR-Acre, Residential Medium Density-A (RMD-A), PUD

Property Use: single-family dwellings, mobile homes, vacant 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.

### **Impact Assessment Baseline Review**

<b>Development Analysis 37.86 acres Total (CGC 0.86 of an acre, MDR 3.45 of an acre, LDR 33.55 acres)</b>	
Development Boundary	Suburban
Roadway Frontage Classification / State Road	Noroad-unclassified roadway; Connie Jean Road- unclassified
Plans and/or Studies	Southwest Jacksonville Vision Plan

<b>Development Analysis 37.86 acres Total (CGC 0.86 of an acre, MDR 3.45 of an acre, LDR 33.55 acres)</b>		
Site Utilization	Current: vacant land, single-family dwelling, and auto storage	Proposed: RV Campground
Land Use / Zoning	Current: CGC, MDR and LDR / CN, CCG-2, RMD-A and RR-Acre	Proposed: ROS / ROS
Development Standards for Impact Assessment	Current: <u>Scenario 1</u> CGC: 0.35 FAR MDR: 15 units/acre LDR: 5 units acre <u>Scenario 2</u> CGC: 20% non-residential at 0.35 FAR and 80% residential at 15 units/acre MDR: 15 units/acre LDR: 5 units acre	Proposed: ROS 0.15 FAR
Development Potential	Current: <u>Scenario 1</u> CGC: 13,111.5 sq. ft. MDR: 51 dwelling units LDR: 167 dwelling units <u>Scenario 2</u> CGC: 2,622.3 sq. ft. and 10 dwelling units MDR: 51 dwelling units LDR: 167 dwelling units	Proposed: ROS: 247,377.24 sq. ft.
Net Increase or Decrease in Maximum Density	Scenario 1: Decrease of 218 dwelling units Scenario 2: Decrease of 228 dwelling units	
Net Increase or Decrease in Potential Floor Area	Scenario 1: Increase of 234,265.74 sq. ft. Scenario 2: Increase of 244,754.94 sq. ft.	
Population Potential	Current: Scenario 1: 563 people Scenario 2: 586 people	Proposed: N/A
<b>Special Designation Areas</b>		
Aquatic Preserve	NO	
Septic Tank Failure Area	NO	
Evacuation Zone	NO	
Airport Environment Zone	150-foot Height Restriction Zone for Herlong Recreational Airport and Cecil Field	
Industrial Preservation Area	NO	
Cultural Resources	NO	
Archaeological Sensitivity	High, Medium and Low Sensitivity	
Historic District	NO	
Coastal High Hazard	NO	
Adaptation Action Area	NO	
Groundwater Aquifer Recharge Area	0-4 inches	

<b>Development Analysis 37.86 acres Total (CGC 0.86 of an acre, MDR 3.45 of an acre, LDR 33.55 acres)</b>	
Wellhead Protection Zone	NO
Boat Facility Siting Zone	NO
Brownfield	NO
<b>Public Facilities</b>	
Potential Roadway Impact	No net new trips
Potential Public School Impact	N/A
Water Provider	JEA
Potential Water Impact	Scenario 1: decrease of 30,846 gallons per day Scenario 2: decrease of 32,672 gallons per day
Sewer Provider	JEA
Potential Sewer Impact	Scenario 1: decrease of 23,135 gallons per day Scenario 2: decrease of 24,504 gallons per day
Potential Solid Waste Impact	Scenario 1: decrease of 112.8 tons per year Scenario 2: decrease of 122.02 tons per year
Drainage Basin/Sub-basin	Ortega River / Ortega River
Recreation and Parks	103 <sup>rd</sup> Street Sports Complex (south of 103 <sup>rd</sup> St); Bents Creek Golf Course (south of 103 <sup>rd</sup> St.); Taye Brown Regional Park (Approx. 5 miles to the west); Cecil Field Equestrian Center, Aquatic Center, Gym and Golf (Approx. 5 miles to the west); Sal Taylor Creek Preserve (Approx. 5 miles to the Southwest)
Mass Transit Access	JTA Route 30 along 103 <sup>rd</sup> Street / Stops 2580, 2581, 2582, 2583
<b>Natural Features</b>	
Elevations	62-57 feet; and 74-77 feet
Land Cover	1180: Residential, rural - one unit on 2 or more acres; 4340: Upland mixed coniferous/hardwood; 4410: Pine plantation; 4430: Forest regeneration; 6170: Mixed wetland hardwoods; 6300: Wetland forested mixed
Soils	22: Evergreen-Wesconnett complex, depressional, 0 to 2 percent slopes ; 32: Leon fine sand, 0 to 2 percent slopes
Flood Zones	NO
Wetlands	6300: Wetland Forest Mixed (Category 3- connected to the water –medium value)
Wildlife (applicable to sites greater than 50 acres)	N/A

### Utility Capacity

The calculations to determine the water and sewer flows contained in this report and/or this spreadsheet have been established by the City of Jacksonville Planning and Development Department and have been adopted by JEA solely for 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).

According to the application, the applicant intends to connect to JEA water and sewer. A JEA Availability dated June 5, 2023, was submitted with the application. A 12-inch water main is located along Connie Jean Road and an existing 8-inch force main for sewer is located along 103<sup>rd</sup> Street at the Connie Jean Road intersection. Connection to the sewer system includes special conditions with the design and construction of an onsite, privately owned and maintained pump station, and a JEA dedicated force main. Additionally, the

companion PUD rezoning, Ordinance 2023-360, identifies central water and sewer services will be provided by JEA.

#### Future Land Use Element

Policy 1.2.8 Require new development and redevelopment in the Central Business District (CBD), Urban Priority Area (UPA), Urban Area (UA), and Suburban Area (SA) to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site.

Development on sites located within the UPA, UA and SA are permitted where connections to centralized potable water and/or wastewater are not available subject to compliance the following provisions:

1. Single family/non-residential (estimated flows of 600 gpd or less) where the collection system of a regional utility company is not available through gravity service via a facility within a right-of-way or easement which abuts the property.
2. Non-residential (above 600 gpd) where the collection system of a regional utility company is not within 50 feet of the property.
3. Subdivision (non-residential and residential) where:
  - a. The collection system of a regional utility company is greater than 1/4 mile from the proposed subdivision.
  - b. Each lot is a minimum of ½ acre unsubmerged property.
  - c. Installation of dryline sewer systems shall be installed when programmed improvements are identified in the Capital Improvements Element which will make connections the JEA Collection Systems available within a five (5) year period.

#### **Transportation**

The subject site is 37.86 acres and is accessible from Connie Jean Rd, 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 Medium Density Residential (MDR), Low Density Residential (LDR), and Community General Commercial (CGC) to Recreation Open Space (ROS).

#### **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

Objective 2.4 The City shall plan for future multi-modal transportation needs, including the need for right-of-way, in order to support future land uses shown on the Future Land Use Map series.

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.

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 2,633 or 2,156 daily trips, depending on the scenario. If the land use is amended to allow for this proposed ROS development, this will result in 412 daily trips.

#### **Transportation Planning Division RECOMMENDS the following:**

The difference in daily trips for the proposed land use amendment will result in 0 net new daily trips when compared to the existing land use. The Transportation Planning Division recommends ongoing coordinating efforts with the City of Jacksonville Traffic Engineer to determine if a traffic operational analysis is needed as a result of this land use amendment.



**Table A**  
**Trip Generation Estimation Scenarios**

Current Land Use Scenario 1	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC	822	13,111 SF	T = 54.45 (X) / 1000	714	0	714
MDR	220	51 MF DUs	T = 6.74 (X)	344	0	344
LDR	210	167 SF DUs	T= 9.43 (X)	1,575	0	1,575
				<b>Total Trips for Existing Scenario 1 Land Use</b>		<b>2,633</b>
Current Land Use Scenario 2	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC-N	822	2,622 SF	T= 54.45 (X)/ 1000	143	0	143
CGC-R	210	10 SF DUs	T= 9.43 (X)	94	0	94
MDR	220	51 MF DUs	T = 6.74 (X)	344	0	344
LDR	210	167 SF DUs	T= 9.43 (X)	1,575	0	1,575
				<b>Total Trips for Existing Scenario 2 Land Use</b>		<b>2,156</b>
Proposed Land Use Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
ROS	416	37.86 AC (247,377 sf)	T = 10.89 (X)/1000	412	0	412
				<b>Proposed Total</b>		<b>412</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, 11th Edition, Institute of Engineers

### **Archaeological Sensitivity**

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

### Historic Preservation Element

Policy 1.2.2 The City shall continue to review new development for the potential of archeologically significant sites. The City shall utilize the most current version of the Archeological Sensitivity Predictive Model to identify areas of high probability for artifact concentrations.

Policy 1.2.5 The Planning and Development Department shall maintain and update for planning and permitting purposes, a series of GIS data layers and maps depicting recorded archaeological sites, historic districts and local landmarks.

## **Airport Environment Zone**

The site is located within the 150-foot Height and Hazard Zone for the Herlong Recreational Airport and Cecil Field. 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).

## Future Land Use Element

Objective 2.6 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 in accordance with the requirements of Section 163.3177, F.S.

Policy 2.6.16 Airport Height and Hazard zones (HH) exist around all military and civilian airports within the city limits of Jacksonville. The horizontal limits of the zones and limitations on heights of obstructions within these zones are defined for each military airport in Naval Facilities Engineering Command (NAVFAC) P-80.3 01/82, on file with the Planning and Development Department, and for each civilian airport in Title 14, Code of Federal Regulations (CFR), Part 77 guidelines, on file with the Planning and Development Department. In order to assure that Title 14, CFR, Part 77 guidelines and NAVFAC P-80.3 01/82 guidelines are not exceeded and that no structure or obstruction is permitted that would raise a minimal obstruction clearance altitude, a minimum vectoring descent altitude or a decision height, all cell towers and any structure or obstruction that would extend into an Airport (HH) requires, in writing, comment from the U.S. Navy. Although written documentation from the U.S. Navy for military HH and from the FAA or JAA for civilian HH is not required for proposed structure heights below the listed height, United States Code (USC) Title 14, CFR Part 77 still applies.

## **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.

## Wetlands Characteristics:

Approximate Size: 2.76 acres (at the northeastern end of the site) and 0.25 of an acre (at the southern end of the site)

General Location(s): Wetlands are located at the northeastern portion of the site and at the southern end 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: 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.

Leon fine sand (32) – consists of nearly level, poorly drained and very poorly drained, sandy soils. These soils formed in thick beds of marine sand. They are in flatwoods and tidal marshes. The soils are slowly permeable to moderately rapidly permeable. In areas in flatwoods, the high water table generally is at a depth of 6 to 18 inches. In tidal areas, the high water table generally is at or near the surface and the areas are flooded twice daily by fluctuating tides for very brief periods.

Wetland Category: Category III

Consistency of Permitted Uses: Category III Wetlands: All uses subject to CCME Policy 4.1.6

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

Wetlands Impact: Insufficient information to determine  
Associated Impacts: none

Relevant Policies: CCME Policies 4.1.3 and 4.1.6

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.

**CCME 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**

The applicant provided a signed affidavit and sign posting photos of the signs that were posted for the application site on June 5, 2023. Forty-eight (48) 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 June 20, 2023. The applicant and two members of the public spoke on the proposed land use amendment. Both speakers were against the land use change siting ongoing code enforcement issues with the property. The speakers were opposed to a travel trailer RV Park being developed on the property in summary siting that it is an inappropriate use that may create unwanted nuisances to the neighboring properties and the area.

## **CONSISTENCY EVALUATION**

### **Consistency with 2045 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 defined in this Plan.

Policy 1.1.7      Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

Policy 1.1.21     Rezoning and 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 and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business with the intent that this balance of uses shall:

- A. Foster vibrant, viable communities and economic development opportunities;
- B. Address outdated development patterns; and/or
- C. Provide 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.

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 1.2.8 Require new development and redevelopment in the Central Business District (CBD), Urban Priority Area (UPA), Urban Area (UA), and Suburban Area (SA) to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site.

Development on sites located within the UPA, UA and SA are permitted where connections to centralized potable water and/or wastewater are not available subject to compliance the following provisions:

1. Single family/non-residential (estimated flows of 600 gpd or less) where the collection system of a regional utility company is not available through gravity service via a facility within a right-of-way or easement which abuts the property.
2. Non-residential (above 600 gpd) where the collection system of a regional utility company is not within 50 feet of the property.
3. Subdivision (non-residential and residential) where:
  - a. The collection system of a regional utility company is greater than 1/4 mile from the proposed subdivision.
  - b. Each lot is a minimum of ½ acre unsubmerged property.
  - c. Installation of dryline sewer systems shall be installed when programmed improvements are identified in the Capital Improvements Element which will make connections the JEA Collection Systems available within a five (5) year period.

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 3.2.27 Compatibility of new non-residential developments or high density residential developments with adjacent and abutting residential neighborhoods shall be achieved through the implementation of site design techniques including but not limited to: transitions in uses; buffering; setbacks; the orientation of open space; and graduated height restrictions to affect elements such as height, scale, mass and

bulk of structures, pedestrian accessibility, vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise and odor. In addition, all development on sites which abut a Low Density Residential and/or Rural Residential land use designation shall provide the following:

- A scale transition.
- When developing mixed uses, residential uses shall be arranged on the site to provide a use transition between new non-residential uses and the protected abutting residential land uses to the greatest extent feasible.
- Elements such as yards, open space, at-grade parking and perimeter walls shall be arranged, designed and landscaped in a manner compatible with adjacent areas to serve as a visual buffering element.

#### Property Rights Element

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: <ol style="list-style-type: none"><li>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.</li><li>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.</li><li>3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.</li><li>4. The right of a property owner to dispose of his or her property through sale or gift.</li></ol>

According to the FLUE, the Low Density Residential (LDR) land use designation in the Suburban Development Area is intended to provide for low density residential development of up to seven dwelling units per acre. The principal uses include single-family dwellings.



Medium Density Residential (MDR) in the Suburban Area is intended to provide compact medium to high density residential development and can serve as 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.

Community/ General Commercial (CGC) in the Suburban Development Area is 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. Principal uses include, but are not limited to, commercial retail sales and service establishments including auto sales, funeral homes, and broadcasting offices and studios; restaurants; hotel and motel; office, including veterinary office; microbreweries; and restaurants.

Recreation and Open Space (ROS) includes lands used for activities that are associated with outdoor recreation. Principal uses include: Parks, Playgrounds; Golf courses; Driving ranges; Marinas; Fairgrounds and spectator sports facilities in public and private ownership; carbon sinks; Pastoral open space managed by the Parks, Recreation and Community Services Department is also included. Travel trailer parks are allowed as a secondary use but on-site recreational facilities must be included or the travel trailer park must be located in close proximity to a recreational attraction.

According to the application, the applicant intends to connect to JEA water and sewer providing consistency with FLUE Policy 1.2.8. A JEA Availability dated June 5, 2023, was submitted with the application. A 12-inch water main is located along Connie Jean Road and an existing 8-inch force main for sewer is located along 103<sup>rd</sup> Street at the Connie Jean Road intersection. Connection to the sewer system includes special conditions with the design and construction of an onsite, privately owned and maintained pump station, and a JEA dedicated force main.

According to the applicant, the land use change to ROS is to allow for the development of a travel trailer RV park. A travel trailer RV park is considered a recreational use that must be in close proximity to recreational activities for the RV occupants to access. The ROS land use category requires that the placement of a travel trailer RV park must be in close proximity to a recreational attraction. The site is near the 103<sup>rd</sup> Street Sports Complex and Bents Creek Golf course which are both located on the south side of 103<sup>rd</sup> Street. The site is surrounded by residential single family, vacant timberland, a K-8 elementary school and some warehousing and open storage.

While the proposed amendment is for the ROS land use category, the applicant's proposed use of the property as identified in the companion PUD rezoning is for a travel trailer RV park which is a type of commercial enterprise that is allowed as a secondary use within the ROS land use category. Surrounded mostly by residential land, the proposed amendment to ROS does not promote a gradual transition of intensities or a compatible land development pattern.

The ROS land use category in this location will be utilized as a commercial enterprise not as a public asset and does not blend with the current uses of the surrounding area. The proposed secondary commercial type use does not provide an organized and balanced combination of uses, inconsistent with FLUE Policies 1.1.7, 1.1.21, 1.1.22 and Goal 3. Additionally, FLUE Policy 3.2.27 includes provisions for the development of a site abutting LDR requiring a use and a scale transition. The site plan and written description of the companion PUD rezoning provides an opaque fence around the perimeter of the property to serve as a visual buffering element. However, inconsistent with FLUE Policy 3.2.27, the site plan does not provide a use transition between the existing abutting residential uses and the proposed use.

The proposed amendment would allow for a travel trailer RV park be surrounded by single family houses and timberland providing incompatibility with the surrounding land uses. However, the site is in close proximity access to a recreational attraction as required by the ROS land use category.

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 application site is located within the boundaries of the Herlong Field Character Area of the Southwest Jacksonville Vision Plan (2003). Guiding Theme 2 of the Vision Plan is to protect the rural character and open spaces in the western areas of the district. The preservation of open space is encouraged to offer strong opportunities for the creation of place making sites with surrounding complimentary land uses. While the typical principal uses of the proposed ROS land use category would meet the open space use implication, the applicant intends to use the site for a non-complimentary land use as a travel trailer RV park.

### **Strategic Regional Policy Plan**

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

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

Policy 4: The two regional support strategies identified by the Regional Community Institute are: Incentives to private landowners to maintain wise forestry practices and maintain ecosystem services on their lands and Maintenance of a diversity of land use in the region.

The land use amendment is intended to be used for an RV Park that will not negatively affect the area with unintended development and urban sprawl.

