



A NEW DAY.

# City of Jacksonville, Florida

*Donna Deegan, Mayor*

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November 7, 2024

The Honorable Randy White  
The Honorable Kevin Carrico, LUZ Chair  
And Members of the City Council  
117 West Duval Street  
Jacksonville, FL 32202

**RE: Planning Commission Advisory Report / Ordinance No. 2024-785/Application No. L-5959-24C**

Dear Honorable Council President White, 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 2024-785 on November 7, 2024.

P&DD Recommendation                      APPROVE

PC Issues:    None

**PC Vote:    6-0 APPROVE**

Michael McGowan, Chair	Aye
Lamonte Carter	Aye
Amy Yimin Fu	Aye
Charles Garrison	Aye
Julius Harden	Absent
Moné Holder	Aye
Ali Marar	Aye
Jack Meeks	Absent
Tina Meskel	Absent

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

Sincerely,



**Helena A. Parola, MAURP**  
***Chief of Community Planning***  
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**Report of the Jacksonville Planning and Development Department**  
**Small-Scale Future Land Use Map Amendment – November 1, 2024**

<b>Ordinance/Application No.</b>	<b>2024-785 / L-5959-24C</b>
<b>Property Location:</b>	0 Beach Boulevard (SR-212)
<b>Real Estate Number(s):</b>	136291-0000 (portion of)
<b>Property Acreage:</b>	0.09 of an acre
<b>Planning District:</b>	District 2, Arlington/Beaches
<b>City Council District:</b>	District 4
<b>Applicant:</b>	Anes Dracic
<b>Current Land Use:</b>	Low Density Residential (LDR)
<b>Proposed Land Use:</b>	Community/General Commercial (CGC)
<b>Development Boundary:</b>	Urban Development Area
<b>Current Zoning:</b>	Residential Low Density-90 (RLD-90) and Commercial Community General-1 (CCG-1)
<b>Proposed Zoning:</b>	Planned Unit Development (PUD)
<b>RECOMMENDATION:</b>	<b>APPROVE</b>

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

This small triangular LDR portion on the northern part of this property necessitates a 30-ft buffer between the adjacent CGC land use category. Therefore, to not divide the planned multi family apartment building into two structures, a recommendation was made to amend the land use in conjunction with the PUD rezoning.

**BACKGROUND**

The 0.09 of an acre subject site is on the north side of Beach Boulevard, an FDOT Principal Arterial roadway, at the Beach Boulevard Pottsborg Creek bridge crossing. The applicant seeks to amend the Future Land Use Map of the Future Land Use Element (FLUE) from LDR to CGC to permit the development of multi-family residential. The land use application is a small portion of the total development site that is part of the companion PUD. The majority of the PUD site is already in the CGC land use category. The

companion rezoning is pending concurrently with this land use application pursuant to Ordinance 2024-786 from RLD-90 and CCG-1 to PUD for the entirety of the 1.37-acre site.

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

North: Land Use: Low Density Residential (LDR)  
Zoning: Residential Low Density-90 (RLD-90), Conservation (CSV),  
Property Use: Single family homes, undeveloped

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South: Land Use: MDR, CGC, RPI  
Zoning: CCG-2, RMD-D, RMD-A, RR-Acre  
Property Use: Single family homes, Jax Humane Society, undeveloped

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East: Land Use: CGC, CSV  
Zoning: CCG-1, CSV  
Property Use: Grove Park, gas station, retail

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West: Land Use: CGC, LDR  
Zoning: CCG-1, RLD-90  
Property Use: Single family homes, retail, auto sales

## **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.

<b>Development Analysis</b>		<b>0.09 of an acre</b>	
Development Boundary	Urban Area		
Roadway Frontage Classification / State Road	Beach Blvd SR 212 - FDOT Principal Arterial		
Plans and/or Studies			
Site Utilization	Current: undeveloped	Proposed: multi family residential	
Land Use / Zoning	Current: LDR/RLD-90	Proposed: CGC/PUD	
Development Standards for Impact Assessment	Current: 5 DU/Acre	Proposed: Scenario 1: 30 DU/Acre Scenario 2: 0.35 FAR	
Development Potential	Current: 0 DUs	Proposed: Scenario 1: 3 DUs Scenario 2: 1372.14 square feet	
Net Increase or Decrease in Maximum Density	Increase of 3 DUs		
Net Increase or Decrease in Potential Floor Area	Increase of 1372.14 square feet		
Population Potential	Current: 0 people	Proposed: 7 people	
<b>Special Designation Areas</b>			
Aquatic Preserve	N/A		
Evacuation Zone	Zone A		
Airport Environment Zone	N/A		
Industrial Preservation Area	N/A		
Cultural Resources	N/A		
Archaeological Sensitivity	Medium and low		
Historic District	N/A		
Coastal High Hazard	Yes – reviewed pursuant to 2013 CHHA		
Adaptation Action Area	Yes – entire site		
Groundwater Aquifer Recharge Area	Discharge		
Wellhead Protection Zone	N/A		
Boat Facility Siting Zone	Unacceptable		
Brownfield	N/A		
<b>Public Facilities</b>			
Potential Roadway Impact	Scenario 1: 9 net new daily trips Scenario 2: 31 net new daily trips		
Potential Public School Impact	De minimis		
Water Provider	JEA		
Potential Water Impact	Scenario 1: increase of 76.2 gal/day Scenario 2: increase of 705 gal/day		
Sewer Provider	JEA		
Potential Sewer Impact	Scenario 1: increase of 57.15 gal/day Scenario 2: increase of 528.7 gal/day		

<b>Development Analysis</b>	<b>0.09 of an acre</b>
Potential Solid Waste Impact	Scenario 1: increase of 2.4 tons/year Scenario 2: increase of 7.8 tons/year
Drainage Basin/Sub-basin	Arlington River/Pottsburg Creek
Recreation and Parks	Grove Park
Mass Transit Access	JTA Route 8
<b>Natural Features</b>	
Elevations	10ft – 2ft
Land Cover	6170: Mixed wetland hardwoods
Soils	22
Flood Zones	AE and AE Riverine
Wetlands	N/A
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 addition).

The applicant has provided a JEA availability letter dated June 6, 2024. According to the letter, there is an existing 12-inch water main and a 4-inch sewer main within the Beach Boulevard right of way. The letter stipulates the necessity of a privately owned and maintained pumping station to connect to the JEA sewer main in the right of way. According to the land use application and the written description in the companion PUD rezoning, ordinance 2024-0786, the site will utilize JEA central services for water, wastewater, and electric.

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 or 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  $\frac{1}{4}$  mile from the proposed subdivision.
  - b. Each lot is a minimum of  $\frac{1}{2}$  acre unsubmerged property.
  - c. Installation of greyline sewer systems shall be installed when programmed improvements are identified in the Capital Improvements Element which will make connections.

## **Transportation**

The subject site is approximately 0.09 acres and is located on Beach Boulevard, a principal arterial roadway. The proposed land use amendment is located within the Urban Area and Mobility Zone 8. The applicant proposes to change the existing land use from Low Density Residential (LDR) to Community General Commercial (CGC).

Comprehensive Plan Consistency:

The Trip Generation Analysis is consistent with the 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 plan for future multi-modal transportation needs for right-of-way, in order to support future land uses shown on the Future Land Use Map series.

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 LDR land use would result in 0 trips. If the land use is amended to allow for this proposed CGC development, this will result in 9 or 31 daily trips depending on the scenario.

Transportation Planning Division RECOMMENDS the following:

The difference in daily trips for the proposed land use amendment has 9 or 31 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 and FDOT 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	0 DUs	T= 9.43 (X)	0	0	0
				<b>Total Trips for Existing Land Use- Scenario</b>		<b>0</b>
Proposed Land Use-Scenario 1	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC	210	1 DUs	T= 9.43 (X)	9	0	9
				<b>Total Trips for Existing Land Use- Scenario 1</b>		<b>9</b>
Proposed Land Use-Scenario 2	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC	822	1,372.14 SF	T= 54.45 (X)/ 1000	75	44	31
				<b>Total Trips for Proposed Land Use- Scenario 2</b>		<b>31</b>
				<b>Scenario 1 Difference in Daily Trips</b>		<b>9</b>
				<b>Scenario 2 Difference in Daily Trips</b>		<b>31</b>

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

## School Capacity

While the proposed amendment includes a residential component, the site will generate 20 residential units or less. Therefore, the proposed development will have a de minimis impact on school capacity.

## Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low and medium 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 1.2.2 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.

### **Flood Zones**

Approximately 0.04 of an acre of the subject site is located within the AE flood zone and approximately 0.02 of an acre is within the AE Floodway. Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). FEMA defines the various flooding characteristics of different lands based on a 100-year storm. The 100-year storm or Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. This does not mean that a storm of this type will happen every 100-years. There is a 1-percent chance that a storm of this magnitude will occur in any given year.

The AE and AE Floodway flood zones are defined as areas within the 100-year floodplain or SFHA where flood insurance is mandatory and areas within the 100-year floodplain or SFHA where flood insurance is mandatory if construction is allowed within the floodway. Areas located within AE Floodway zones should be left intact as construction and filling within these areas is severely restricted, respectively.

### Conservation /Coastal Management Element (CCME)

Policy 2.6.1 The City shall continue to define the surface hydrology of the area to determine flood plain vulnerability and sensitivity, and will determine appropriate protection measures.

Policy 2.6.3 The City shall protect appropriate floodplain areas for the public benefit and restore degraded floodplain areas by:

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

Policy 13.7.10 The City has adopted and shall maintain a floodplain management ordinance that establishes engineering requirements to safeguard the public health, safety, and general welfare and minimizes public and private losses due to flooding through regulation and development of

flood hazard areas. The ordinance shall include development and redevelopment regulations that:

- A. Minimize unnecessary disruption of commerce, access and public service during times of flooding;
- B. Require the use of construction practices that will prevent or minimize future flood damage;
- C. Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
- D. Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
- E. Minimize damage to public and private facilities and utilities;
- F. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;
- G. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and
- H. Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.

### **Adaptation Action Area (AAA)**

The amendment site is within the AAA. The AAA boundary is a designation in the City's 2045 Comprehensive Plan which identifies areas that experience coastal flooding due to extreme high tides and storm surge, and that is vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure needs and adaptation planning. The AAA is defined as those areas within the projected limit of the Category 3 storm surge zone, those connected areas of the 100-year and 500-year Flood Zone, and additional areas determined through detailed flood analysis.

The applicant is encouraged to consider site design measures, such as clustering development away from the AAA, to protect development from the impacts of flooding.

### Conservation/Coastal Management Element

Policy 13.1.2 The City shall recognize existing regulations, programs and policies that overlap with the AAA and that are currently in place to limit public investment and address appropriate development and redevelopment practices related to flooding. These regulations, programs and policies include but are not limited to the floodplain management ordinance, CHHA policies, the Local Mitigation Strategy and the Post Disaster Redevelopment Plan and shall only be applied in cases where such

regulation would otherwise apply to a development or redevelopment project.

Policy 13.3.1 The City shall consider the implications of the AAA when reviewing changes to the use, intensity and density of land lying within the AAA.

Policy 13.3.6 In order to guide development away from the Adaptation Action Area (AAA) towards areas that are already high, dry, and connected, the Planning and Development Department shall explore the feasibility of offering density bonuses, transfers of development rights, clustering development entitlements, or other strategies to limit new development within the AAA or environmentally sensitive or special flood hazard areas, or as an incentive for a development's use of low impact development stormwater solutions.

## **Evacuation Zone**

The subject site is within Evacuation Zone A. As such, the land use application was routed to the City's Emergency Preparedness Division (EPD) for review and comment. EPD was provided with the land use application and the development potential of the proposed land use amendment change. Per EPD's review, it was determined that the impact of the subject small scale land use amendment on countywide evacuation timing would be negligible. Their complete analysis is provided below.

### EPD Review

The proposed property in land use amendment L-5959-24C will be near Beach Boulevard, indicating sufficient access to the primary evacuation route I-295. Evacuations would be along the secondary evacuation route Lem Turner Road to the nearest I-295 access points (3.00 road miles).

In consideration of the surrounding evacuation zones (Zone A and Zone C), nearest evacuation routes, and the estimate of 9-31 new daily trips, the changes proposed through land use amendment application L-5959-24C would have a minimal impact on countywide evacuation clearance time within Duval County. Site design techniques that minimize disruption to existing traffic flow are encouraged. Any development should incorporate appropriate mitigation techniques to reduce flood vulnerability and minimize impacts to the floodplain.

### Conservation /Coastal Management Element (CCME)

Policy 7.1.6 The City shall not amend the Future Land Use Element or the Future Land Use Map series unless; the requested change can be determined to not exceed the established hurricane evacuation times; the requested change is for a lower density; or the requested change for increased density provides adequate remedies to reduce impacts on hurricane evacuation times which exceed the acceptable standard.

## **Boat Siting Facility Zones – Manatee Protection Plan**

Pursuant to the Duval County Manatee Protection Plan, the site is in an Unacceptable zone for the purposes of the Boat Facility Siting Recommendations. In an Unacceptable zone, development is limited to 1 slip for every 100 feet of shoreline owned or controlled by the applicant, rounded up. Based on the length of the shoreline contiguous to the property, this would allow for a maximum of 4 slips. Further, the recommendations of the MPP do not apply to boat facilities with a total of four or less slips. So long as development falls within this limit, it will comport with the Manatee Protection Plan.

## **Coastal High Hazard Area (CHHA)**

Approximately 0.01 acres of the subject site is located within a Coastal High Hazard Area (CHHA), as defined by Sections 163.3178(2)(h) and 163.3164(1), Florida Statutes. The Coastal High Hazard Area (CHHA) is the area below the elevation of the Category 1 storm surge line as established by the Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model as established by the most current Northeast Florida Hurricane Evacuation Study. It is shown on The Coastal High Hazard Areas (CHHA) and Hurricane Evacuation Zones Map.

Pursuant to ordinance 2024-517-E, the CHHA maps were updated from the 2013 dataset to the 2021. As this application was paid and filed prior to the enactment of this ordinance, the application site is bound by the regulations and maps under the 2013 CHHA. Site design choices have been made to keep the development out of the 2013 CHHA area, as well as limit the density increases within the boundaries of the 2021 updated CHHA.

### Conservation/Coastal Management Element

Objective 7.4 Limit development density and intensity within the Coastal High Hazard Area (CHHA) and direct it outside of the CHHA, and mitigate the impact of natural hazards in the area.

Policy 7.4.8 The City shall promote, in instances where a proposed project is located within the CHHA, the clustering of uses. Such clustering will be used to limit the acreage within the CHHA that will be affected by the proposed development, and will serve to limit the amount of infrastructure provided within the CHHA. To demonstrate compliance with the clustering concept identified in this policy, proposed site plans may be required to include conditions that restrict future development on any other portion of the site within the CHHA and /or place a conservation easement on any remaining wetlands within the CHHA not already proposed for impacts.

## **Procedural Compliance**

Upon site inspection by the Planning and Development Department on October 18, 2024, the required notices of public hearing signs were posted. Fourteen (14) notices were

mailed out to adjoining property owners informing them of the proposed land use change and pertinent public hearing and meeting dates.

The Citizen Information Meeting was held on October 14, 2024, for the adoption of the small-scale land use amendment. No members of the public attended.

## **Consistency Evaluation**

### **Consistency with 2045 Comprehensive Plan Goals, Objectives and Policies**

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

##### *Development Area*

The Urban Area is the second tier Development Area and generally corresponds with the densely developed portions of the City that have been in residential or employment generating uses prior to consolidation. It also includes major corridors which connect the other Development Areas. Similar to the UPA, the intent of the UA is to encourage revitalization and the use of existing infrastructure through redevelopment and infill development, but at moderate urban densities which are transit friendly. Also similar to the UPA, the UA is intended to support multi-modal transportation and the reduction of per capita greenhouse gas emissions and vehicle miles traveled. Development is encouraged to employ urban development characteristics as defined in this Plan.

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 1.1.21     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 1/2 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.

- Objective 3.2 Promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.
- Policy 3.2.1 The City shall encourage development of commercial and light/service industrial uses in the form on nodes, corridor development, centers or parks.
- Policy 3.2.6 The City shall apply the locational criteria in the land use categories and the operative provisions of this element when reviewing commercial and industrial development and redevelopment for consistency with the character of the areas served, the availability of public facilities, and market demands.

Conservation/Coastal Management Element

- Objective 7.4 Limit development density and intensity within the Coastal High Hazard Area (CHHA) and direct it outside of the CHHA, and mitigate the impact of natural hazards in the area.
- Policy 7.4.8 The City shall promote, in instances where a proposed project is located within the CHHA, the clustering of uses. Such clustering will be used to limit the acreage within the CHHA that will be affected by the proposed development, and will serve to limit the amount of infrastructure provided within the CHHA. To demonstrate compliance with the clustering concept identified in this policy, proposed site plans may be required to include conditions that restrict future development on any other portion of the site within the CHHA and /or place a conservation easement on any remaining wetlands within the CHHA not already proposed for impacts.

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:  
 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<sup>4</sup> 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 Category Descriptions of the Future Land Use Element (FLUE), LDR in the Urban Area and Suburban Area is intended to provide for low density residential development. The maximum gross density in the Urban and Suburban Areas shall be 7 units/acre when centralized potable water and wastewater services are available to the site and there shall be no minimum density; except as provided herein. The maximum gross 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  $\frac{1}{4}$  of an acre if either one of centralized potable water or wastewater services are not available.

Community General Commercial (CGC) is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods in order to reduce the number of Vehicle Miles Traveled.

CGC in the Urban Area is intended to provide compact development in nodal and corridor development patterns, while promoting the advancement of existing commercial land uses and the use of existing infrastructure. Development that includes residential uses is encouraged to provide support for commercial and other uses.

Single-use multi-family development is permitted when 50 percent or more of the contiguous CGC category land area within up to one quarter of a mile radius is developed for non-residential uses. The maximum gross density in the Urban Area shall be 40 units/acre and there shall be no minimum density except for sites within the Coastal High Hazard Area (CHHA) the maximum gross density shall be 20 units/acre unless appropriate mitigation is provided consistent with the City's CHHA policies. Plan amendment requests for new CGC designations are preferred in locations which are supplied with full urban services; abut a roadway classified as a collector or higher on the Functional Highway Classification Map; and which are located in areas with an existing mix of non-residential uses. Nodal sites with two or more boundaries on a transportation right-of-way shall be considered preferred locations for these uses.

The 0.09 of an acre subject site is a portion of a larger undeveloped property. The applicant is proposing a change from LDR to CGC on the amendment site, to allow for



additional housing density as included in the larger development site of the companion PUD rezoning. The proposed land use is a logical extension of the CGC area covering the southern portion of the development site and with the CGC uses along the Beach Boulevard corridor.

The property is located on FDOT Principal Arterial roadway, Beach Boulevard, SR-212, at the Beach Boulevard bridge crossing Pottsburg Creek. This portion of Beach Boulevard is an existing commercial corridor, with contiguous CGC both east and west of the subject site. The site is a preferred location for new CGC designations, and the amendment will extend the boundaries of the current CGC to the south. Therefore, the proposed amendment is consistent with FLUE Objective 1.1, Goal 3, Objective 3.2, and Policy 3.2.1 and 3.2.6.

The proposed amendment to CGC promotes a compatible land development pattern and provides a mix of commercial and residential land uses and is a logical extension of the abutting CGC land use in conformance with FLUE Policy 1.1.22 and 1.1.21.

A JEA availability letter was provided for the subject site, and as such there is an existing 16-inch sewer main within the Dunn Avenue right of way and a 6-inch sewer main sewer main. The applicant intends to connect the development to JEA water and sewer and therefore is consistent with FLUE Policy 1.2.8. According to the companion PUD application, the larger site is intended for the multi-family development of 32 units. The use of the larger property for residential provides a well-balanced combination of uses for the larger area without negatively affecting the surrounding residential areas, consistent with Goal 3.

The site is within the boundaries of the 2021 and 2013 Coastal High Hazard Area. Pursuant to ordinance 2024-517-E, the CHHA maps were updated from the 2013 dataset to the 2021 dataset. As this application was paid and filed prior to the enactment of this ordinance, the application site is bound by the regulations and maps under the 2013 CHHA. Site design choices have been made to keep the development out of the 2013 CHHA area, as well as limit the density increases within the boundaries of the 2021 updated CHHA. Therefore, the proposed amendment is consistent with CCME Objective 7.4 and Policy 7.4.8

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 lies within the boundary of the Greater Arlington and Beaches Vision Plan. The plan does not identify specific recommendations for the subject site. A focus of the plan is to create centers to increase development and redevelopment within the

district while protecting existing neighborhoods. The proposed development intended for multi-family residential development is new development providing a mix of uses for the surrounding area. Therefore, the amendment is consistent with the Vision Plan.

### **Strategic Regional Policy Plan**

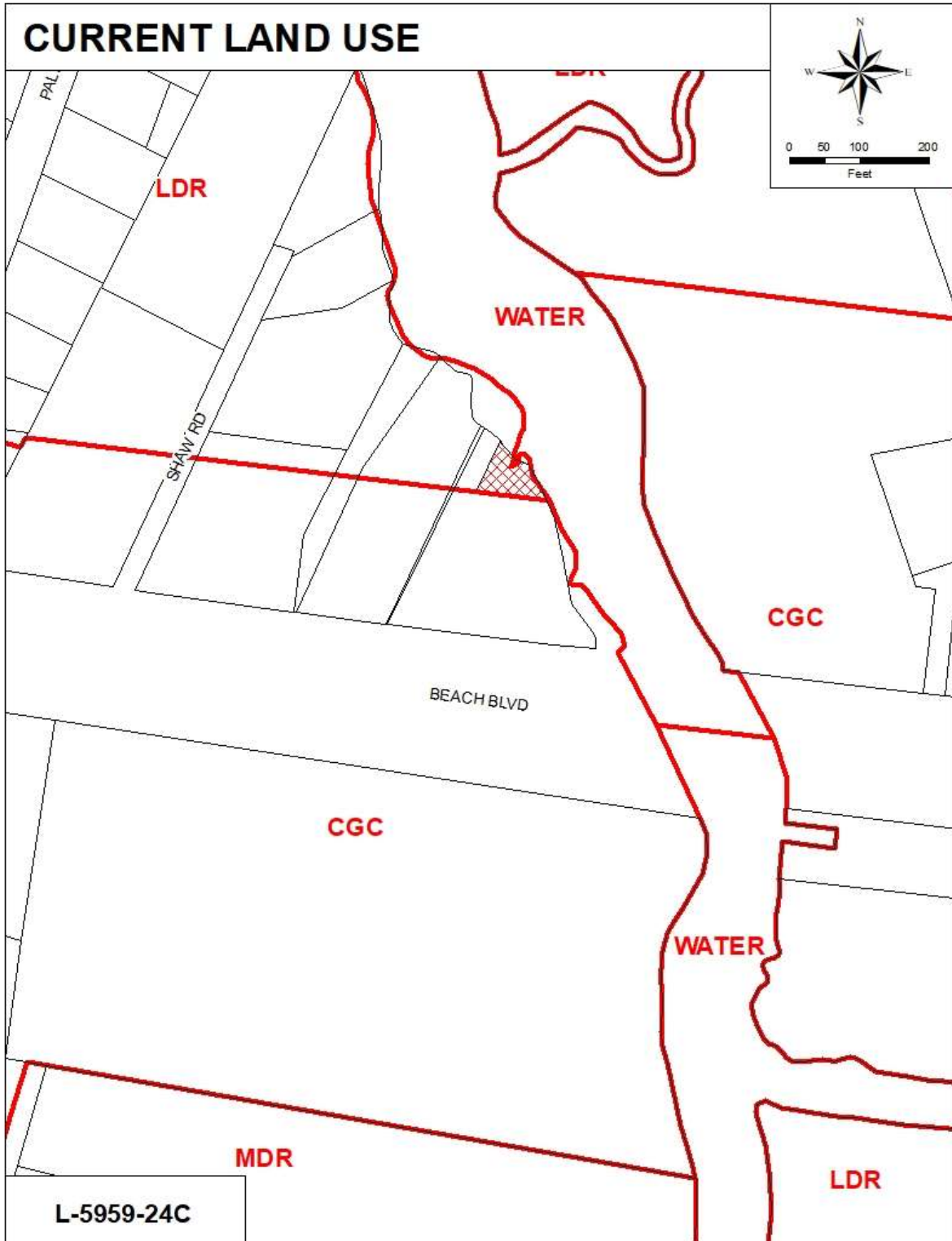
The proposed amendment is consistent with the following Policy of the Strategic Regional Policy Plan:

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

- Infill and redevelopment.

The proposed amendment would allow for the development of underutilized land that is part of a commercially developed parcel. The proposed amendment would therefore allow for an additional infill redevelopment opportunity, consistent with Policy 4 of the Strategic Regional Policy Plan.

# CURRENT LAND USE MAP



**LAND UTILIZATION MAP**

