



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 32203
(904) 630-CITY

www.Jacksonville.gov

November 21, 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. 2024-824/Application No. L-5979-24C

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 2024-824 on November 21, 2024.

P&DD Recommendation APPROVE

PC Issues: None

PC Vote: 5-0 APPROVE

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

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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
City of Jacksonville - Planning and Development Department
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Jacksonville, FL 32202
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Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment – November 15, 2024

Ordinance/Application No.: 2024-824 / L-5979-24C

Property Location: 5446, 5440, & 5438 Old Middleburg Road South and 8944 103rd Street

Real Estate Number(s): 015221 0010; 015224 0010; 015225 0010; and 015225 0200

Property Acreage: 7.38 acres

Planning District: District 4, Southwest

City Council District: District 12

Applicant: Gregory Matovina, Matovina Company

Current Land Use: Low Density Residential (LDR) and Residential-Professional-Institutional (RPI)

Proposed Land Use: Medium Density Residential (MDR)

Current Zoning: Residential Rural-Acre (RR-Acre) and Commercial Office (CO)

Proposed Zoning: Residential Medium Density-A (RMD-D)

Development Boundary: Suburban Development Area

RECOMMENDATION: APPROVE

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

To make properties consistent with the surrounding properties on 103rd Street.

BACKGROUND

The 7.38-acre subject site is located along the west side of Old Middleburg Road South, between Old Middleburg Road South and 103rd Street, both classified as minor arterial roads. 103rd Street is a commercial corridor with pockets of MDR land use along the street. The applicant is proposing a Future Land Use Map (FLUM) amendment from Low Density Residential (LDR) and Residential-Professional-Institutional (RPI) to Medium Density Residential (MDR) to allow for additional residential units on the site. The applicant is also proposing a companion rezoning from Residential Rural-Acre (RR-Acre) and Commercial

Office (CO) to Residential Medium Density-D (RMD-D), which is pending concurrently with this application, pursuant to Ordinance 2024-825.

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

North: Land Use: Community/General Commercial (CGC)
Zoning: Commercial Community/General-2 (CCG-2)
Property Use: Shopping Center and Vacant Commercial Land

South: Land Use: LDR
Zoning: Residential Rural-Acre (RR-Acre)
Property Use: Single-Family residential

East: Land Use: CGC and LDR
Zoning: Commercial Community/General-1 (CCG-1); Commercial Office (CO); and RR-Acre
Property Use: Gas Station and Single-Family Residential

West: Land Use: LDR and MDR
Zoning: RR-Acre, RMD-A, and PUD
Property Use: Single-Family Residential

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.

Land Use Amendment Impact Assessment

Development Analysis (7.38 Acres)		
Development Boundary	Suburban	
Roadway Frontage Classification / State Road	Old Middleburg Rd S - Minor Arterial	
Plans and/or Studies	Southwest Vision Plan	
Site Utilization	Current: Single-Family Dwellings	Proposed: Medium Density Residential use
Land Use / Zoning	Current: LDR (6.09) + RPI (1.29)/ RR-Acre + CO	Proposed: MDR (7.38)/ RMD-D
Development Standards for Impact Assessment	Current: LDR = 5DU/Acre RPI (SA) Scenario 1: 0.5FAR Scenario 2: 15DU/Acre	Proposed: MDR = 15DU/Acre
Development Potential	Current: Scenario 1: LDR = 30 DUs RPI = 28,096sf Scenario 2: LDR = 30 DUs RPI = 19 DUs	Proposed: 110 DUs
Net Increase or Decrease in Maximum Density	Scenario 1: Increase of 80 DUs Scenario 2: Increase of 61 DUs	
Net Increase or Decrease in Potential Floor Area	Scenario 1: Decrease of 28,096sf Scenario 2: N/A	
Population Potential	Current: Scenario 1: 79 People Scenario 2: 123 People	Proposed: 258 People
Special Designation Areas		
Aquatic Preserve	NO	
Evacuation Zone	NO	
Airport Environment Zone	150' Height Restriction Zone for Herlong Recreational Airport and Cecil Airport	
Industrial Preservation Area	NO	
Cultural Resources	NO	
Archaeological Sensitivity	High and Low Sensitivity	
Historic District	NO	
Coastal High Hazard	NO	
Adaptation Action Area	0.69 of an acre at the southern portion of property	
Groundwater Aquifer Recharge Area	0-4 Inches	
Wellhead Protection Zone	NO	

Land Use Amendment Impact Assessment

Development Analysis (7.38 Acres)	
Boat Facility Siting Zone	No
Brownfield	No
Public Facilities	
Potential Roadway Impact	Scenario 1: 153 net new daily trips Scenario 2: 330 net new daily trips
Potential Public School Impact	26 new students
Water Provider	JEA
Potential Water Impact	Scenario 1: Increase of 16,465.2 gal/day Scenario 2: Increase of 13,405 gal/day
Sewer Provider	JEA
Potential Sewer Impact	Scenario 1: Increase of 12,348.9 gal/day Scenario 2: Increase of 10,053.8 gal/day
Potential Solid Waste Impact	Scenario 1: Increase of 163.05 tons/year Scenario 2: Increase of 158.6 tons/year
Drainage Basin/Sub-basin	Ortega River/Unnamed Ditch
Recreation and Parks	Lynn Park
Mass Transit Access	Along Route 30 on 103rd Street
Natural Features	
Elevations	54 to 65 feet above mean sea level
Land Cover	1100: Residential, low density - less than 2 dwelling units/acre
Soils	32: Leon Fine 14: Boulogne Fine Sand
Flood Zones	NO
Wetlands	NO
Wildlife (applicable to sites greater than 50 acres)	NO

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 August 26, 2024, as part of the companion rezoning application. According to the letter, there is an existing 16-inch water main along Old Middleburg Road South and an existing 6-inch force main along Old Middleburg Road South approximately 150-feet south of 103rd Street.

Both the land use amendment application and the companion rezoning application indicate 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. Therefore, the proposed amendment is consistent with FLUE Policy 1.2.8.

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 7.38 acres and is located on Old Middleburg Road S near 103rd Street. This segment of Old Middleburg Road S between Argyle Forest Boulevard and 103rd Street is a minor arterial roadway operating at 63% of capacity. The proposed land use amendment

is located within the Suburban Development Area and Mobility Zone 6. The applicant proposes to change the existing land use from Low Density Residential (LDR) to Medium Density Residential (MDR).

Comprehensive Plan Consistency:

The Trip Generation Analysis is consistent with 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).

- 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 LDR and RPI land use would result in 588 or 411 trips depending on the scenario. If the land use is amended to allow for this proposed MDR development, this will result in 741 daily trips.

Transportation Planning Division RECOMMENDS the following:

The difference in daily trips for the proposed land use amendment has 153 or 330 net new daily trips when compared to the existing land use. The Transportation Planning Division recommends ongoing coordinating efforts with the City of Jacksonville Traffic Engineer to determine if a traffic operational analysis is needed.

Table A
Trip Generation Estimation Scenarios

Current Land Use-Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
LDR	210	30 DUs	T= 9.43 (X)	283	0	283
RPI	710	28,096 SF	T= 10.84 (X) /1000	305	0	305
				<i>Total Trips for Existing Land Use- Scenario 1</i>		<i>588</i>
Current Land Use-Scenario 2	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
LDR	210	30 DUs	T= 9.43 (X)	283	0	283

RPI	220	19 MFDUs	T= 6.74 (X)	128	0	128
				Total Trips for Proposed Land Use- Scenario 2		411
Proposed Land Use-Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
MDR	220	110 MFDUs	T = 6.74 (X)	741	0	741
				Total Trips for Proposed Land Use- Scenario 1		741
				Scenario 1 Difference in Daily Trips		153
				Scenario 2 Difference in Daily Trips		330

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

School Capacity

The 7.38 acre proposed land use map amendment has a development potential of 110 dwelling units and 26 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-5979-24C Old Middleburg Rd S & 103rd St Requested By: Jermaine Anderson Reviewed By: LeVonne Griggs Due: 10/31/2024							
Analysis based on maximum dwelling units: 110							
School Type	CSA ¹	2024-25 Enrollment/CSA	Current Utilization (%)	New Student/Development ³	5-Year Utilization (%)	Available Seats - CSA ²	Available Seats - Adjacent CSA 1,2 & 8
Elementary	8	6,160	78%	13	79%	1,201	2,437
Middle	7	2,097	159%	5	85%	778	1,277
High	8	2,690	83%	8	60%	975	1,196
				Total New Students			
							26

NOTES:

¹ Proposed Development's Concurrency Service Area (CSA)

² Available CSA seats include current reservations

³ Student Distribution Rate

ES-.119
MS-.050
HS-.078

0.248

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 (102,123) by the number of total permitted housing units (411,541) for the same year, generating a yield of 0.248.

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 is provided by the Duval County School Board. This information 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-5979-24C Old Middleburg & 103RD St						
Requested By: Jermaine Anderson						
Reviewed By: LeVonne Griggs						
Due: 10/31/2024						
Analysis based on maximum dwelling units: <u>110</u>						
SCHOOL ¹	CSA	STUDENTS GENERATED (Rounded) ³	SCHOOL CAPACITY ² (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2024/25)	% OCCUPIED	4 YEAR PROJECTION
Westview K-8#274	8	13	1515	1223	81%	84%
Westview K-8#274	7	5	375	409	109%	84%
Westside HS#241	8	8	1793	1505	84%	84%
		26				

NOTES:

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

³ Student Distribution Rate

ES-119
MS-050
HS-078
0.248

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 (102,123) by the number of total permitted housing units (411,541) for the same year, generating a yield of 0.248.

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low 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 application site is located within the 150-foot Height and Hazard Zone for Herlong Recreational Airport and 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).

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.

Aquifer Recharge

The site is located within an area identified as being in the 0 to 4 inch per year aquifer recharge area. This range is below the threshold of 12 inches or more per year which would constitute a prime recharge area as defined in the Infrastructure Element – Aquifer Recharge Sub-Element (IE-AR). Prime aquifer recharge areas are the primary focus of groundwater resource protection. 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 1.2.3 The City shall continue to coordinate with the SJRWMD and utilize the best available resources and information including the latest update of the Floridan Aquifer Recharge GIS grid coverage to protect the functions of the natural groundwater aquifer recharge areas and to discourage urban sprawl.
- Policy 1.2.7 Within two years of establishment by the SJRWMD and the Water Resources Management Plan of prime recharge areas for the Floridan Aquifer, the Planning and Development Department shall prepare maps of such designated areas showing the special zoning and land use consideration the City has established for such areas as designated by the latest update of the Floridan Aquifer Recharge GIS grid coverage.

Adaptation Action Area (AAA)

Roughly 0.69 of an acre of the amendment site is located 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.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on October 16, 2024, the required notices of public hearing signs were posted. Twenty-eight (28) 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 28, 2024. No members of the public spoke.

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.

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 1.1.21 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 3.1.5 The City shall provide opportunities for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

Policy 3.1.12 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.

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), Low Density Residential (LDR) is a category intended to provide for low density residential development. Generally, single-family detached housing should be the predominant development typology in this category. Mixed use developments utilizing the Traditional Neighborhood Development (TND) concept, which is predominantly residential but includes a broad mixture of secondary recreational, commercial, public facilities and services may also be permitted. New residential subdivisions in LDR should be designed in such a way as to reduce the number of Vehicles Miles Traveled, and cul-de-sacs should be avoided. The maximum density allowable in the LDR land use category in the Suburban development area is 7 units per acre provided that JEA water and sewer serve the development.

According to the Future Land Use Element (FLUE), Residential Professional Institutional (RPI) is a category primarily intended to accommodate medium to high density residential, office, and institutional uses. Limited neighborhood commercial retail and service establishments which serve a diverse set of neighborhoods may also be a part of single or mixed-use developments. RPI is generally intended to provide transitional uses between commercial, office and residential uses, although it may also provide a transition between industrial and residential uses when industrial uses pose no health or safety risks to residents. Plan amendment requests for new RPI designations are preferred in locations which are supplied with full urban services.

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 proposed amendment from LDR and RPI to MDR is compatible with the uses in the area providing a transition of uses from the CGC north of the site to the LDR south and west of the site. Additionally, this is an underutilized parcel with large pockets of MDR land use in the surrounding area. The proposed amendment would add diversity to the existing single-family housing stock of the area, allowing for multi-family development that will be served with full urban services. The site is also located along a minor arterial roadway which is a preferred

location for the increase of density in a residential area. Therefore, the amendment is consistent with FLUE Goals 1 and 3, Objective 1.1, and Policies 1.1.21, 1.1.22, 3.1.5, and 3.1.12.

The applicant has provided a JEA Availability Letter, dated August 26, 2024, as part of the companion rezoning application. According to the letter, there is an existing 16-inch water main along Old Middleburg Road South and an existing 6-inch force main along Old Middleburg Road South approximately 150-feet south of 103rd Street. The MDR land use category requires connection to centralized JEA and water and sewer to develop multi-family dwellings. Therefore, the proposed amendment is consistent with FLUE Policy 1.2.8.

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.

Southwest Vision Plan

The subject property is located within the boundaries of the Southwest Vision Plan. The Plan offers no specific recommendations for the location of the subject site. However, the Plan notes the importance of having a mix of housing types with rehabilitation of existing structures and compatible new infill development at various densities. The proposed Amendment would allow for the development of additional housing stock on an underutilized property. Therefore, the proposed land use change is consistent with the Southwest Vision Plan.

Strategic Regional Policy Plan

The proposed amendment is consistent with the follow 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.

CURRENT LAND UTILIZATION MAP

