

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
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Jacksonville, FL 32202
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October 22, 2020

The Honorable Tommy Hazouri, President
The Honorable Michael Boylan, LUZ Chair
And Members of the City Council
117 West Duval Street
Jacksonville, Florida 32202

RE: Planning Commission Advisory Report / Ordinance No. 2020-571/Application No. L-5466-20C

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairman Boylan 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 2020-571 on October 22, 2020.

P&DD Recommendation

APPROVE

PC Issues:

The Commission requested clarification on the number of dwelling units permitted on the property with the RR land use and RR-Acre zoning. One dwelling unit is permitted.

PC Vote:

5-0 APPROVE

Joshua Garrison, Chair

Aye

Dawn Motes, Vice-Chair

Absent

David Hacker, Secretary

Absent

Marshall Adkison

Aye

Daniel Blanchard

Aye

Ian Brown

Absent

Alexander Moldovan

Aye

Jason Porter

Aye

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

Sincerely,

Kristen D. Reed

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

Small-Scale Future Land Use Map Amendment – October 16, 2020

Ordinance/Application No.: 2020-571 / L-5466-20C

Property Location: 0 Betz Road, on the north side of Betz Road just east of Spring Hammock Road

Real Estate Number(s): 159760-0060

Property Acreage: 1.25 acres

Planning District: District 6

City Council District: Council District 2

Applicant: Matt Chmura

Current Land Use: AGR-IV

Proposed Land Use: RR

Development Area: Rural

Current Zoning: AGR

Proposed Zoning: RR-Acre

RECOMMENDATION: **Approve**

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

The owners are requesting a change to land use category RR in order to rezone the parcel to RR-Acre. Owner’s desire is to be able to build a single-family home on the parcel.

BACKGROUND

The subject site consists of 1.25 acres and is located on the northwest corner of the intersection of Betz Road and Anderson Estates Road. According to the Functional Highway Classification System Map, Betz Road and Anderson Estates Road are both local roads and both are unimproved dirt roads. The site is also located in the Rural Development Area, Planning District 6, and Council District 2. Additionally, the land use amendment site is located within the boundaries of the North Jacksonville Vision Plan.

The applicant is proposing a land use amendment from Agriculture IV (AGR-IV) to Rural Residential (RR) on a 1.25-acre parcel on the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. A companion rezoning is pending concurrently with this application to change from Agriculture (AGR) to Residential Rural-Acre (RR-Acre) pursuant to Ordinance 2020-572.

The area surrounding the amendment site consists of single-family dwellings and mobile homes all located within the AGR-IV land use category. This area, including the amendment site, was designated Open Rural (OR) prior to the adoption of the Comprehensive Plan. Open Rural allowed development of one dwelling unit per 1.5 acres. The Comprehensive Plan was adopted on September 21, 1990 and at that time; the land use category for the entire area was changed from OR to AGR-IV. In late 1990, the request to subdivide the parent parcel to the remaining heirs was submitted to the courts. A Summary Administration decision, which is a procedure to speed up closing of an estate without a will, was legally approved in April of 1991, resulting in 4 non-conforming lots, including the subject property.

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

North: Land Use: AGR-IV
Zoning: AGR
Property Use: Vacant land

South: Land Use: AGR-IV
Zoning: AGR
Property Use: Single-family

East: Land Use: AGR-IV
Zoning: AGR
Property Use: Single family

West: Land Use: AGR-IV
Zoning: AGR
Property Use: Single family

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

Development Analysis		
Development Boundary	Rural	
Roadway Frontage Classification / State Road	Local Road	
Plans and/or Studies	North Vision Plan	
Site Utilization	Current: vacant	Proposed: single family home
Land Use / Zoning	Current: AGR-IV/AGR	Proposed: RR/RR-Acre
Development Standards for Impact Assessment	Current: 1 DU per 2.5 acres	Proposed: 1 DU per acre
Development Potential	Current: None	Proposed: 1 DU
Net Increase or Decrease in Maximum Density	Increase 1 DU	
Net Increase or Decrease in Potential Floor Area	N/A	
Population Potential	Current: N/A	Proposed: 2 people
Special Designation Areas		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	No	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	Low	
Historic District	No	
Coastal High Hazard/Adaptation Action Area	No	
Groundwater Aquifer Recharge Area	Discharge	
Wellhead Protection Zone	No	
Boat Facility Siting Zone	No	
Brownfield	No	
Public Facilities		
Potential Roadway Impact	De Minimis	
Potential Public School Impact	De Minimis	
Water Provider	well	
Potential Water Impact	N/A	
Sewer Provider	septic	
Potential Sewer Impact	N/A	
Potential Solid Waste Impact	N/A	
Drainage Basin/Sub-basin	Nassau River/Pumpkin Hill Creek	
Recreation and Parks	Betz-Tiger Park	
Mass Transit Access	No	
Natural Features		
Elevations	15 ft.	
Land Cover	1180 residential rural	
Soils	32 Leon fine sand, 35 Lynn Haven fine sand	
Flood Zones	No	
Wetlands	No	
Wildlife (applicable to sites greater than 50 acres)	N/A	

Utility Capacity

JEA does not provide utilities for the area. The property will be served by well and septic systems for the single-family development.

FLUE

Policy 1.2.11 Development orders or permits shall only be issued when the applicant has demonstrated compliance with applicable federal, state and local requirements for wastewater collection and disposal, and potable water, supply, treatment and distribution, availability per the local water utility.

Infrastructure

Sanitary Sewer Sub-element

Policy 1.1.3 The JEA shall not invest in sanitary sewer facilities in the Rural Area as defined in the Future Land Use and Capital Improvements Element, except where necessary to protect the public health or safety, or encourage mixed use or regional economic development. The JEA and the Department of Planning and Development shall coordinate on the placement of these lines to ensure compliance with the City's Comprehensive Plan and its urban and suburban boundaries.

Transportation

This land use amendment is generating less than 10 average daily trips on the transportation network and is determined to be insignificant. Therefore, this land use amendment does not require a traffic impact analysis.

School Capacity

The development of one dwelling unit has a de minimis impacts on school capacity and therefore does not require a school level of service review.

Archaeological Sensitivity

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

Historic Preservation Element

Policy 1.2.6 The Planning and Development Department shall maintain and update for planning and permitting purposes, a U.S.G.S. series of topographic maps upon which recorded archaeological sites are shown.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on October 2, 2020 the required notices of public hearing signs were posted. Twenty (20) 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 September 28, 2020 by Zoom for the adoption of the small-scale land use amendment. Other than the applicant, no members of the public were present.

CONSISTENCY EVALUATION

Consistency with 2030 Comprehensive Plan Goals, Objectives and Policies

Future Land Use Element (FLUE)

Development Area

Rural Area (RA): The RA consists of all lands outside of the Suburban Area (SA) and corresponds with predominantly undeveloped portions of the City with land uses such as Agriculture, Recreation, Conservation, or Public Buildings Facilities. Development should occur at very low densities which create little demand for new infrastructure and community serving supporting uses, unless development occurs under the Multi-Use Category, as a Rural Village or as a Master Planned Community as defined in this element. Development may occur within the Rural Area provided that it is consistent with the Operational Provisions and the Land Use category descriptions. Otherwise, development beyond such boundaries is considered urban sprawl and is to be discouraged.

Future Land Use Element

Policy 1.1.5 The amount of land designated for future development should provide for a balance of uses that:

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

Policy 1.1.21 Future amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population of the area and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business consistent with FLUE Policy 1.1.5. The projected growth needs and population projections

must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.

Policy 1.1.24 The City will encourage new development to locate in the Urban Core, Southwest, North, and Northwest planning districts through such measures as economic incentives, greater marketing assistance, etc.

Policy 1.2.11 Development orders or permits shall only be issued when the applicant has demonstrated compliance with applicable federal, state and local requirements for wastewater collection and disposal, and potable water, supply, treatment and distribution, availability per the local water utility.

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

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

Infrastructure

Sanitary Sewer Sub-element

Policy 1.1.3 The JEA shall not invest in sanitary sewer facilities in the Rural Area as defined in the Future Land Use and Capital Improvements Element, except where necessary to protect the public health or safety, or encourage mixed use or regional economic development. The JEA and the Department of Planning and Development shall coordinate on the placement of these lines to ensure compliance with the City's Comprehensive Plan and its urban and suburban boundaries.

According to the Category Description within the Future Land Use Element (FLUE), Agriculture (AGR) is intended to provide for agricultural uses and to preserve the existing rural character of outlying areas of the City. Most AGR lands are located in the

Rural Area of the City where full urban services and facilities will not be provided by the City during the planning time frame. Accordingly, the principal activities allowed in these categories are agriculture and related uses, such as farming, horticulture, forestry and logging, storage, processing and wholesale distribution of farm supplies and products, and other resource dependent uses. In order to preserve the rural character of these areas, residential uses are permitted at very low densities or as a component of Rural Villages where uses are clustered to limit their impact on surrounding character.

Rural Residential (RR) is a category intended to provide rural estate residential opportunities in the suburban and rural areas of the City. Generally, single-family detached housing will be the predominant land uses in this category. Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein. The maximum gross density in the Suburban Area and Rural Area shall be 2 units/acre when both centralized potable water and wastewater are available to the site; and the maximum gross density shall be 1 unit/acre when served with on-site potable water and wastewater; and there shall be no minimum density.

Although full urban services are not available and the provision of water and sewer in the Rural Development Areas is discouraged, there is adequate acreage for well and septic systems as long as the development meets all local, state and federal requirements as per FLUE Policy 1.2.11 and is consistent with Infrastructure Sanitary Sewer Sub-element Policy 1.1.3 which states that JEA will not invest in in sanitary sewer facilities in the Rural Development Area.

The development of a single-family dwelling on the subject site maintains the adjoining rural residential character of the neighborhood where there are nearby single-family dwelling units on parcels that are less than 2.5 acres. The proposed single-family dwelling unit is in continuing the single-family residential trend of the area and thus satisfying FLUE Policy 1.1.24 and Objective 3.1. The proposed change to residential from agriculture does not impact the amount of agricultural land available for future use. The change follows the development pattern in the area and allows flexibility for the current real estate market. Therefore, the proposed amendment is consistent with FLUE Policies 1.1.5, 1.1.21 and 3.1.6.

North Jacksonville Vision Plan

The subject site is located within the boundaries of the North Jacksonville Vision and Master Plan. There are no specific recommendations for this area within the Plan. However, the proposed residential single-family dwelling unit adds to the variety of housing alternatives that influence the economic growth in the area and is encouraged within the boundaries of the North Jacksonville Vision Plan.

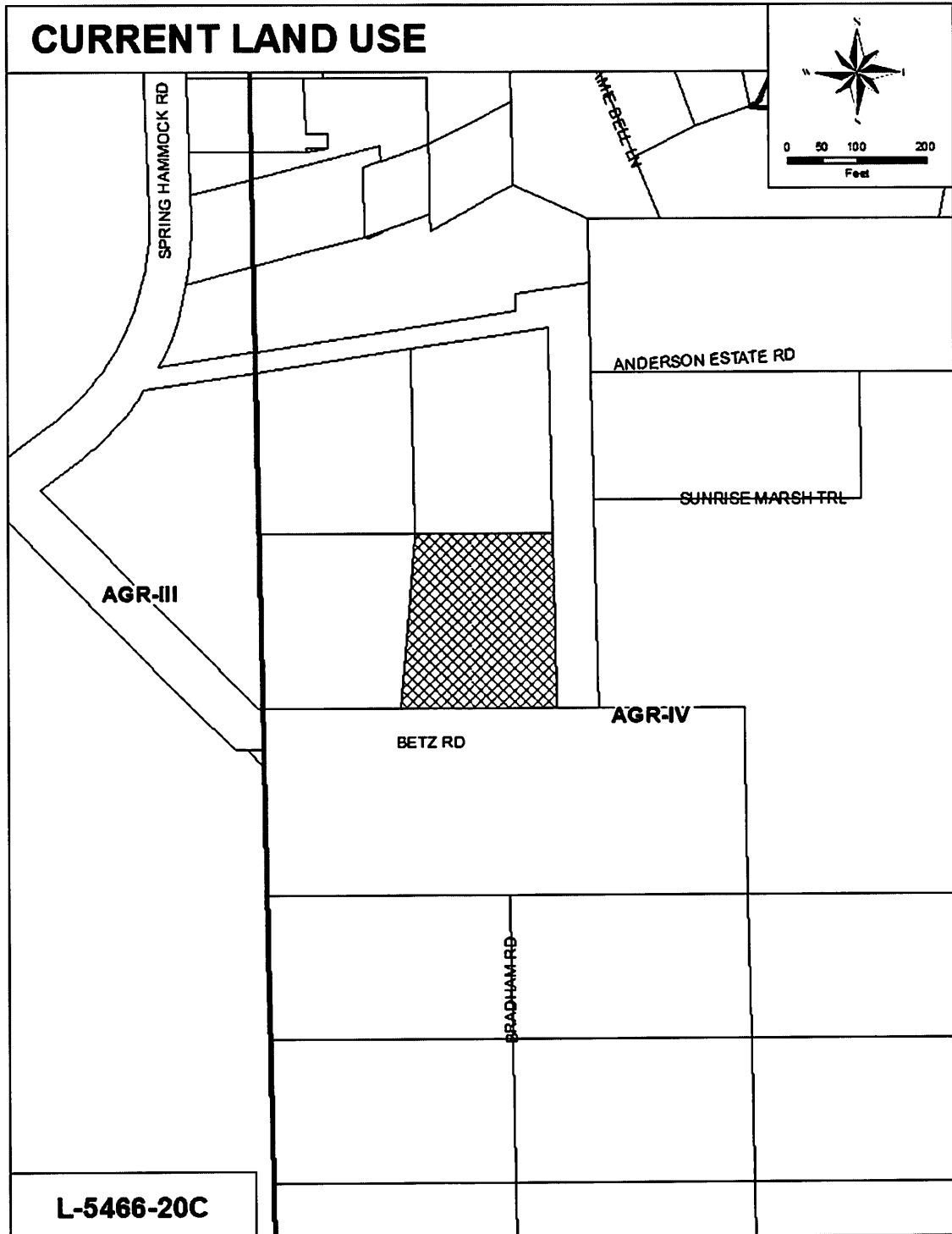
Strategic Regional Policy Plan

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

Policy 8: The Region values the availability of lifestyle and livelihood choice, including agricultural, rural, suburban and urban.

The proposed land use amendment is consistent with Policy 8 of the Northeast Florida Regional Council's Strategic Regional Policy Plan, as it would provide a greater availability of lifestyle choices to residents.

LAND USE AMENDMENT SITE AND CURRENT LAND USE MAP



CURRENT LAND UTILIZATION MAP

