



**PROPOSED SMALL-SCALE
FUTURE LAND USE MAP (FLUM) AMENDMENT**

OVERVIEW

ORDINANCE: 2017-89

APPLICATION: 2016C-029-6-2

APPLICANT: GREG KUPPERMAN AND STEVE DIEBENOW

PROPERTY LOCATION: 5100, 5110, and 0 Heckscher Drive

Acreage: 1.63

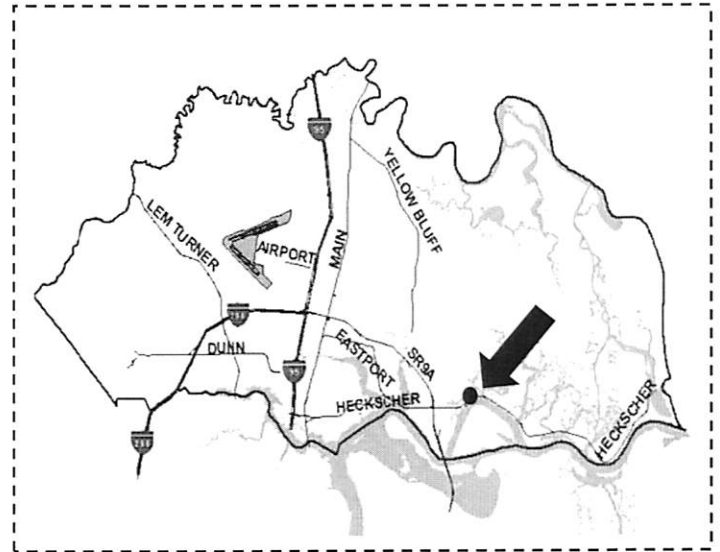
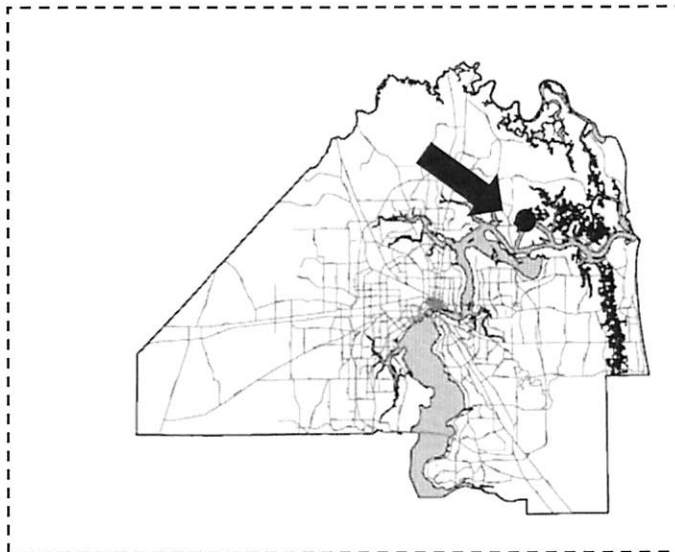
Requested Action:

	Current	Proposed
LAND USE	LDR	WD/WR
ZONING	RLD-100A	IW

Existing FLUM Category	Proposed FLUM Category	Existing Maximum Density (DU/Acre)	Proposed Maximum Density (DU/Acre)	Existing Maximum Intensity (FAR)	Proposed Maximum Intensity (FAR)	Net Increase or Decrease in Maximum Density	Non-Residential Net Increase or Decrease in Potential Floor Area
LDR	WD/WR	8 DU (5 DU/Acre)	N/A	N/A	17,750 sq. ft. (0.25 FAR)	Decrease 8 DU	Increase 17,750 sq. ft.

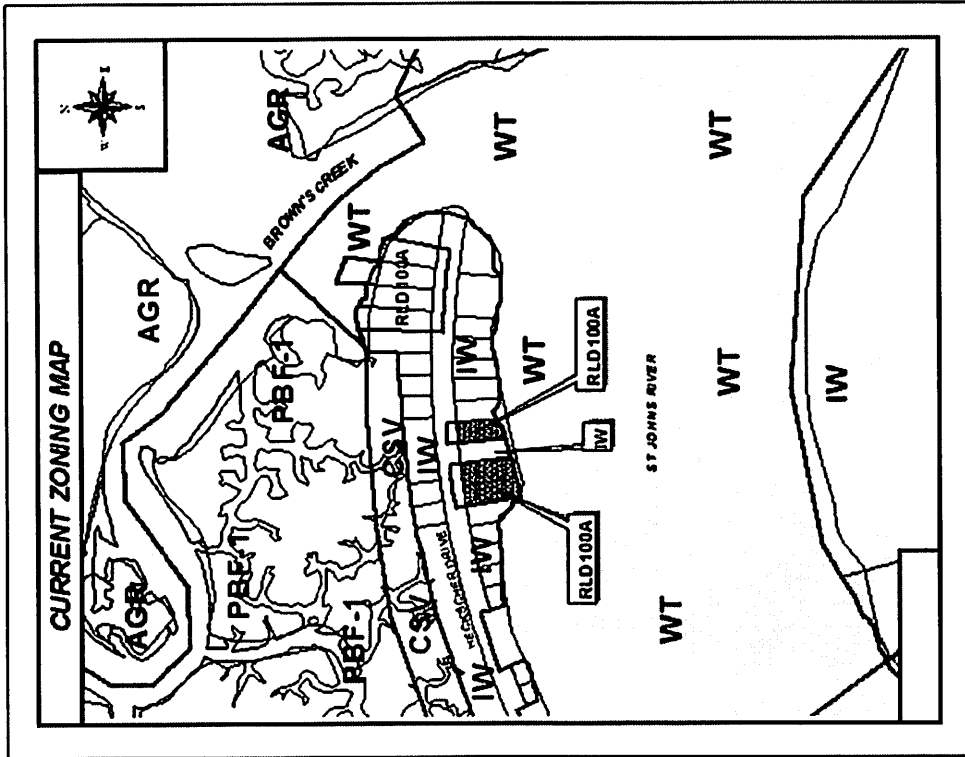
**PLANNING AND DEVELOPMENT DEPARTMENT'S RECOMMENDATION: APPROVE
FOR RE#s 159971-0000 and 159972-0000 / DENY FOR RE# 159974-0000**

LOCATION MAPS:



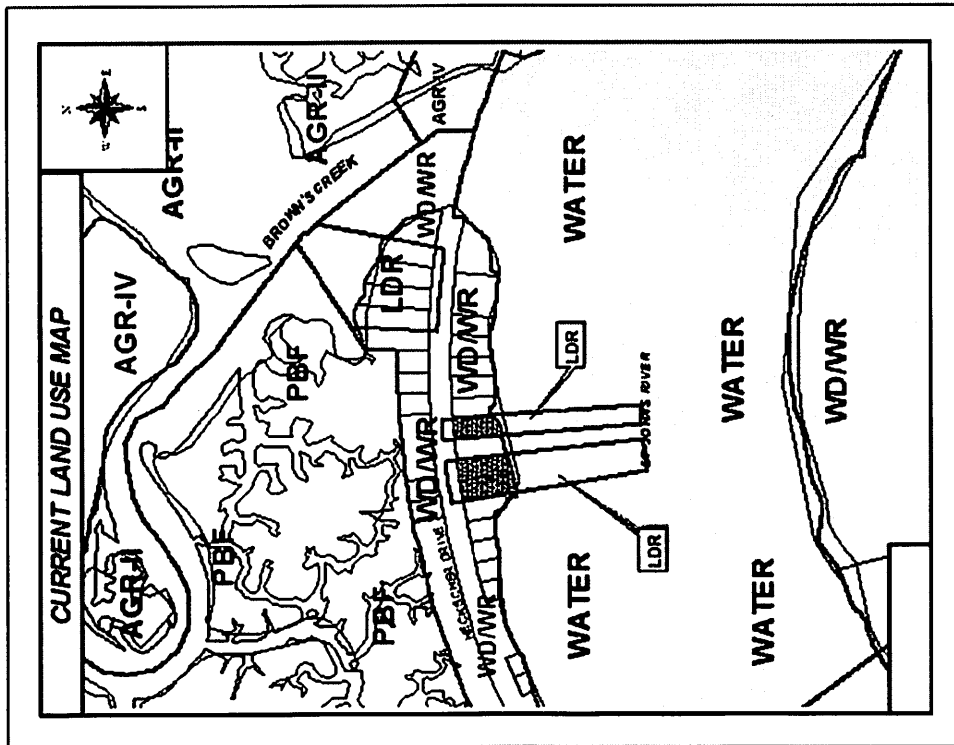
DUAL MAP PAGE

SMALL SCALE LAND USE APPLICATION 2016C-029



Current Zoning District(s): Residential Low Density-100A (RLD-100A)

Requested Zoning District(s): Industrial Water (IW)



Existing FLUM Land Use Categories: Low Density Residential (LDR)

Requested FLUM Land Use Category: Water Dependent-Water Related (WD-WR)

ANALYSIS

Background:

The 1.63 acre amendment site is located on the south side of Heckscher Drive between Blount Island Boulevard and Browns Creek. The amendment site is comprised of three (3) lots with one intervening lot under common ownership. The two (2) western lots (RE# 159971-0000 and 159972-0000) are contiguous and are reported to have a size of 0.58 acres and 0.56 acres, respectively, according to the Property Appraiser's webpage for a total acreage of approximately 1.14 acres. However, according to the location of the mean high water line in that area, which determines the delineation between private land and submerged lands of the state, the actual number of acres owned by the applicant could be less. The eastern lot (RE# 159974-0000) is separated by one (1) lot that is already designated with the Water Dependent-Water Related (WD/WR) land use and Industrial Water (IW) zoning and is approximately 0.49 acres in size according to the Property Appraiser's webpage. The property is located in Council District two (2), Planning District six (6) and within the boundaries of North Jacksonville Shared Vision and Master Plan.

The applicant proposes a future land use amendment from Low Density Residential (LDR) to WD/WR and a rezoning from Residential Low Density-100A (RLD-100A) to IW to allow the owner to utilize the property for marine workboat services which includes contractor mobilization, marine towing, marine salvage, dredging, artificial reef installation, and marine transportation and launch services. The companion rezoning is pending concurrently with this land use amendment application pursuant to Ordinance 2017-090.

The amendment site fronts on Heckscher Drive which is classified as a minor arterial roadway and is located within the Suburban Development Area. The three (3) lots subject to the proposed amendment are vacant residential properties and the intervening lot contained a single-family dwelling that was serving as a business office. However, subsequent to filing this amendment application the owner has received a demolition permit to remove the single-family dwelling. The land use designation of the amendment site was changed from WD/WR to LDR in 2008 (Ordinances 2008-271-E and 2008-1030-E).

When the application was initially filed the subject parcels were located within the boundaries of the Industrial Sanctuary overlay as identified on Map L-23 of the Future Land Use Element (FLUE). However, the City Council has subsequently approved Ordinance 2017-795-E to remove the Industrial Sanctuary overlay from the general area including and surrounding the subject property. The City Council's decision to remove the overlay from the general area was based on several factors including: incompatibility with existing and long established residential uses; small lot sizes; lack of access to the rail network; industrial vacancy rates in the vicinity; proximity to environmentally sensitive lands such as wetlands and the Timucuan Preserve; and concerns that the original designation of the area encompassing the site within the overlay did not meet the criteria for inclusion.

Removal of the overlay in the area that includes the subject properties also removes the presumption of appropriateness for conversion to industrial land uses as stated in FLUE Policy 3.2.30. FLUE Policy 3.2.30 states that properties located within an Industrial

Sanctuary are presumed to be appropriate for land use map amendments to industrial categories, subject to a case-by-case review of consistency with State and Regional Plans and the Comprehensive Plan.

The property is located on a narrow isolated strip of uplands between the St. Johns River and the Browns Creek marshlands. South and across the river channel is Blount Island which is owned by the Jacksonville Port Authority and the United States of America. The length of the uplands area is approximately 0.3 miles long. On the south side of Heckscher Drive there are 16 contiguous lots with the following uses: four (4) vacant, two (2) open storage, four (4) owned by the applicant, five (5) single-family homes and two (2) open storage lots known as the Browns Creek Fish Camp. Land uses of the lots located on the north side of Heckscher Drive are as follows: seven (7) vacant, five (5) single-family homes and one (1) restaurant. Just north of the wetlands area is a large parcel of land owned by the Jacksonville Electric Authority which is predominately classified as wetlands as well. The four (4) open storage lots located along the south side of Heckscher Drive are used for boat storage. The western lots are utilized as shrimp boat docks and the eastern lots are developed with the Browns Creek Fish Camp. The Browns Creek Fish Camp has recreational boat storage, docks and a boat ramp. In between these commercial and water related uses, the area has historically been residential. The adjacent uses and zoning are as follows:

Adjacent Property	Land Use	Zoning District	Current Use(s)
North	WD/WR	CSV and IW	Vacant
South	St. Johns River	St. Johns River	Water
East	WD/WR	IW	Single Family home
West	WD/WR	IW	Open Storage

Attachment A – Land Utilization Map provides a detailed picture of the existing development pattern for the immediate area.

Water-Dependent or Water-Related uses are activities which can be carried out only on, in or adjacent to water areas because the use requires access to the water body for: waterborne transportation including ports or marinas; recreation; electrical generating facilities; or water supply; or uses that provide goods and services directly associated with the waterway or water dependent use. Dames Point Workboats, LLC began as a push boat and barge rental company in 2012. Their services now include: contractor mobilization; marine towing; marine salvage; dredging; artificial reef installation; marine transportation; launch services and equipment (boats and barges) rental. The property is located on a deep water channel with a depth of approximately 28 feet according to NOAA Nautical Chart 11491.

The proposed amendment does not include a residential component. Therefore, school capacity issues will not be impacted.

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.

Utility Capacity

Currently the three (3) lots subject to the amendment are vacant and would be served by a well and septic tank. According to the JEA availability letter, the closest water and sewer connection is 1,600 feet west of the site. According to the applicant the owner does not plan on constructing any new buildings. 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).

Infrastructure Element, Sanitary Sewer Sub-Element

Policy 1.2.3 The City shall not permit septic tanks for the disposal or discharge of industrial wastes.

Policy 1.2.6 Within the Suburban Boundary Map as defined in the Future Land Use and Capital Improvements Elements, new septic tanks will be forbidden pursuant to the Septic Environmental Protection Board – Rule 3; however, they may be permitted as interim facilities, provided the following requirements are satisfied:

1. Single family/commercial (estimated flows of 600 gpd or less):
 - a. Requirements of Chapter 64E-6, Florida Administrative Code (F.A.C.) are accommodated.
 - b. 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. Commercial (above 600 gpd)
 - a. Requirements of Chapter 64E-6, F.A.C. are accommodated.
 - b. The collection system of a regional utility company is not within 50 feet of the property.
3. Subdivision (commercial or single family):
 - a. Requirements of Chapter 64E-6, F.A.C. are accommodated.
 - b. The collection system of a regional utility company is greater than 1/4 mile from the proposed subdivision.
 - c. Each lot is a minimum of 1 acre unsubmerged property.
 - d. Alternative (mounded) systems are not required.

Future Land Use Element:

Policy 1.2.5 Existing septic tanks for estimated wastewater flows exceeding 600 gallons per day (gpd) shall connect to the collection system of a regional utility company provided that a facility abuts or is within 50 feet of the property.

Policy 1.2.9 Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

Policy 1.2.11 Continue to deny development orders or permits until the applicant has demonstrated compliance with applicable federal, state and local requirements for wastewater collection and disposal, and potable water treatment and distribution.

According Florida Statutes Chapter 381 construction permits may not be issued for an onsite sewage treatment and disposal system in any area used or zoned for industrial or manufacturing purposes where a publicly owned or investor owned sewage treatment system is available (located within one-fourth mile) or where the system will receive toxic, hazardous, or industrial waste. Buildings located in areas zoned or used for industrial or manufacturing purposes, when such buildings are to be served by onsite sewage treatment and disposal systems, must receive written approval from the Department of Health. Approvals will not be granted when the proposed use of the system is to dispose of toxic, hazardous, or industrial wastewater or toxic or hazardous chemicals. Once an onsite disposal system is permitted, the owner must obtain an annual system operating permit and change of use requires the owner or tenant to obtain a new annual system operating permit from the Department of Health.

Transportation

The Planning and Development Department completed a transportation analysis (see Attachment B) and determined that the proposed amendment has the potential to result in an increase of no new daily external trips. This analysis is based upon the comparison of what potentially could be built on that site (as detailed in FLUE Policy 1.2.16 Development Standards for Impact Assessment) versus the maximum development potential. Potential traffic impacts will be addressed through the Concurrency and Mobility Management System Office.

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.

Capital Improvements Element

Policy 1.6.1 Upon adoption of the Mobility Plan implementing ordinance, the City shall cease transportation concurrency and use a quantitative formula for

purposes of assessing a landowner's mobility fee for transportation impacts generated from a proposed development, where the landowner's mobility fee shall equal the cost per vehicle miles traveled (A); multiplied by the average vehicle miles traveled per Development Area (B); multiplied by the daily trips (C); subtracted by any trip reduction adjustments assessed to the development.

Supplemental Transportation Information

The 2030 Mobility Plan replaced the transportation concurrency management system to address the multi-modal mobility needs of the city. Mobility needs vary throughout the city and in order to quantify these needs the city was divided into 10 Mobility Zones. The project site is located in Mobility Zone 3 on Heckscher Drive between Blount Island and to SR A1A. The Mobility Plan identifies specific transportation strategies and improvements to address traffic congestion and mobility needs for each mode of transportation.

Existing available roadway capacity for the vehicle/truck mode for the entire zone was tested based on volume demand to capacity ratio (V/C), where the average daily traffic volumes determined from the most recent City of Jacksonville traffic count data were compared to the *Maximum Service Volumes (MSV)* from the current *FDOT Quality/Level of Service Handbook (2012)* for each functionally classified roadway within the zone. A V/C ratio of 1.0 indicates the roadway network is operating at its capacity or if V/C ratio greater than 1.0 then the demand exceeds the capacity.

The result of the V/C ratio analysis for the overall Mobility Zone 7 is passing at 0.52.

Heckscher Drive (SR 13) between Blount Island and SRA1A is a 2-lane undivided arterial roadway providing direct access to the development site. The traffic demand for this facility is expected to operate at a V/C ratio of 0.46 with the inclusion of the additional traffic from this land use amendment.

Archaeological Sensitivity

According to the Duval County Preliminary Site Sensitivity Map, the subject property is located within an area of High Probability 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. 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.

Coastal High Hazard Area (CHHA) / Adaptation Action Area (AAA)

The entire 1.63 acres of the subject site is located within a Coastal High Hazard Area (CHHA), as defined by Section 163.3178(2)(h), Florida Statutes and the Adaptation Action Area (AAA). The AAA is the area of low-lying coastal properties recognized to have potential future impacts due to sea level rise. This area is also located in an AE Flood Zone. The owner does not plan on uplands development.

Conservation/Coastal Management Element

Policy 7.3.12 The City shall direct future residential density away from the Coastal High Hazard Area and shall mitigate the impacts of existing residential development rights through traditional and innovative planning tools including but not limited to Preservation Project land purchases and emergency shelter deficit reduction through mitigation assessments.

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.

Policy 14.3.5 The City of Jacksonville shall recognize the Coastal High Hazard Area (CHHA) identified in Map C-18 as also encompassing the Adaptation Action Area (AAA) for those low-lying coastal zones that may experience coastal flooding due to extreme high tides and storm surge and are vulnerable to the impacts of rising sea level. (§163.3177(6)(g)(10), F.S.) Land within the AAA is subject to potential high tide inundation under a horizon 2060 two foot sea level rise scenario.

Policy 14.3.6 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 14.3.7 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.

Manatee Protection Plan Boat Facility Siting Zone

The subject property is located in an area that falls within the jurisdiction of a Manatee Protection Plan Boat Facility Siting Zone. According to the Boat Facility Siting Zones of the Manatee Protection Plan, the property is located within the Preferred Zone. Development in a preferred area can have an unrestricted number of slips from a manatee management perspective. Other local, state, or federal restrictions may limit slip numbers. Permits must be approved by the Florida Department of Environmental Protection and the St. Johns River Water Management District.

Conservation Coastal Management Element

Policy 10.1.1 The location of future boat facilities shall be consistent with the recommendations within the Future Land Use Element and the Recreation and Open Space Element of the 2030 Comprehensive Plan, as well as any District Plan, and any other special study or plan adopted by the City such as the Boat Facilities Siting Plan.

Wetlands

A wetlands survey map has been prepared for the application site with the use of the City's GIS system and photogrammetric analysis. According to calculations from the analysis there are approximately 0.65 acres of wetlands present on the 1.63 acre land use amendment site. The wetlands are part of a larger coastal marsh system adjacent to the St. Johns River. The wetlands are classified as a "Saltwater Marsh" by the Florida Land Use Classification System (FLUCCS), as Category I wetlands pursuant to the Conservation/Coastal Management Element (CCME) and are located at the southern edge of the property adjacent to the river.

The entire application site is within the 100 year flood zone (AE) and Coastal High Hazard Area (CHHA) due to the site's location along the river and its elevation being below five feet above mean sea level. Additionally, due to the wetlands association with the river, their flood attenuation and pollutant buffering capability, the Category I wetlands have an extremely high functional value.

The United States Department of Agriculture, Natural Resource Conservation Service Soil Survey classifies the wetlands of the land use amendment site as "Tisonia mucky peat". The Tisonia series consists of nearly level; very poorly drained, organic soils formed from nonwoody, halophytic plant remains underlain by fine textured sediments. They are found in tidal marshes subject to flooding from coastal storms and during high tide twice daily. The high water table is at or near the ground surface.

The applicant's proposal to change the land use category from LDR to WD/WR will allow for the continued use of the property for industrial water related and water dependent uses. Impacts to the salt water wetlands can be avoided with no further encroachment into the marshes as well as the use of adequate erosion control methods if construction were to be done on non-wetland areas of the site. Any further development of the site that does impact the adjacent wetland must meet the requirements of Goal 4 and Objective 4.1 of the CCME

which is to achieve no further net loss of the natural functions of the city's remaining wetlands, to improve the quality of the city's wetland resources over the long-term, to improve the water quality, and to improve fish and wildlife values of wetlands.

Other requirements for development in wetlands including permitted uses, maintenance of water quality, maintenance of vegetation, and hydrology are specified in CCME Policy 4.1.3.

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

Objective 4.1 The City shall protect and conserve the natural functions of its existing wetlands, including estuarine marshes. In order to achieve this objective and its associated policies, the City shall continue to work with the applicable regional, state and federal agencies charged with these regulatory responsibilities.

CCME Policy 4.1.5 limits the land uses within Category I wetlands, however, Water-dependent and water-related uses are permitted provided the relevant standards are met as identified below.

Policy 4.1.5 The permitted uses within Category I and II 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) Conservation uses, provided the following standards are met:

(a) Dredge and fill

Dredging or filling of the Category I and II wetlands shall not exceed more than 5% of the wetlands on-site; and

(b) Vegetation

For Category I wetlands:

All native vegetation outside the development area is maintained in its natural state

For Category II wetlands:

No more than 10% of the arial extent of the vegetation outside the development area may be altered or removed; and

(2) Residential uses, provided the following standards are met:

(a) Density/Dredge and fill

Where lots, except for lots of record as defined in the Future Land Use

Element, are located totally within the wetlands:

- i density shall not exceed one (1) dwelling unit per five (5) acres; and
- ii buildings shall be clustered together to the maximum extent practicable; and
- iii dredging or filling shall not exceed 5% of the wetlands on-site; and

(b) Vegetation

For Category I wetlands:

All native vegetation outside the development area is maintained in its natural state

For Category II wetlands:

No more than 10% of the arial extent of the vegetation outside the development area may be altered or removed; and

(3) Water-dependent and water-related uses, provided the following standards are met:

a) Vegetation

For Category I wetlands:

All native vegetation outside the development area is maintained in its natural state

For Category II wetlands:

No more than 10% of the arial extent of the vegetation outside the development area may be altered or removed; and

(b) Boat facilities siting and operation

Boat facilities are further subject to Objectives 10.1, 10.2, 10.3, 10.5 and 10.6 and their related policies of this element.

(4) Access to a permitted use, subject to the requirements of (a), (b), and (f) as noted in the performance standards outlined in Policy 4.1.3 above.

(5) Any use which 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.

(6) For Category II wetlands only, silvicultural uses are allowed, 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.

IMPACT ASSESSMENT

DEVELOPMENT ANALYSIS		
	<u>CURRENT</u>	<u>PROPOSED</u>
Site Utilization	Vacant	Marine Docks
Land Use Category	LDR	WDWR
Development Standards For Impact Assessment	5 DU per acre	.25 FAR
Development Potential	8 DU	17,750 sq. ft.
Population Potential	20 people	N/A
SPECIAL DESIGNATIONS AREAS		
	<u>YES</u>	<u>NO</u>
Aquatic Preserve		X
Airport Environ Zone		X
Industrial Preservation Area		X
Cultural Resources	X High	
Archaeological Sensitivity	X High	
Historic District		X
Coastal High Hazard Area/ Adaptation Action Area	X Yes	
Ground Water Aquifer Recharge Area		X- Discharge Area
Well Head Protection Zone		X
PUBLIC FACILITIES		
Potential Roadway Impact	0 new daily trips	
Water Provider	Well	
Potential Water Impact	Decrease 1840 gallons per day	
Sewer Provider	Septic tank	
Potential Sewer Impact	Decrease 1380 gallons per day	
Potential Solid Waste Impact	Increase of 34.2 tons per year	
Drainage Basin/ Sub-Basin	St. Johns River	
Recreation and Parks	Palms Fish Camp	
Mass Transit	N/A	
NATURAL FEATURES		
Elevations	10 ft.	
Soils	68 Tisonia mucky peat very frequently flooded 7 Arents, nearly level	
Land Cover	6420 Saltwater Marshes 1100- Residential low density	
Flood Zone	Yes	
Wet Lands	Yes	
Wild Life	No	

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on February 16, 2017, the required notices of public hearing signs were posted. Sixteen (16) notices were mailed out to adjoining property owners informing them of the proposed land use change and pertinent public hearing and meeting dates.

The Citizen Information Workshop was held on February 21, 2017 and three (3) people were present. They were not opposed to the land use amendment and attended only to ask about their residential property which abuts the applicant site has a land use designation of WD-WR.

CONSISTENCY EVALUATION

2030 Comprehensive Plan

According to the category description for the Suburban Development Areas of the Future Land Use Element (FLUE), Low Density Residential (LDR) permits housing densities of up to seven (7) dwelling units per acre when full urban services are available. Generally, single-family detached housing will be the predominant land use in this category, although mobile homes, patio homes, townhomes and multi-family dwellings may also be permitted in appropriate locations. Additionally, certain secondary and supporting uses are permitted in all residential categories including supporting commercial and service establishments and home occupations.

According to the category descriptions of the FLUE, WD/WR is a future land use category primarily intended for land uses that require deep water access to the St. Johns River. The primary purpose of the category is to protect, support and permit orderly expansion of the Port of Jacksonville. Principal uses include: Ports; Harbors; Industrial docks; Facilities for construction; Maintenance and repair of vessels; Ship supply establishments and facilities; Freight, trucking, shipping or other transportation terminals; Non-manufacturing; Storage; Processing; Transportation; Dredge; and Disposal and other similar uses, which are related to and support the Port are also permitted, even though they may not require deep water access.

Proposed amendment is **consistent** in relation to the following Objectives and Policies of the 2030 Comprehensive Plan:

Future Land Use Element

Policy 3.2.21 The City shall permit development of waterfront dependent and transportation related industrial uses in areas designated Water dependent/Water related on the Future Land Use Map series.

Policy 8.1.8 Development within shoreline or coastal areas of navigable waterways shall maintain consistency with all relevant Goals, Objectives and Policies in this

and other elements of the Comprehensive Plan that address the protection and/or preservation of Recreational and Commercial Working Waterfronts.

Policy 8.2.2 In accordance with Conservation and Coastal Management Element (CCME) the City shall continue to prioritize the siting and development of water-dependent uses within the Coastal Area, as compared with other shoreline uses.

Policy 8.2.3 The City will be supportive of the creation and expansion of Recreational and Commercial Working Waterfront uses so long as all local, State and Federal requirements are met, and the proposed development is not in conflict with adopted neighborhood plans or studies, or the Manatee Protection Plan.

Conservation/Coastal Management Element

Policy 7.3.12 The City shall direct future residential density away from the Coastal High Hazard Area and shall mitigate the impacts of existing residential development rights through traditional and innovative planning tools including but not limited to Preservation Project land purchases and emergency shelter deficit reduction through mitigation assessments.

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.

Objective 11.1 To establish land use criteria which give priority to the siting and development of water-dependent uses within the Coastal Area, as compared with other shoreline uses.

Policy 11.1.1 Upon adoption of the 2030 Comprehensive Plan, the City shall prioritize the siting of water-dependent and water-related uses according to the chronology listed hereinafter. Uses listed first shall generally be given the highest priority when being sited along the shoreline and uses listed last would be given the least priority when being sited along the shoreline.

- 1) Conservation or Public Use
- 2) Water-dependent
 - a) Military (where necessary to assure the security of the United States)
 - b) Ports and other water-dependent industry
 - c) Water-dependent transportation facilities
 - d) Water-dependent utilities
 - e) Water-dependent commercial
- 3) Water-related industrial
- 4) Water-related commercial
- 5) Residential
- 6) Proposed amendments to the Future Land Use Map (FLUM), where water-dependent and/or water-related uses are proposed to be prohibited or

removed from the permitted use of waterfront properties. This is the least desirable option, as other alternatives to protect working waterfront components should be considered prior to amendments to the FLUM.

- Policy 11.2.2 The City shall identify and reserve areas for port development through the designation of Water-Dependent/Water-Related land use.
- Policy 14.3.5 The City of Jacksonville shall recognize the Coastal High Hazard Area (CHHA) identified in Map C-18 as also encompassing the Adaptation Action Area (AAA) for those low-lying coastal zones that may experience coastal flooding due to extreme high tides and storm surge and are vulnerable to the impacts of rising sea level. (§163.3177(6)(g)(10), F.S.) Land within the AAA is subject to potential high tide inundation under a horizon 2060 two foot sea level rise scenario.
- Policy 14.3.6 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 14.3.7 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.

The amendment site is located within the Coastal High Hazard Area (CHHA), the Adaptation Action Area (AAA) and within an AE flood zone. Residential development in these areas is discouraged. CCME Policy 7.3.12 states the City shall direct future residential density away from the Coastal High Hazard Area and Objective 7.4 suggests limiting development density and intensity within the CHHA and directing it outside of the CHHA. Policies 14.3.5, 14.3.6 and 14.3.7 also state the City shall consider AAA and its implications when reviewing changes to use, intensity and density within the AAA and recognize existing regulations, programs and policies that overlap with the AAA and address appropriate development and redevelopment practices related to flooding.

Although the property is located within the CHHA, the Comprehensive Plan prioritizes the siting of water dependent uses within the Coastal Area as opposed to other uses, especially residential. The area surrounding the amendment site is identified as WD/WR land use. Additionally, the city supports expansion of commercial working waterfronts particularly in areas identified in the Manatee Protection Plan as preferred locations. Therefore, the amendment is consistent with FLUE policies 8.1.8, 8.2.2 and 8.2.3 and CCME Objective 11.1 and Policy 11.1.1.

The Conservation/Coastal Management Element of the Comprehensive Plan gives priority to development of waterfront dependent and transportation related industrial uses in areas

designated Water Dependent/Water Related on the Future Land Use Map thus the amendment is consistent with CCME Objective 11.1 and Policy 11.1.1. In addition, the City shall continue to prioritize the siting and development of water-dependent uses, and reserve areas for port development by implementing strict performance standards for any industrial use located adjacent to any water body as identified in CCME Policy 11.2.2.

The Conservation Coastal Management Element also recommends avoiding wetlands if possible unless no other on site alternative exists. CCME Policy 4.1.5 limits the land uses within Category I wetlands. CCME Policy 4.1.5 specifically states that water-dependent and water-related uses are permitted provided the following standards are met:

The permitted uses within Category I and II 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):

(a) Vegetation

For Category I wetlands:

All native vegetation outside the development area is maintained in its natural state

For Category II wetlands:

No more than 10% of the arial extent of the vegetation outside the development area may be altered or removed; and

(b) Boat facilities siting and operation

Boat facilities are further subject to Objectives 10.1, 10.2, 10.3, 10.5 and 10.6 and their related policies of this element.

The Objectives listed above in (b) all relate to the siting and operation of boat facilities in such a manner consistent with the Future Land Use Element and the Recreation and Open Space Element of the 2030 Comprehensive Plan, and the Manatee Protection Plan. The boat facilities must be built:

- with adequate upland support services,
- to provide adequate protection against storm surges, winds, hurricanes, petroleum, chemicals, or other hazardous material spills,
- to protect water quality and maintain propagation of fish and wildlife facilities,
- to provide adequate depth for the type of vessels anticipated, and shall provide for safe access to channels.

The proposed amendment is **inconsistent** in relation to the following Goals, Objectives and Policies of the 2030 Comprehensive Plan:

Future Land Use Element

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.

- Policy 1.1.10 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 1.1.12 Promote the use of Planned Unit Developments (PUDs), cluster developments, and other innovative site planning and smart growth techniques in all commercial, industrial and residential plan categories, in order to allow for appropriate combinations of complementary land uses, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations.
- Policy 3.1.3 Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

In conjunction with removal of the Industrial Sanctuary overlay designation of the subject properties and the surrounding area, the presumption of appropriateness for amendments to industrial land use designations has also been removed. Discussion during the public hearings that resulted in removal of the Industrial Sanctuary overlay in the area, the City Council established a general consensus that consideration should be given to existing residential uses located to the east of the subject properties. While these single-family dwellings are located within the WD/WR land use category, they have been consistently occupied over the years and were established prior to the areas designation for WD/WR uses. Recognizing that the long term goal of the WD/WR designation is to transition the area to water dependent uses and to remove residential development from the CHHA/AAA, the request to change the LDR designation of the western most property to WD/WR is premature and does not achieve a gradual transition in densities and intensities. FLUE Policy 3.1.3 states that neighborhoods should be protected from potential negative impacts through provision of a gradation of uses and a scale transition. Without appropriate zoning limitations, some uses permitted within the WD/WR land use category could pose a nuisance to the residential properties that abut the site. FLUE Policy 1.1.10 states there should be a gradual transition between land uses which can be achieved through zoning. Policy 1.1.12 suggests that a PUD zoning be used to limit the intensities of uses allowed on the site and to provide for buffering and other site design compatibility measures due to the proximity to single family uses. Therefore, the land use change on the easternmost subject parcel (RE# 159974-0000) is premature and should be removed from the proposed land use change to WD/WR. Maintaining the easternmost parcel in the LDR land use designation would result in the creation of a 100 foot wide buffer between the proposed WD/WR and the residentially developed WD/WR properties to the east. It is also the recommendation of the Planning and Development Department that a PUD zoning should be considered to ensure compatibility of uses on the remainder of the land use amendment site.

Vision Plan

The subject property is located within the boundaries of the 2003 North Jacksonville Vision Plan in an area the plan designates as the River Port Village Center. Themes of the Vision Plan include creating economic development and employment opportunities and establishing town centers as commercial and mixed-use development focal points. The Plan states that the International Airport and Jaxport are the "economic drivers". The Jaxport seaport and related marine industries are vital economic assets to the surrounding Jacksonville region. The proposed amendment is a related marine industry which will strengthen port activities and be an economic asset which furthers the goals of the Vision Plan.

Strategic Regional Policy Plan

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

Policy 3: Local governments are encouraged to offer incentives or make development easier in areas appropriate for infill and redevelopment.

The proposed land use amendment is consistent with Policy Three (3) of the Northeast Florida Regional Council's Strategic Regional Policy Plan as it would provide an additional location for the creation of new business opportunities in the northeast Florida region.

RECOMMENDATION

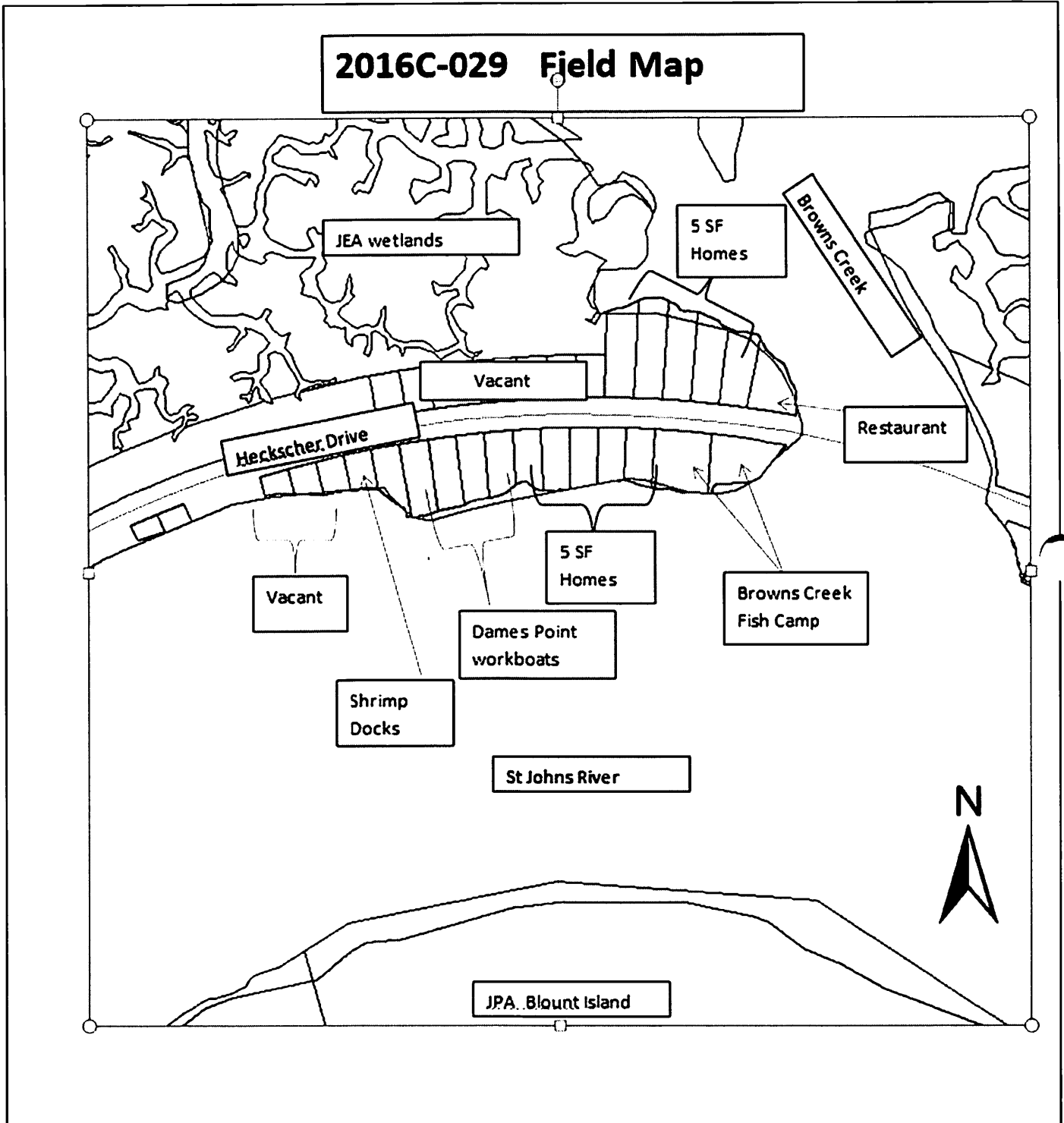
The Planning and Development Department recommends **APPROVAL FOR RE#s 159971-0000 and 159972-0000 and DENIAL FOR RE# 159974-0000** of this application based on consistency in part and inconsistency in part with the 2030 Comprehensive Plan and the Strategic Regional Plan.

Pursuant to the recommendation for DENIAL of RE# 159974-0000, the revised application would be a request to amend the land use from LDR to WD/WR for 1.14 acres and subject to:

1. Revised Exhibit 1 Legal Description dated January 16, 2018 (Attachment H), and
2. Revised Exhibit 2 Land Use Map dated January 18, 2018 (Attachment I).

ATTACHMENT A

Existing Land Utilization:



ATTACHMENT B

Traffic Analysis:

A trip generation analysis was conducted for Land Use Amendment 2016C-029, located on the south side of Heckscher Drive east of Blount Island Boulevard in the Suburban Development Area of Jacksonville, Florida. The subject site is currently undeveloped and has an existing Low Density Residential (LDR) land use category. The proposed land use amendment is to allow for Water Dependent-Water Related (WD-WR) uses on approximately 1.63 +/- acres.

Transportation Element Policy 1.2.1 of the 2030 Comprehensive Plan requires the use of the most current ITE Trip Generation Manual (9th Edition) to calculate the vehicular trips based on the maximum development potential for existing and proposed land uses. In accordance with development standards for impact assessments established in the Future Land Use Element Policy 1.2.16, LDR land use category development impact assessment standards allows for 5 single-family units per acre, resulting in a development potential of 8 residential homes (ITE Land Use Code 210) which could generate 76 new daily trips. The proposed the WD-WR land use category allows for 0.25 FAR resulting in a development potential 17,750 SF of marina use (ITE Land Use Code 420), generating 15 daily vehicular trips. This will result in no net new daily vehicular trips if the land use is amended from PBF to LDR, as shown in Table A.

Table A
Trip Generation Estimation

Current Land Use	ITE Land Use Code	Potential Number of Units (X)	Estimation Method (Rate or Equation)	Gross Trips	Less Pass-By Trips	Net New Daily Trip Ends
LDR	210	8 DUS	T = 9.52 (X)	76	0.00%	76
Total Section 1						76
Proposed Land Use	ITE Land Use Code	Potential Number of Units (X)	Estimation Method (Rate or Equation)	Gross Trips PMDaily	Less Pass-By Trips	Net New Daily Trip Ends
WD-WR	420	5 Berths	T = 2.96 (X)	15	0.00%	15
Total Section 2						15
Net New Daily Trips						0

Source: Trip Generation Manual, 9th Edition, Institute of Engineers

ATTACHMENT B (cont)

Traffic Analysis: Additional Information

The 2030 Mobility Plan replaced the transportation concurrency management system to address the multi-modal mobility needs of the city. Mobility needs vary throughout the city and in order to quantify these needs the city was divided into 10 Mobility Zones. The project site is located in Mobility Zone 3 on Heckscher Drive between Blount Island and to SR A1A. The Mobility Plan identifies specific transportation strategies and improvements to address traffic congestion and mobility needs for each mode of transportation.


Existing available roadway capacity for the vehicle/truck mode for the entire zone was tested based on volume demand to capacity ratio (V/C), where the average daily traffic volumes determined from the most recent City of Jacksonville traffic count data were compared to the *Maximum Service Volumes (MSV)* from the current *FDOT Quality/Level of Service Handbook (2012)* for each functionally classified roadway within the zone. A V/C ratio of 1.0 indicates the roadway network is operating at its capacity or if V/C ratio greater than 1.0 then the demand exceeds the capacity.

The result of the V/C ratio analysis for the overall Mobility Zone 7 is passing at 0.52.

Heckscher Drive (SR 13) between Blount Island and SRA1A is a 2-lane undivided arterial roadway providing direct access to the development site. The traffic demand for this facility is expected to operate at a V/C ratio of 0.46 with the inclusion of the additional traffic from this land use amendment.

ATTACHMENT C

Land Use Amendment Application:

 APPLICATION FOR SMALL-SCALE LAND USE AMENDMENT TO THE FUTURE LAND USE MAP SERIES - 2030 COMPREHENSIVE PLAN			
Date Submitted:	10/19/16	Date Staff Report is Available to Public:	3-3-17
Land Use Adoption Ordinance #:	2017-89	Planning Commission's LPA Public Hearing:	3-9-17
Rezoning Ordinance #:	2017-90	1st City Council Public Hearing:	3-14-17
JPDD Application #:	2016C-029	LUZ Committee's Public Hearing:	3-21-17
Assigned Planner:	Jody McDaniel	2nd City Council Public Hearing:	3-28-17

GENERAL INFORMATION ON APPLICANT & OWNER

Applicant Information: GREG KUPPERMAN GREEN & KUPPERMAN, INC. 200 FIRST STREET, SUITE B NEPTUNE BEACH, FL 32266 Ph: (904) 241-6611 Fax: (904) 241-2950 Email: GKUPPERMAN@200FIRSTSTREET.COM	Owner Information: WILLIAM SHAFNACKER DAMES POINT WORKBOATS, LLC 5100 HECKSCHER DRIVE JACKSONVILLE, FL 32226
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DESCRIPTION OF PROPERTY

Acreage: 1.63	General Location: SOUTHSIDE OF HECKSCHER DRIVE EAST OF BLUNT ISLAND BOULEVARD
Real Estate #(s): 159971 0000 159972 0000 159974 0000	Address: 5100 HECKSCHER DR 5110 HECKSCHER DIRVE 0 HECKSCHER DRVE
Planning District: 6	
Council District: 2	
Development Area: SUBURBAN AREA	
Between Streets/Major Features: HECKSCHER DRIVE and BLOUNT ISLAND BOULEVARD	

LAND USE AMENDMENT REQUEST INFORMATION

Current Utilization of Property: VACANT

Current Land Use Category/Categories and Acreage:

LDR	1.63
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Requested Land Use Category: WD/WR **Surrounding Land Use Categories:** WD/WR

Justification for Land Use Amendment:

TO BE CONSISTENT WITH THE SURROUNDING LAND USE AND ZONING AND CONSISTENT WITH THE PROVISION OF THE INDUSTRIAL SANCTUARY.

UTILITIES

Potable Water: WELL	Sanitary Sewer: SEPTIC TANK
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COMPANION REZONING REQUEST INFORMATION

Current Zoning District(s) and Acreage:

RLD-60	1.63
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Requested Zoning District: IW

Additional information is available at 904-255-7888 or on the web at <http://maps.coi.net/luzap/>

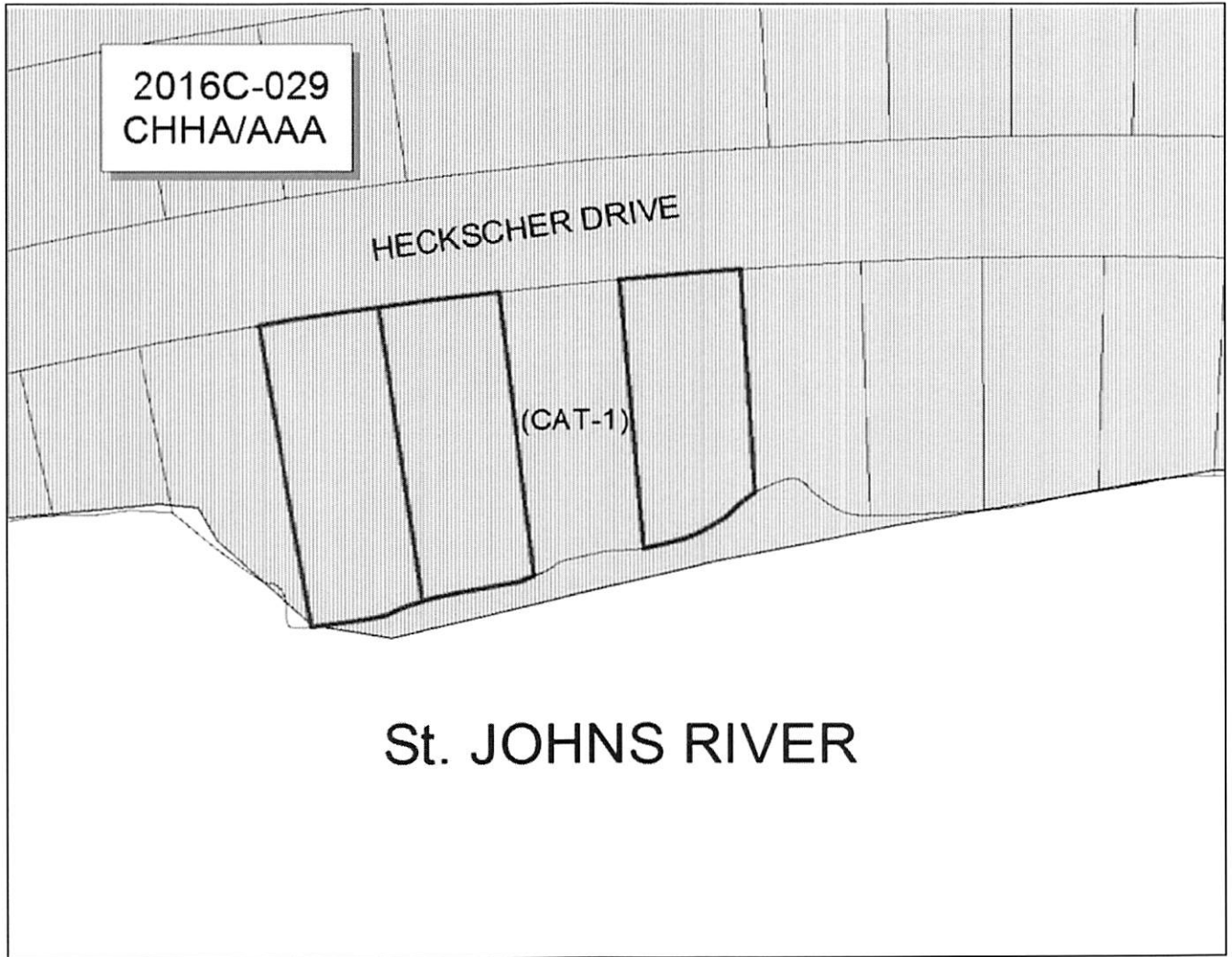
ATTACHMENT D

Wetlands Map:



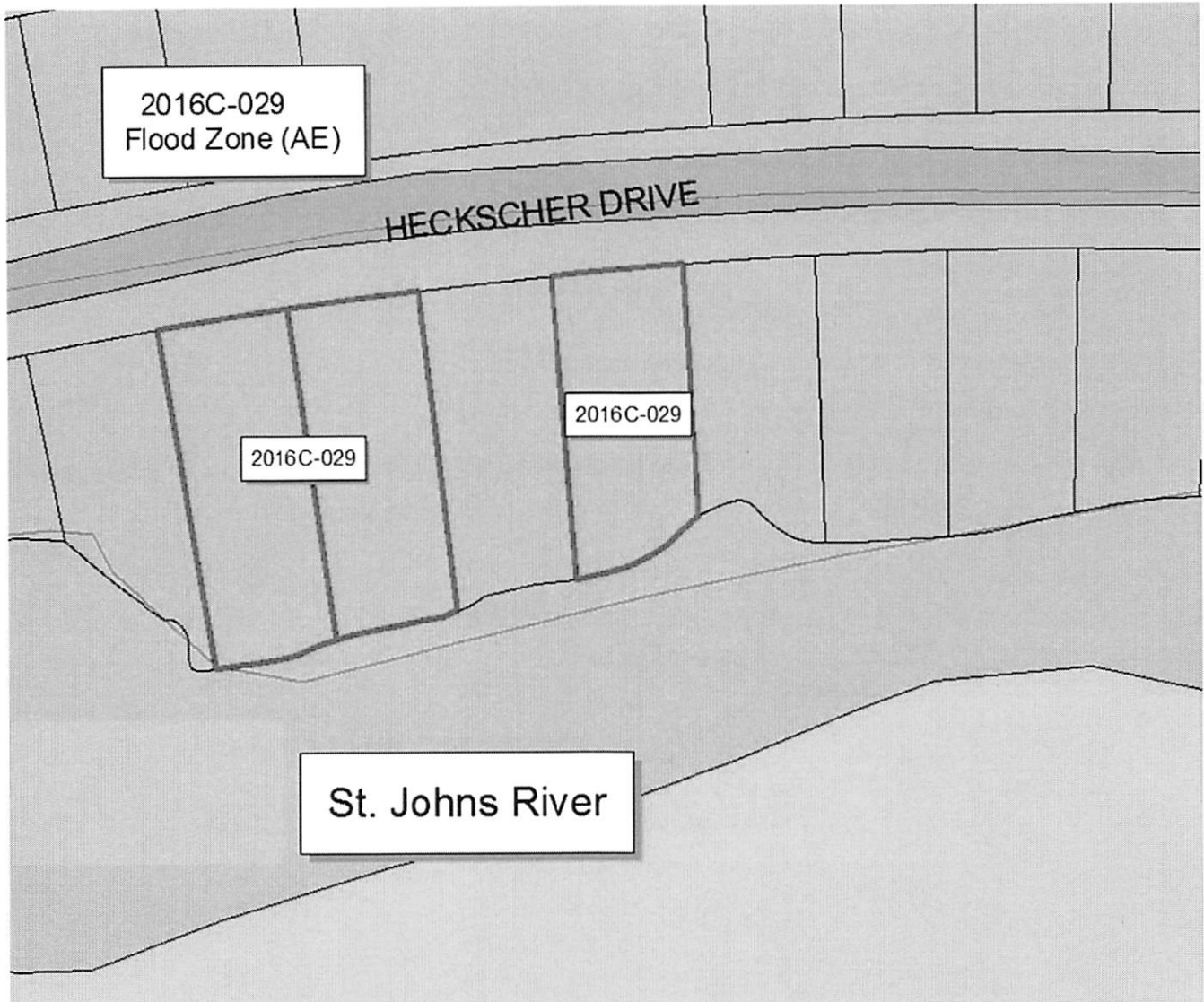
ATTACHMENT E

CHHA/AAA Map:



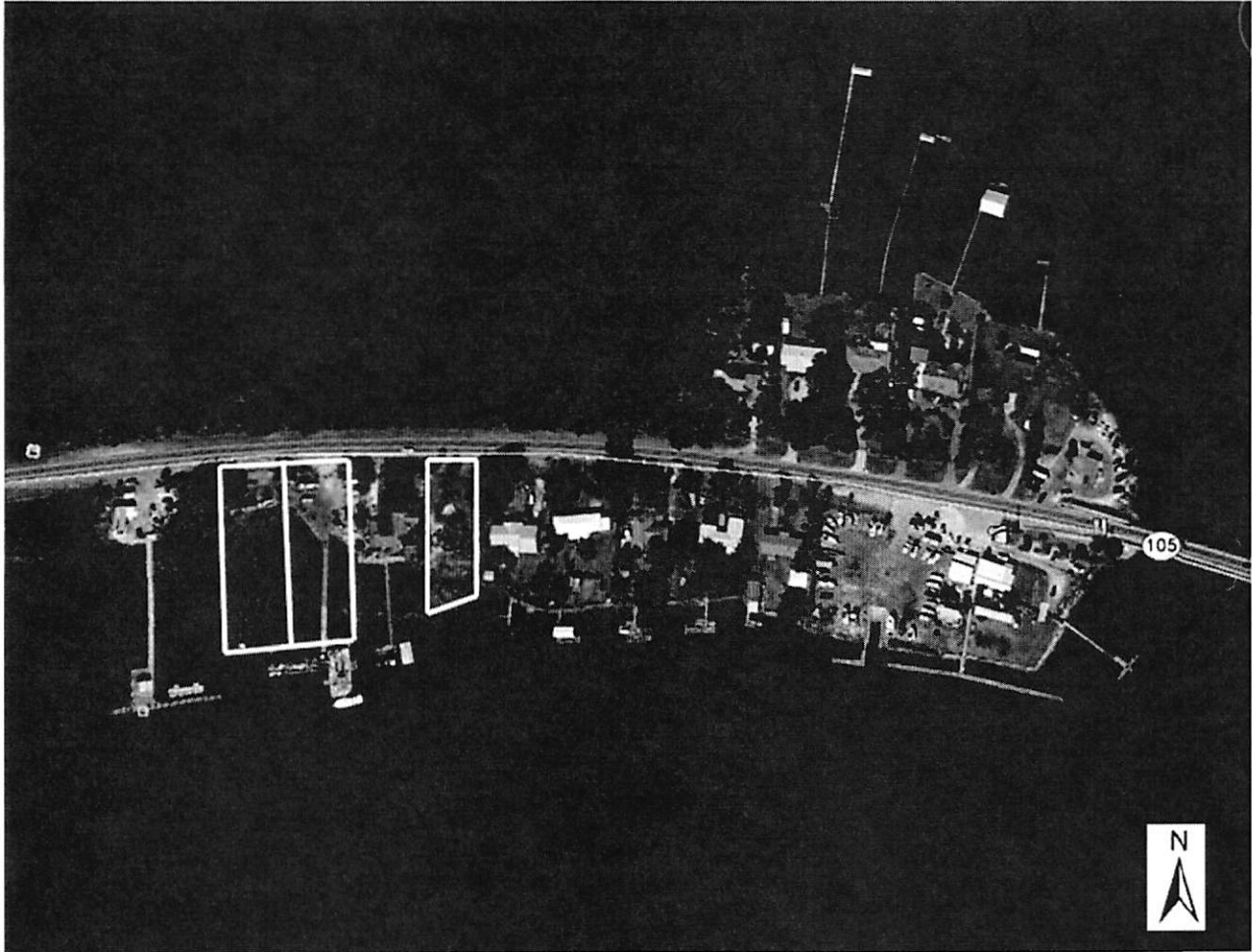
ATTACHMENT F

Flood Zone Map:



ATTACHMENT G

Aerial:



ATTACHMENT H

Revised legal:

ORDINANCE 2017-89

Legal Description

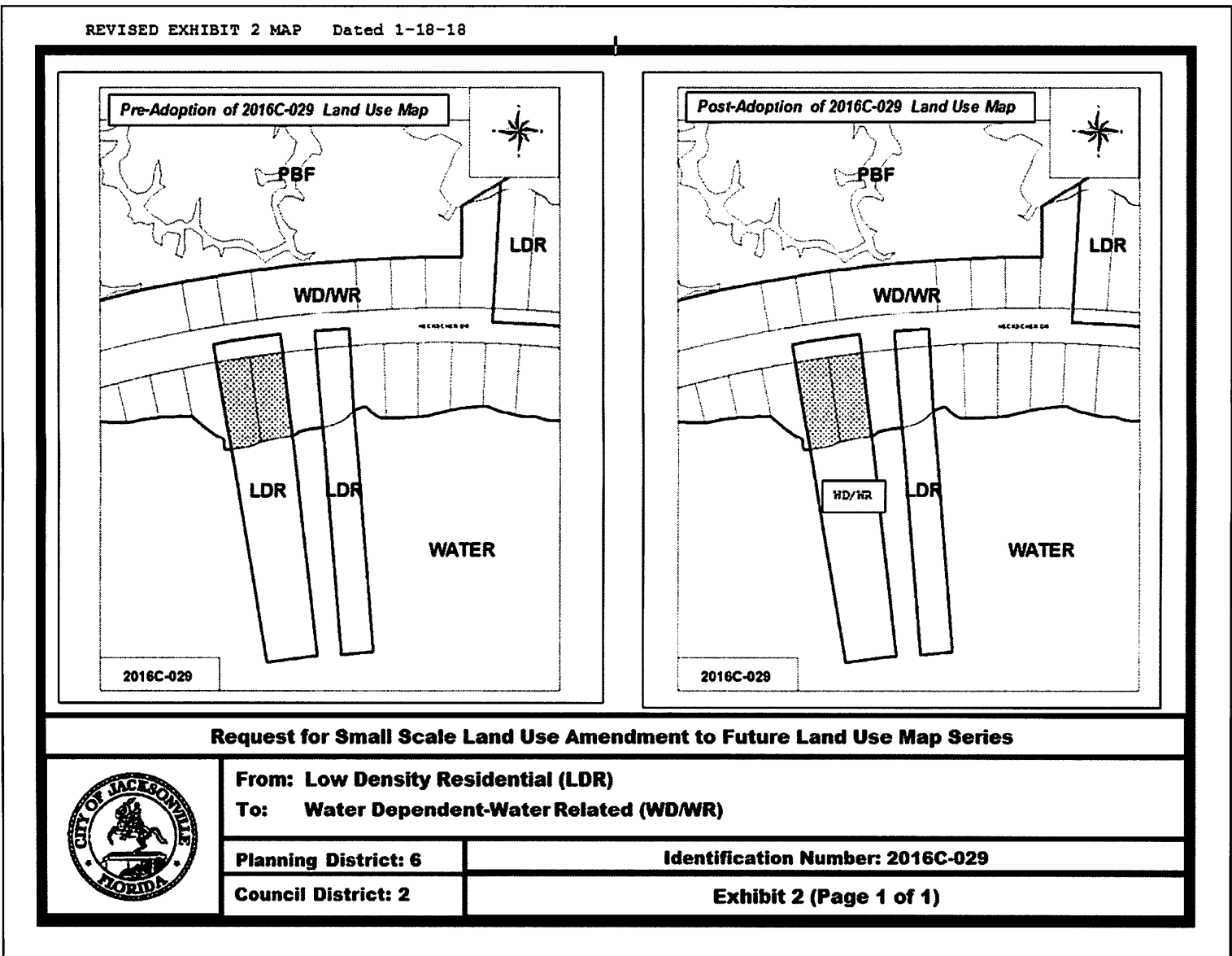
Lot 6 and 7 Block 3 San Carlos Estates according to the Plat as recorded in Plat Book 18 Pages 44, 44A and 44B of the current Public Records of Duval County, Florida

January 16, 2018

Revised
Exhibit 1
Page 1 of 1

ATTACHMENT I

Revised Map:



ATTACHMENT J

Map Key/Photos:

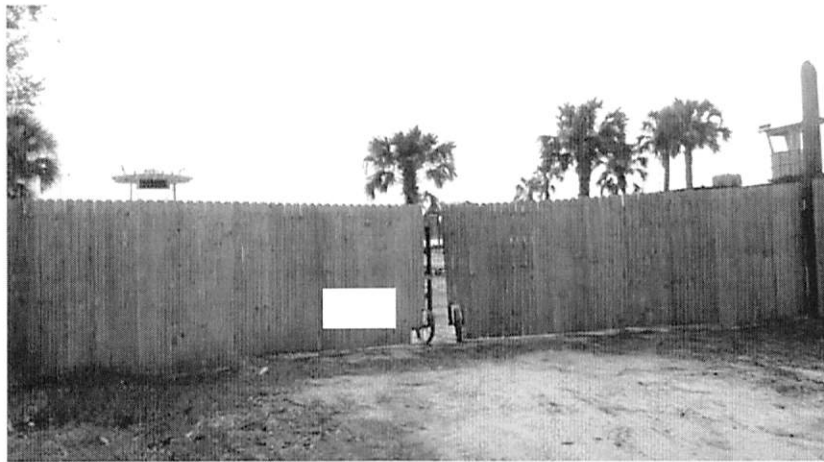


Photo Location # 1



Photo Location # 2



Photo location # 3



Photo location # 4



Photo location # 5



Photo location # 6



Photo location # 7



Photo location # 8