



APPLICATION FOR SMALL- SCALE AMENDMENT TO THE FUTURE LAND USE MAP

APPLICATION & SURROUNDING AREA INFORMATION

| | | | | | |
|-----------------------------|---|------------------------|-------------------|---------------|-------------|
| OWNER/APPLICANT: | Kevin W. Law and Brianna Law | | | | |
| AGENT: | N/A | | | | |
| REQUESTED ACTION: | Small-scale FLUM amendment of appx. 9.0 acres from Low Density Residential (LDR) to Agriculture (AGR) | | | | |
| LOCATION: | On the west side of Goodbread Road, between US17 and Goodbread Road | | | | |
| CURRENT LAND USE + ZONING: | Low Density Residential (LDR) + Open Rural (OR) | | | | |
| PROPOSED LAND USE + ZONING: | Agriculture (AGR) + Open Rural (OR) | | | | |
| EXISTING USES ON SITE: | Vacant Commercial (fmr plant nursery) | | | | |
| PROPERTY SIZE + PARCEL ID: | 9.0 ac | | | | |
| ADJACENT PROPERTIES: | <u>Direction</u> | <u>Existing Use(s)</u> | <u>Year Built</u> | <u>Zoning</u> | <u>FLUM</u> |
| | North | Vacant | | OR | LDR |
| | South | SF Residential | 1986-2002 | OR | LDR |
| | East | SF Residential | 1991 | OR | LDR |
| | West | Vacant | | OR | LDR |

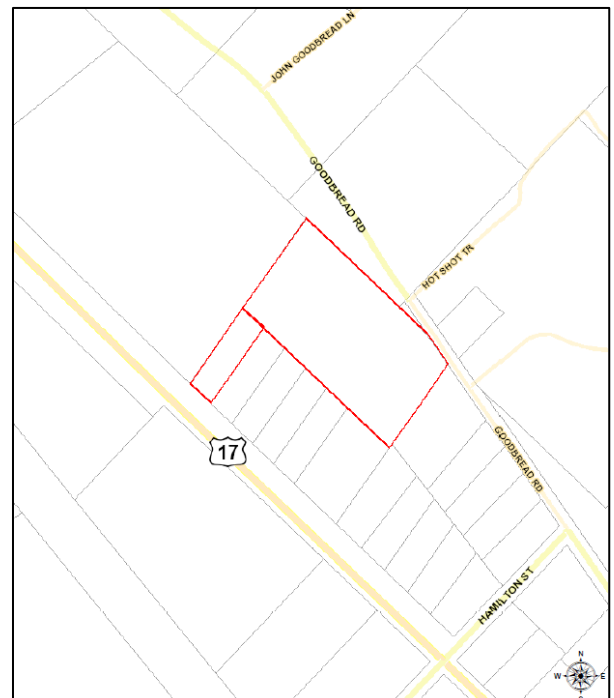
*** All required application materials have been received. All fees have been paid. All required notices have been made. All copies of required materials are part of the official record and have been made available on the County's website and at the Planning + Economic Opportunity Department Office. ***

SUMMARY OF REQUEST AND BACKGROUND INFORMATION

The proposed amendment to the Future Land Use Map (FLUM) of the Comprehensive Plan is of two parcels comprising approximately 9.0 acres. The request is to amend the Future Land Use Map (FLUM) designation of Low Density Residential (LDR) to Agriculture (AGR). Pursuant to Sec. 163.3187, F.S., FLUM amendments containing 10 acres or less are considered "Small Scale" and do not require prior transmittal for inter-agency review.

No rezoning application has been filed for this site. The site would maintain its current Open Rural (OR) zoning.

The property is current vacant, but was previously used as a commercial nursery.





CONSISTENCY WITH THE COMPREHENSIVE PLAN

| Applicable Policy Reference | Determination of Consistency |
|-----------------------------|------------------------------|
| FL.01.04(A-G) | ✓ |
| FL.08.01 | ✓ |
| CI.02.01 | ✓ |

Policy FL.01.04

Pursuant to Ch. 163, F.S. and Policy FL.01.04 of the Comprehensive Plan, all amendments to the Future Land Use Map (FLUM) shall provide justification for the need for the proposed amendment. In evaluating proposed amendments, the County shall consider each of the following:

(A) *Demonstrate the extent to which the proposed amendment discourages urban sprawl per F.S. 163.3177(6)(a)(9), of which indicators are:*

- 1) *Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.*

The proposed amendment will not significantly alter a substantial area of the jurisdiction to develop as low-intensity, low-density, or single-use development. The site is proposed to be redeveloped as a commercial nursery, consistent with its historical use. It will not adversely alter development patterns in the area.

- 2) *Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*

The proposed amendment will support the proposed redevelopment of the site as a commercial nursery, a use considered appropriate in a rural area. It will not result in significant amounts of urban development occurring in an inappropriate area.

- 3) *Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.*

The proposed amendment will not expand commercial or other intensive land uses in radial strip, isolated or ribbon pattern from existing urban development. The amendment will allow redevelopment of the site with uses appropriate to a rural area.



- 4) *Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.*

The proposed amendment will support the redevelopment of the site as a commercial nursery, consistent with its historical use. No significant wetlands or environmentally sensitive areas are located on the site. The amendment should not have an adverse impact on any identified environmentally sensitive lands or designated conservation areas.

- 5) *Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.*

The proposed amendment will support the proposed redevelopment of the site as a commercial nursery, a use considered appropriate in a rural area. It will not adversely impact adjacent agricultural activities, including adjacent silviculture uses.

- 6) *Fails to maximize use of existing public facilities and services.*

The proposed amendment will decrease the maximum residential development potential of the site (to 1 du/ac) and will support the redevelopment of the site for uses appropriate to a rural area. It will not increase demand for school facilities or parks, and will not likely increase demand for potable water, sanitary sewer, and other public facilities and services. The proposed redevelopment of the site may result in a moderate increase in traffic to and from the site (See Attachment A).

- 7) *Fails to maximize use of future public facilities and services.*

The proposed amendment will decrease the maximum residential development potential of the site (to 1 du/ac) and will support the redevelopment of the site for uses appropriate to a rural area. It will not increase demand for school facilities or parks, and will not likely increase demand for potable water, sanitary sewer, and other public facilities and services. The proposed redevelopment of the site may result in a moderate increase in traffic to and from the site (See Attachment A).

- 8) *Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.*

The proposed amendment will decrease the maximum residential development potential of the site (to 1 du/ac) and will support the redevelopment of the site for uses appropriate to a rural area. It will not increase demand for school facilities or parks and it will have low to moderate impacts on roads, potable



water, sanitary sewer, and other public facilities and services. It will not significantly alter development patterns.

9) *Fails to provide a clear separation between rural and urban uses.*

Although the surrounding area is largely designated Low Density Residential (LDR) land use, the character of the surrounding area remains largely rural. The proposed amendment will decrease the maximum residential development potential of the site (to 1 du/ac) and will support the redevelopment of the site for uses appropriate to a rural area. It will not result in an adverse development pattern that will fail to provide a clear separation between urban and rural.

10) *Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.*

The proposed amendment will support the redevelopment of the site for a historical use as a commercial nursery. It will not adversely impact development patterns in the area or discourage infill or redevelopment of surrounding properties.

11) *Fails to encourage a functional mix of uses.*

The proposed amendment will support the redevelopment of the site for a historical use as a commercial nursery. It will allow appropriate non-residential uses to exist along with low density, rural residential uses in the vicinity. It does not discourage a functional mix of uses.

12) *Results in poor accessibility among linked or related land uses.*

The site of the proposed amendment has two potential access points, one from Goodbread Road (currently unpaved) and US-17. The amendment will not result in poor or reduced accessibility among surrounding uses.

13) *Results in the loss of significant amounts of functional open space.*

The proposed amendment will decrease the maximum residential development potential of the site (to 1 du/ac) and will support the redevelopment of the site for uses appropriate to a rural area. The amendment should not have an adverse impact on any identified environmentally sensitive lands or designated conservation areas. It will not result in the loss of a significant amount of functional open space.



(B) Demonstrate the extent to which the proposed amendment is contiguous to an existing urban or urban transitioning area served by public infrastructure;

Although the surrounding area is largely designated Low Density Residential (LDR) land use, the character of the surrounding area remains largely rural. The proposed amendment will decrease the maximum residential development potential of the site (to 1 du/ac) and will support the redevelopment of the site for uses appropriate to a rural area. It will not result in an adverse development pattern and should not overly burden existing or proposed public infrastructure.

(C) Demonstrate the extent to which population growth and development trends warrant an amendment, including an analysis of vested and approved but unbuilt development;

The proposed amendment will decrease the maximum residential development potential of the site (to 1 du/ac) and will support the redevelopment of the site for non-residential use. Population growth is not a factor in its approval.

(D) Demonstrate the extent to which adequate infrastructure to accommodate the proposed amendment exists, or is programmed and funded through an adopted Capital Improvement Schedule, such as the County's Capital Improvement Plan, the Florida Department of Transportation Five-Year Work Program, the North Florida Transportation Planning Organization (TPO) Transportation Improvement Program, or privately financed through a binding executed agreement, or will otherwise be provided at the time of development impacts as required by law;

The proposed amendment will decrease the maximum residential development potential of the site (to 1 du/ac) and will support the redevelopment of the site for uses appropriate to a rural area. It will not increase demand for school facilities or parks, and will not likely increase demand for potable water, sanitary sewer, and other public facilities and services. The proposed redevelopment of the site may result in a moderate increase in traffic to and from the site (See Attachment A). Future development on the site will be subject to fees assessed as part of the County's adopted Mobility Plan. Traffic operational issues that may be created by the new development will also need to be resolved at the developer's expense if required by Engineering Services. It will not alter development patterns significantly to the degree that would require improvements funded through the County's Capital Improvement Plan, the Florida Department of Transportation Five-Year Work Program, the North Florida Transportation Planning Organization (TPO) Transportation Improvement Program. The applicant/developer would be responsible for any infrastructure improvements (such as the paving of Goodbread Road).



(E) Demonstrate the extent to which the amendment will result in a fiscally and environmentally sustainable development pattern through a balance of land uses that is internally interrelated; demonstrates a context sensitive use of land; ensures compatible development adjacent to agriculture and environmentally sensitive lands; protects environmental and cultural assets and resources; provides interconnectivity of roadways; supports the use of non-automobile modes of transportation; and appropriately addresses the infrastructure needs of the community.

The proposed amendment will not significantly alter a substantial area of the jurisdiction to develop as low-intensity, low-density, or single-use development. The site is proposed to be redeveloped as a commercial nursery, consistent with its historical use. It will not adversely alter development patterns in the area.

It will decrease the maximum residential development potential of the site (to 1 du/ac) and will support the redevelopment of the site for uses appropriate to a rural area. It will not increase demand for school facilities or parks and it will have low to moderate impacts on roads, potable water, sanitary sewer, and other public facilities and services.

Although the surrounding area is largely designated Low Density Residential (LDR) land use, the character of the surrounding area remains largely rural. The proposed amendment will support the redevelopment of the site for uses appropriate to a rural area. It will not result in an adverse development pattern and should not overly burden existing or proposed public infrastructure.

(F) Demonstrate the extent to which the amendment results in a compact development form that fosters emergence of vibrant, walkable communities; makes active, healthier lifestyles easier to enjoy; conserves land; supports transportation alternatives; reduces automobile traffic congestion; lowers infrastructure costs; reduce vehicular miles traveled and costs related to household transportation and energy; and puts destinations in closer proximity. Successful compact development is illustrated through the use of:

- 1. Clustered population and/or employment centers;*
- 2. Medium to high densities appropriate to context;*
- 3. A mix of land uses;*
- 4. Interconnected street networks;*
- 5. Innovative and flexible approaches to parking;*
- 6. Multi-modal transportation design including pedestrian, bicycle, and transit-friendly options;*
- 7. And proximity to transit.*

Although the surrounding area is largely designated Low Density Residential (LDR) land use, the character of the surrounding area remains largely rural. Higher densities are not appropriate in this context at this time. It will not result in an adverse development pattern and should not overly burden existing or proposed public infrastructure. The proposed amendment will not expand commercial or other intensive land uses in radial strip, isolated or ribbon patterns from existing urban development. The amendment will allow redevelopment of the site with uses appropriate to a rural area. The site of the proposed amendment has two potential access points, one from Goodbread Road (currently unpaved) and US-17. It will not result in poor or reduced accessibility among surrounding uses.



(G) Demonstrate the extent to which the amendment does not propose environmental impacts that would significantly alter the natural landscape and topography such that it would exacerbate or lead to increased drainage, flooding, and stormwater issues.

No significant wetlands or environmentally sensitive areas are located on the site. The amendment should not have an adverse impact on any identified environmentally sensitive lands or designated conservation areas. It will not adversely impact adjacent agricultural activities, including adjacent silviculture uses.

Policy FL.08.01 & CI.02.01

Policy FL.08.01 & CI.02.01 require the County to ensure that development orders are conditioned upon the provision of adequate public facilities and services as identified in this plan. The County may not issue a development order or permit that results in a reduction in the level of service (LOS) for the affected public facilities below the minimum level of services established in this plan. Public facilities and services must meet or exceed the level of service standards established in this plan and must be available when needed for the development as specified in this plan.

The proposed amendment will decrease the maximum residential development potential of the site (to 1 du/ac) and will support the redevelopment of the site for uses appropriate to a rural area. A brief analysis of potential impacts based on adopted levels of service is included in Attachment A to this report. Analysis was done for maximum residential uses and also for a nursery (garden center) using the average size indicated in the ITE Trip Generation rates.

Based on this analysis, the proposed amendment will not increase demand for school facilities or parks, and will not likely increase demand for potable water, sanitary sewer, and other public facilities and services and will not, according to staff's analysis result in the reduction of any adopted levels of service as specified in Capital Improvements Policy CI.02.01. The propose redevelopment of the site may result in a moderate increase in traffic to and from the site (See Attachment A). Future development on the site will be subject to fees assessed as part of the County's adopted Mobility Plan. Traffic operational issues that may be created by the new development will also need to be resolved at the developer's expense if required by Engineering Services.



CONSISTENCY WITH THE LAND DEVELOPMENT CODE

ARTICLE 22. - OPEN RURAL: OR

Section 22.01. - Permitted uses and structures.

No rezoning application has been filed for this site. The site would maintain its current Open Rural (OR) zoning. Wholesale or retail plant nurseries, as proposed for this site, are a permitted use subject to supplementary development standards found in section 28.16 (see below).

ARTICLE 28. - SUPPLEMENTARY REGULATIONS

Section 28.16. - Plant nurseries.

This section includes supplementary standards for the location, design, construction, operation and maintenance of wholesale or retail plant nurseries in the Open Rural (OR) zoning district. It includes standards for minimum lot area, permitted and prohibited activities, access and parking, outdoor storage areas, and screening and buffering. The applicant has stated it is their intent to redevelop this site as a commercial nursery (which it was used as historically). Such a use would be required to be approved through the site plan review process with the Development Review Committee pursuant to Sec. 5.07 of the Land Development Code.

CONCLUSION

- Staff finds the requested action to be consistent with the Comprehensive Plan, in particular the adopted criteria for approval of a FLUM amendment in Policy FL.01.04 (A-G) as described above.
- Staff finds that, consistent with Comprehensive Plan Policies FL.08.01 and CI.02.01, the proposed amendment will not result in a reduction in the level of service (LOS) for affected public facilities below the minimum level of services established in the Comprehensive Plan.
- Staff finds the requested action is also consistent with the current Open Rural (OR) zoning district and the applicable provisions of the Land Development Code as described above.

Based on these findings, staff recommends APPROVAL of application CPA19-001.

Submitted by:

A blue ink signature of Doug McDowell.

Doug McDowell, AICP
Principal Planner

ATTACHMENT A

Impact Analysis Summary

Application: CPA19-001

Area: 9.0 acres

From: Low Density Residential (LDR)

To: Agriculture (AGR)

| | Current (LDR) | Proposed (AGR) |
|--|-------------------------------|------------------------------|
| Maximum Development Potential ¹ | 18 residential dwelling units | 9 residential dwelling units |
| ITE Code ² | 210 | 210 |

| | Current (LDR) | Proposed (AGR) | Net Impact |
|--|---------------|----------------|--------------|
| Population Projection- persons ³ | 47 | 24 | (23) persons |
| Transportation Impacts | | | |
| Trip Generation- PM peak hour(pmph) ² | 18 | 9 | (9) pmph |
| Public Facilities Impacts | | | |
| Water (JEA)- gallons per day (gpd) ⁴ | 4,716 | 2,358 | (2,358) gpd |
| Sewer (JEA)- gallons per day (gpd) ⁴ | 4,716 | 2,358 | (2,358) gpd |
| Solid Waste Disposal- tons per year (tpy) ⁴ | 42.3 | 21.2 | (21.1) tpy |
| Recreation & Parks- acres (ac) ⁴ | .56 | .27 | (.28) ac |
| Public Schools- students ⁴ | 10 | 5 | (5) students |

¹ Policy FL.01.02(A-E), 2030 Comprehensive Plan

² ITE Trip Generation Report, 8th ed.

³ BEBR, Univ. of Florida, 2018

⁴ JEA, 2018; Policy CI.02.01, 2030 Comprehensive Plan

ATTACHMENT A

Impact Analysis Summary

Application: CPA19-001

Area: 9.0 acres

From: Low Density Residential (LDR)

To: Agriculture (AGR)

| | Current (LDR) | Proposed (AGR) |
|--|-------------------------------|--|
| Maximum Development Potential ¹ | 18 residential dwelling units | 9,000 sq ft nursery (garden center) ² |
| ITE Code ² | 210 | 817 |

| | Current (LDR) | Proposed (AGR) | Net Impact |
|--|---------------|----------------|---------------|
| Population Projection- persons ³ | 47 | 0 | (47) persons |
| Transportation Impacts | | | |
| Trip Generation- PM peak hour(pmph) ² | 18 | 34 | 16 pmph |
| Public Facilities Impacts | | | |
| Water (JEA)- gallons per day (gpd) ⁴ | 4,716 | 1,350 | (2,358) gpd |
| Sewer (JEA)- gallons per day (gpd) ⁴ | 4,716 | 1,350 | (2,358) gpd |
| Solid Waste Disposal- tons per year (tpy) ⁴ | 42.3 | 16.4 | (25.8) tpy |
| Recreation & Parks- acres (ac) ⁴ | .56 | 0 | (.56) ac |
| Public Schools- students ⁴ | 10 | 0 | (10) students |

¹ Policy FL.01.02(A-E), 2030 Comprehensive Plan

² ITE Trip Generation Report, 8th ed.

³ BEBR, Univ. of Florida, 2018

⁴ JEA, 2018; Policy CI.02.01, 2030 Comprehensive Plan