

# City of Jacksonville, Florida

*Lenny Curry, Mayor*

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March 3, 2022

The Honorable Samuel Newby, President  
The Honorable Rory Diamond, LUZ Chair  
And Members of the City Council  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report / Ordinance No. 2022-078/Application No. L-5636-21C**

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairman Diamond 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 2022-078 on March 3, 2022.

P&DD Recommendation	APPROVE
PC Issues:	None
<b>PC Vote:</b>	<b>7-0 APPROVE</b>

David Hacker, Chair	Aye
Alexander Moldovan, Vice-Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Aye
Joshua Garrison	Aye
Jason Porter	Aye
Jordan Elsbury	Aye

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

Sincerely,

*Kristen D. Reed*

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Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment – February 25, 2022

**Ordinance/Application No.:** 2022-078 / L-5636-21C

**Property Location:** 9035 Heckscher Drive. On the north side of Heckscher Drive

**Real Estate Number(s):** 160834 0000

**Property Acreage:** 0.46 Acres

**Planning District:** District 6, North

**City Council District:** District 2

**Applicant:** Taylor Mejia

**Current Land Use:** Community/General Commercial (CGC)

**Proposed Land Use:** Low Density Residential (LDR)

**Development Area:** Suburban Development Area

**Current Zoning:** Commercial Community/General-1 (CCG-1)

**Proposed Zoning:** Residential Low Density-100A (RLD-100A)

**RECOMMENDATION:** **APPROVE**

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

Requesting a rezoning and land use amendment to allow for a residential use on vacant land.

**BACKGROUND**

The 0.46 of an acre subject site is located on the north side of Heckscher Drive, a minor arterial classified road. The applicant seeks an amendment to the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan from Community/General Commercial (CGC) to Low Density Residential (LDR) in order to build a house on the property. A companion rezoning application is pending concurrently with the land use application via Ordinance 2022-079, which seeks to change the zoning district from Commercial Community/General-1 (CCG-1) to Residential Low Density-100A (RLD-100A).

Currently the site is vacant. The property is surrounded by undeveloped residential land, vacant commercial land, single family homes and commercial uses. The adjacent land use categories, zoning districts and property uses are as follows:

North: Land Use: Rural Residential (RR)  
 Zoning: Agriculture (AGR)  
 Property Use: Vacant Governmental Land

South: Land Use: Rural Residential (RR)  
 Zoning: Residential Low Density -100A ( RLD-100A)  
 Property Use: Single Family Homes

East: Land Use: Rural Residential (RR), Agriculture-II (AGR-II), Low Density residential (LDR), Community General Commercial (CGC)  
 Zoning: Commercial Community/General-1 (CCG-1), Rural Residential-Acre (RR-Acre), Residential Low Density-100A (RLD-100A), Agriculture (AGR)  
 Property Use: Vacant Governmental, Vacant Commercial, Single Family

West: Land Use: Rural Residential (RR), Community General Commercial (CGC)  
 Zoning: Planned Unit Development (PUD), Agriculture (AGR), Industrial Water (IW), Residential Low Density-100A (RLD-100A)  
 Property Use: Single Family Homes, Vacant Residential, Multi-Family, Vacant Governmental, Vacant Industrial

**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.

Where there is not an associated site specific policy or note on the Annotated FLUM, the impact assessment incorporates supplemental information for non-residential land use categories that permit residential uses in order to assess the potential impacts. Supplemental information related to these impacts are depicted as scenario 2 in the Impact Assessment Baseline Review Table and, as relevant, in the analysis following the table.

**Land Use Amendment Impact Assessment**

<b>Development Analysis</b>	<b>.46 acr.</b>
Development Boundary	Suburban

<b>Development Analysis</b>		<b>.46 acr.</b>	
Roadway Frontage Classification / State Road	Heckscher Drive, Minor Arterial		
Plans and/or Studies	Heckscher Drive Island Visioning Project and North Jacksonville Vision plan		
Site Utilization	Current: Vacant	Proposed: Single Family Residential	
Land Use / Zoning	Current: CGC/ CCG-1	Proposed: LDR/RLD-100A	
Development Standards for Impact Assessment	Current: Scenario 1: 100% non-residential / 0.35 FAR Scenario 2: 80% residential at 15 units/acre and 20% non-residential at 0.35 FAR	Proposed: 5 units/acre	
Development Potential	Current: Scenario 1: 7,013 sq. ft. of CGC uses Scenario 2: 5 units and 1,402 sq. ft. of CGC uses	Proposed: 2 DU	
Net Increase or Decrease in Maximum Density	Scenario 1: Increase of 2 unit Scenario 2: Decrease of 3 units		
Net Increase or Decrease in Potential Floor Area	Scenario 1: Decrease of 7,013 sq. ft. Scenario 2: Decrease of 1,402 sq. ft.		
Population Potential	Current: Scenario 1: N/A Scenario 2: 11 people	Proposed: 5 people	
<b>Special Designation Areas</b>			
Aquatic Preserve	No		
Septic Tank Failure Area	No		
Airport Environment Zone	Yes, 50' Height Restriction Zone; Military Notice Zone for Naval Station Mayport		
Industrial Preservation Area	No		

<b>Development Analysis</b>	<b>.46 acr.</b>
Cultural Resources	No
Archaeological Sensitivity	Yes, High
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
<b>Public Facilities</b>	
Potential Roadway Impact	Scenario 1: Decrease of 363 daily trips Scenario 2: Decrease of 91 daily trips
Potential Public School Impact	De minimus
Water Provider	Well
Potential Water Impact	Scenario 1: There was a decrease of 84.65 gallons of water per day.  Scenario 2: There was a decrease of 979.1 gallons of water per day.
Sewer Provider	Septic
Potential Sewer Impact	Scenario 1: There was a decrease of 63.49 gallons of wastewater per day.  Scenario 2: There was a decrease of 734.3 gallons of wastewater per day.
Potential Solid Waste Impact	Scenario 1: There was a decrease of 8.6 tons of solid waste per year.  Scenario 2: There was a decrease of 12.643 tons of solid waste per year.
Drainage Basin/Sub-basin	Nassau River / St. Johns River
Recreation and Parks	Fanning Island
Mass Transit Access	N/A
<b>Natural Features</b>	
Elevations	5-7 feet
Land Cover	1100: Residential, low density
Soils	(7) Arents, nearly level
Flood Zones	AE and 0.2 PCT Annual Chance Flood Hazard
Wetlands	No

<b>Development Analysis</b>	<b>.46 acr.</b>
Wildlife (applicable to sites greater than 50 acres)	N/A

**Utility Capacity**

The calculations to determine the water and sewer flows contained in this report and/or this spreadsheet have been 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 established shall continue to be based on JEA’s Water, Sewer and Reuse for New Development Projects document (latest edition). Please refer to the JEA letter on file with the zoning application.

A JEA availability letter, dated December 16, 2021, is included in the companion rezoning application. The letter indicates that there are no water or sewer facilities available for connection.

**Transportation**

The subject site is 0.46 of an acre and is accessible from Heckscher Drive, a minor arterial facility. The proposed land use amendment is located within the Suburban Development Area and Mobility Zone 3. The applicant proposes to change the existing land use from Community General Commercial (CGC) to Low Density Residential (LDR).

**Comprehensive Plan Consistency:**

The Trip Generation Analysis is consistent with 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** of the Transportation Element (TE) of the 2030 Comprehensive Plan requires that the City shall coordinate the mobility circulation system with the future land uses shown on the Future Land Use Map series in order to ensure that roads, road improvements and other mobility alternative improvements are provided as necessary to support development in an economically efficient and environmentally sound manner.

**Policy 1.2.1** of the TE of the 2030 Comprehensive Plan requires the City to 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** of the TE of the 2030 Comprehensive Plan requires that 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. If the land use is amended to allow for this LDR development, this will result in a decrease of 363 or 91 daily trips, when compared to the existing land use.

**Transportation Planning Division RECOMMENDS the following:**

The difference in daily trips for the proposed land use amendment is a decrease of 363 or 91 daily trips (depending on the scenario) when compared to the existing land use. This is less than 500 new daily trips; therefore, impacts are considered de minimis. **No recommendations.**

**Table A**  
**Daily Trip Generation Estimation Scenarios**

Existing Land Use-Scenario 1	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC	821	7,013 SF	T = 54.45 (X) / 1000	382	0	382
<b>Total Trips for Existing Scenario 1 Land Use</b>						<b>382</b>
Existing Land Use-Scenario 2	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC- N	822	1,402 SF	T = 54.45 (X) / 1000	76	0	76
CGC- R	220	5 MF DUs	T = 6.74 (X)	34	0	34
<b>Total Trips for Existing Scenario 2 Land Use</b>						<b>110</b>
Proposed Land Use	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
LDR	210	2 SF DUs	T= 9.43 (X)	19	0	19
<b>Total Trips for Proposed Land Use</b>						<b>19</b>
<b>Scenario 1 Difference in Daily Trips</b>						<b>-363</b>
<b>Scenario 2 Difference in Daily Trips</b>						<b>-91</b>

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

**School Capacity**

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

**Airport Environment Zone**

The site is located within the 50 foot Height and Hazard Zone for the Mayport Naval Station. Zoning will limit development to a maximum height of less than 50 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 2.5** 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.

The site is also located in a Military Notice Zone requiring execution of an Airport Notice Zone Acknowledgement, as required in Section 656.1010, Ordinance Code. The Airport Notice zones are areas for which the limits are represented by the 60 DNL to 64.99 DNL noise contour range.

**Policy 2.5.6** To ensure safety and education of citizens occupying properties that are located near military and civilian airports, the City requires disclosure of airport proximity to prospective owners or lessees in the Military and Civilian Influence Zones depicted on Map L-22.

### **Archaeological Sensitivity**

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

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

The City of Jacksonville implemented the 2015 Peril of Flood Act (Chapter 2015-69, Laws of Florida) by establishing an Adaptation Action Area (AAA). The AAA boundary is an area that experiences coastal flooding due to extreme high tides and storm surge. The area is vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure needs and adaptation planning. Ordinance 2021-732-E expands the AAA boundaries to those areas within the projected limits of the Category 3 storm surge zone and those contiguous areas of the 100-year and 500-year Flood Zones.

The property is located within the AAA boundary (Ordinance 2021-732-E). The applicant has been made aware of the AAA boundaries and encouraged to address the new policies through site design, clustering of development and other resiliency efforts.

### **Conservation/Coastal Management Element**

**Policy 11.5.2** The City shall consider the implications of the AAA when reviewing changes to the use, intensity and density of land lying within the AAA.

### **Future Land Use Element**

Policy 1.5.14 In accordance with the Conservation and Coastal Management Element, the City shall encourage environmentally sensitive areas to be placed in a Conservation land use category, Conservation zoning district, and/or conservation easement.

### **PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on February 11, 2022, the required notices of public hearing signs were posted. Twenty-one (21) 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 February 14, 2022 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*

*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 further described in each land use plan category.

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 1.1.5 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 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 1.1.22 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 1.1.24 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.

GOAL 3 To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

Objective 3.1 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.

Objective 6.3 The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

Property Rights Element

- Goal 1 The City will recognize and respect judicially acknowledged and constitutionally protected private property rights in accordance with the Community Planning Act established in Chapter 163, Florida Statutes.
- Objective 1.1 Local decision making shall be implemented and applied with sensitivity for private property rights and shall not be unduly restrictive.
- Policy 1.1.1 The City will ensure that private property rights are considered in local decision making.
- Policy 1.1.2 The following rights shall be considered in local decision making:
1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
  2. The right of a property owner to use, maintain, develop, and improve 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.

Pending Future Land Use Element Policy 3.1.27 (Ord. 2022-48)

- Policy 3.1.27 The City shall consider amending the land use and zoning of a legal lot of record existing before September 21, 1990, in a manner that permits development of one single-family dwelling, regardless of the availability of centralized water or sewer facility connections and related density or lot area requirements. Land use amendments and rezonings shall be subject to a case-by case review for consistency with the Comprehensive Plan.

CGC in the Suburban Area is intended to provide development in a nodal development pattern. Plan amendment requests for new CGC designations are preferred in locations which are supplied with full urban services; abut a roadway classified as an arterial or higher on the Functional Highway Classification Map; and which are located in areas with an existing mix of non-residential uses. Nodal sites with two or more boundaries on a transportation right-of-way shall be considered preferred locations for these uses.

According to the category description for the Suburban Development Areas of the Future Land Use Element (FLUE), the LDR future land use category is intended to provide for low density residential development. The maximum gross density in the Suburban Area shall be 7 units/acre when full urban services are available to the site and there shall be no minimum density; except as provided herein. The maximum gross density shall be 2 units/acre and the minimum lot size shall be half an acre when both centralized potable water and wastewater are not available.

The 0.46 of an acre subject site will have a negligible impact on the amount of land needed to accommodate residential and non-residential uses, and the proposed amendment from CGC and to LDR maintains a balance of uses in the area. For these reasons the proposed amendment is consistent with FLUE Policies 1.1.5 and 1.1.21

The property is a vacant commercial parcel surrounded by existing residential and vacant commercial land uses in the RR and CGC land use categories. Single-family dwellings are the predominant land uses surrounding the property. The site is located within the Suburban Development Area of the North Planning District. The proposed amendment promotes a pattern of compatible land uses with a well-organized combination of residential and commercial uses as recommended in FLUE Goal 1, Goal 3, Objective 3.1, 6.3 and Policies 1.1.22, 1.1.24 and 3.1.6.

The JEA availability letter dated, December 16, 2021 indicates that there is not a water connection and JEA is not the sewer service provider for this property. In addition to the JEA availability letter on the infrastructure map there are no water or sewer mains along this portion of Heckscher Drive.

According to the FLUE, the maximum gross density shall be two units/acre and the minimum lot size shall be half an acre when the site does not have centralized water and sewer. However, because the subject site is a lot of record, they are permitted to have one dwelling unit on the property, pursuant to pending FLUE Policy 3.1.27.

#### **Heckscher Drive Island Visioning Project**

The application site lies within the boundary of the Heckscher Drive Island Visioning Project. This area of Jacksonville contains mostly linear development because of the lack of space. The vision plan highlighted that this area consists of subdivisions, not neighborhoods due to the narrow land, and the amendment is proposed to allow construction of a house that will be consistent with the other homes surrounding it. Therefore, the amendment is consistent with the Vision Plan because the stretch of Heckscher Drive is a linear row of houses.

#### **North Jacksonville Shared Vision Plan**

In addition to the Heckscher Drive Island Visioning Project, the subject property is also located within the boundary of the North Jacksonville Shared Vision Plan. One area this plan highlights is connecting places and creating a sense of community. This portion of Heckscher Drive is limited by space, so all the developments naturally formed a community. With its linear design, the residential area is what connects to the centers.

Therefore, the amendment is consistent with the vision plan. The addition of a house will help strengthen their community.

**Strategic Regional Policy Plan**

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

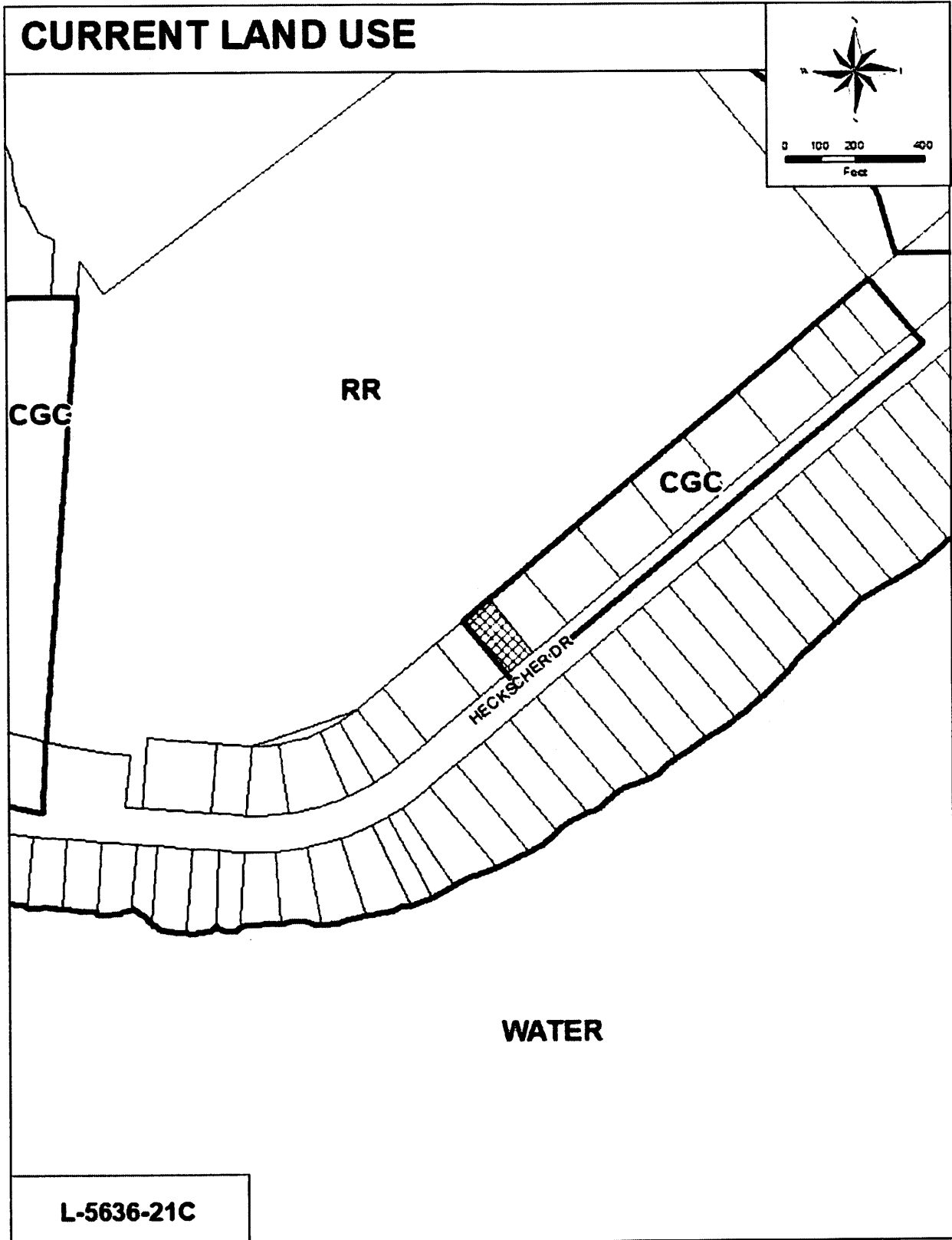
**Goal:** A safe, sanitary, efficient and resilient housing supply that provides lifestyle choice (agricultural, rural, suburban, and urban) and affordable options for all income, age and ability groups, equitably placed in vibrant, viable and accessible communities throughout the region.

**Objective:** Improve quality of life and provide quality places in northeast Florida.

**Policy 1:** NEFRC gathers best practices and connects communities with strategies and practitioners that can help address their issues within the context of the aspirational goals of First Coast Vision. Convening to share experiences and discuss solutions is an important part of this approach.

The proposed land use amendment is consistent with Strategic Issue: Communities and Affordable Housing section as it would promote the development of a house.

**LOCATION AND CURRENT LAND USE MAP**



# FIELD UTILIZATION MAP

