

# City of Jacksonville, Florida

*Lenny Curry, Mayor*

City Hall at St. James  
117 W. Duval St.  
Jacksonville, FL 32202  
(904) 630-CITY  
www.coj.net

November 4, 2021

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. 2021-741/Application No. L-5607-21C**

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 2021-741 on November 4, 2021.

P&DD Recommendation	APPROVE
PC Issues:	None
<b>PC Vote:</b>	<b>5-0 APPROVE</b>

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

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

Sincerely,

*Kristen D. Reed*

Kristen D. Reed, AICP  
Chief of Community Planning Division  
City of Jacksonville - Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, FL 32202  
(904) 255-7837  
[KReed@coj.net](mailto:KReed@coj.net)

Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment – October 29, 2021

**Ordinance/Application No.:** 2021-741 / L-5607-21C

**Property Location:** 0 Cocoa Avenue, 8950 Cocoa Avenue, 8938 Cocoa Avenue, 8944 Cocoa Avenue

**Real Estate Number(s):** 144612-0000; 144627-0015; 144627-0020; 144627-0025

**Property Acreage:** 0.36 of an Acre

**Planning District:** District 2, Greater Arlington and Beaches

**City Council District:** District 1

**Applicant:** Taylor Mejia

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

**Proposed Land Use:** Medium Density Residential (MDR)

**Development Area:** Urban Priority Area

**Current Zoning:** Commercial, Residential, and Office (CRO)

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

***RECOMMENDATION: APPROVE***

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

Land use amendment requested to allow for the development of single-family homes.

**BACKGROUND**

The 0.36 of an Acre subject site is located on the south side of Cocoa Avenue between Lamson Street and Mill Creek Road. The applicant is proposing an amendment to the Future Land Use Map series (FLUMs) from Community General Commercial (CGC) to Medium Density Residential (MDR), with a companion rezoning application from Commercial, Residential, and Office (CRO) to Residential Medium Density-A (RMD-A). The applicant seeks to develop the site with single-family residential units.

The site is vacant land and has road frontage and access to the site on Cocoa Avenue, a local roadway. Mobile homes, a service garage, and vacant commercial uses are south of the site. North of the site, across Cocoa Avenue, there are single-family and vacant residential uses. Abutting the site to the east are single-family homes, open storage, and an office. Abutting the site to the west are single-family residential uses and a mobile home.

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

North: Land Use: Medium Density Residential (MDR)  
 Zoning: Residential Medium Density-A (RMD-A)  
 Property Use: Single-family and undeveloped residential

South: Land Use: Community/General Commercial (CGC)  
 Zoning: Commercial, Residential, and Office (CRO)  
 Property Use: Vacant commercial, mobile home, and service garage/open storage

East: Land Use: Community/General Commercial (CGC)  
 Zoning: Commercial Community/General-2 (CCG-2)  
 Property Use: Single-family, open storage, and office

West: Land Use: Medium Density Residential (MDR)  
 Zoning: Residential Medium Density-A (RMD-A)  
 Property Use: Mobile home and single-family residential

**IMPACT ASSESSMENT**

Potential impacts of a proposed land use map amendment have been analyzed by comparing the Development Impact Standards for the subject site’s existing vs. proposed land use categories unless maximum density/intensity is noted on the Annotated FLUM or is in a site-specific policy. Development Impact Standards are detailed in FLUE Policy 1.2.16, *Development Standards for Impact Assessment*. These standards produce development potentials as shown in this section.

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 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><u>0.36 Acres</u></b>
Development Boundary	Urban Priority Area
Roadway Frontage Classification / State Road	Cocoa Avenue – Local Roadway

<b>Development Analysis</b>		<b>0.36 Acres</b>
Plans and/or Studies	Greater Arlington and Beaches Vision Plan; Woodland Acres Neighborhood Action Plan	
Site Utilization	Current: Vacant	Proposed: Residential
Land Use / Zoning	Current: CGC / CRO	Proposed: MDR / RMD-A
Development Standards for Impact Assessment	Current: Scenario 1: 0.35 FAR (non-residential) Scenario 2: 0.35 FAR (20%), 45 DU per Acre (80%)	Proposed: 15 DU per Acre
Development Potential	Current: Scenario 1: 5,488.56 sq. ft. Scenario 2: 1,097.67 sq. ft. and 12 single-family DU	Proposed: 5 DU
Net Increase or Decrease in Maximum Density	Scenario 1: Increase of 5 single-family DU Scenario 2: Decrease of 7 single-family DU	
Net Increase or Decrease in Potential Floor Area	Scenario 1: Decrease of 5,488.56 sq. ft. Scenario 2: Decrease of 1,097.67 sq. ft.	
Population Potential	Current: Scenario 1: Not Applicable Scenario 2: 28 people	Proposed: 11 people
<b>Special Designation Areas</b>		
Aquatic Preserve	No	
Septic Tank Failure Area	Yes	
Airport Environment Zone	No	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	Low	
Historic District	No	
Coastal High Hazard/Adaptation Action Area	No	
Groundwater Aquifer Recharge Area	0-4 Inches	
Wellhead Protection Zone	No	
Boat Facility Siting Zone	No	
Brownfield	No	

<b>Development Analysis</b>		<b>0.36 Acres</b>
<b>Public Facilities</b>		
Potential Roadway Impact	Scenario 1: 0 Net New Trips Scenario 2: 0 Net New Trips	
Potential Public School Impact	De minimis	
Water Provider	JEA	
Potential Water Impact	Scenario 1: Increase of 1,055.6 gallons per day Scenario 2: Increase of 2,980.9 gallons per day	
Sewer Provider	JEA	
Potential Sewer Impact	Scenario 1: Increase of 791.7 gallons per day Scenario 2: Increase of 2,235.7 gallons per day	
Potential Solid Waste Impact	Scenario 1: Increase of 4.22 tons per year Scenario 2: Increase of 30.36 tons per year	
Drainage Basin/Sub-basin	Arlington River / Strawberry Creek	
Recreation and Parks	Warrington Park	
Mass Transit Access	JTA Routes 18 & 23 (Stop 766) / First Coast Flyer Red Line	
<b>Natural Features</b>		
Elevations	43 feet	
Land Cover	1400: Commercial and Services	
Soils	SIN: 71 Urban Land-Leon-Boulogne complex, 0 to 2 percent slopes	
Flood Zones	No	
Wetlands	No	
Wildlife (applicable to sites greater than 50 acres)	Not applicable	

### **Utility Capacity**

The calculations to determine the water and sewer flows contained in this report and/or this spreadsheet has been established by the City of Jacksonville Planning and Development Department and have been adopted by JEA solely to prepare 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). Three JEA letters of service availability have been provided and are on file with the Planning and Development Department.

### **JEA Infill Availability Letters for 8950 Cocoa Avenue and 8938 Cocoa Avenue**

The JEA Infill Availability Letters 2021-3892 and 2021-3893, dated August 31, 2021, identify no availability in the water main that abuts these properties within the amendment

site. The water main extension will be required from the existing 8-inch water main within Lamson Street Right-of-Way, located west of the proposed development site.

One (1) existing 8-inch gravity sewer main within Cocoa Avenue, Right-of-Way may be used.

*8950 Cocoa Avenue, Real Estate #144612 0000, is located at the easternmost point of the proposed development site.*

*8938 Cocoa Avenue, Real Estate #144627 0020 is located in the western portion of the proposed development site with 0 Cocoa Ave abutting to the west and 8944 Cocoa Ave abutting to the east.*

#### JEA Infill Availability Letter for 8944 Cocoa Avenue

The JEA Infill Availability Letter 2021-3895, dated August 27, 2021, identifies one (1) point of connection for portable water at 8944 Cocoa Avenue. The existing water service may be used if in good condition, and there are no conflicts with the proposed construction. Water service size must match meter size.

One (1) existing gravity sewer service may be used if in good condition and there are no conflicts with the proposed construction.

*8944 Cocoa Avenue, Real Estate #144627 0015, is located in the center of the proposed development site, between 8938 Cocoa Avenue abutting to the west and 8950 abutting to the east.*

According to the JEA Infill Availability Letters, the water main that abuts properties subject to the amendment has capacity to serve one single-family dwelling unit while sewer capacity is available. Pursuant to the MDR land use category description, residential development of the three remaining properties will require a water main extension from the Lamson Street right-of-way or development of the amendment site shall be limited to one single-family dwelling unit on the 0.36 acre amendment site.

#### **Transportation**

The Planning and Development Department completed a transportation analysis, which is on file with the Planning and Development Department, and determined that the proposed amendment from CGC to MDR has the development potential for 5 single-family DU's. Under scenario 1 as 100 percent non-residential would generate 238 daily trips and under scenario 2 as 80 percent residential, and 20 percent non-residential, 165 daily trips. If the land use is amended to MDR, development could result in no net new daily trips. This analysis is based upon the comparison of what potentially could be built on that site versus the maximum development potential. Trips generated by the new development will be processed 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.

**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 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 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.

These two Comprehensive Plan policies ensure that the transportation impact related to land use amendments are captured in the Long-Range Transportation Plan (LRTP) that is conducted every 5 years. This analysis includes the cumulative effect of all land use amendments that were approved within this time. This plan identifies the future transportation needs and is used to create cost feasible roadway needs that can be funded by the City's Mobility Strategy Plan.

Mobility needs vary throughout the city and to quantify these needs, the city was divided into 10 Mobility Zones. The Mobility Strategy Plan identifies specific transportation strategies and improvements to address traffic congestion and mobility needs for each mode of transportation. The project site is in Mobility Zone 8.

The subject site is accessible via Cocoa Avenue, an unclassified facility. The proposed MDR development will generate approximately 37 daily trips and should not have any significant impacts on the external roadway network.



### **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.

### **Aquifer Recharge**

The site is located within an area identified as being in the 0 to 4 inch per year aquifer recharge area. This range is below the threshold of 12 inches or more per year which would constitute a prime recharge area as defined in the Infrastructure Element – Aquifer Recharge Sub-Element (IE-AR). Prime aquifer recharge areas are the primary focus of groundwater resource protection. However, development resulting from the proposed land use amendment will be reviewed during the site plan review and permitting process for compliance with the land development regulations that have been established to protect groundwater resources. Such regulations address issues such as drainage systems, septic systems, and landscape/irrigation regulations.

### Infrastructure Element – Aquifer Recharge Sub-Element (IE-AR)

Policy 1.2.8 Within two years of establishment by the SJRWMD and the Water Resources Management Plan of prime recharge areas for the Floridian Aquifer, the Planning and Development Department shall prepare maps of such designated areas showing the special zoning and land use consideration the City has established for such areas as designated by the latest update of the Floridian Aquifer Recharge GIS grid coverage.

### **Archaeological Sensitivity**

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

### Historic Preservation Element

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

### **Septic Tank Failure Area**

The property is located in an identified septic tank failure area. The City shall continue the effort to phase out septic tanks in defined failure areas in order to comply with Chapter 751, Jacksonville Ordinance Code. See policies of the Infrastructure Element below:

*Sanitary sewer is available per the JEA Infill Availability Letters.*

Infrastructure Element, Sanitary Sewer Sub-Element

- Policy 1.2.4 Existing septic tanks for estimated wastewater flows of 600 or less gallons per day (gpd) shall connect to the collection system of a regional utility company provided that gravity service is available via a facility within a right-of-way or easement, which abuts the property.
- 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 1.2.8 The City shall continue the effort to phase out septic tanks in defined failure areas in conformance with Chapter 751, Ordinance Code (Septic Tank Superfund).

**PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on October 11, 2021, the required notices of public hearing signs were posted. Sixty-four (64) notices were mailed out to adjoining property owners informing them of the proposed land-use change and pertinent public hearing and meeting dates.

The Citizen Information Meeting was held on October 18, 2021, for the adoption of the small-scale land use amendment. The applicant was present. No one from the public attended to discuss.

**CONSISTENCY EVALUATION**

**Consistency with 2030 Comprehensive Plan Goals, Objectives, and Policies**

Future Land Use Element (FLUE)

*Development Area*

*Urban Priority Area (UPA):* The UPA is the first-tier Development Area and generally includes the historic core of the City and major connecting corridors. The UPA intends to encourage revitalization and the use of existing infrastructure through redevelopment and infill development at urban densities which are highly supportive of transit and result in the reduction of per capita greenhouse gas emissions and vehicle miles traveled. Development is expected to employ urban development characteristics as further described in each land-use plan category. The UPA does not include the Central Business District Land Use Category boundaries.

- 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 for sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.

**Policy 1.1.21** Future amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population of the area and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business consistent with FLUE Policy 1.1.5. The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.

**Policy 1.1.22** Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

**Policy 1.2.9** 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 may be permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

**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 the 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.

**Pending Property Rights Element (Ordinance 2021-334)**

**Goal 1** The City will recognize and respect judicially acknowledged and constitutionally protected private property rights in accordance with the Community Planning Act established in Chapter 163, Florida Statutes.

**Objective 1.1** Local decision-making shall be implemented and applied with sensitivity for private property rights and shall not be unduly restrictive.

**Policy 1.1.1** The City will ensure that private property rights are considered in local decision-making.

**Policy 1.1.2** The following rights shall be considered in local decision making:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

According to the Future Land Use Element (FLUE), Community/General Commercial (CGC) is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods in order to reduce the number of Vehicle Miles Traveled. CGC also allows for multi-family residential at densities up to 40 units per acre in the Urban Area, subject to the provision that residential uses shall not be the sole use and shall not exceed 80 percent of development.

The MDR land use category in the Urban Priority Development Area is a category intended to provide compact medium-density residential development. Plan amendment requests for new MDR designations are preferred in locations that are supplied with full urban services and in locations that serve as a transition between commercial and residential land uses. Residential uses are permitted at up to 20 dwelling units per acre. *However, the maximum gross density shall be 4 units per acre and the minimum lot size shall be ¼ of an acre if either one of the centralized potable water or waste water services are not available.*

The site is currently undeveloped and surrounded by a mix of uses in the CGC and MDR land use categories. Single-family and undeveloped residential land uses are north of the site. Vacant commercial, mobile homes, and service garage/open storage uses are located south of the application site on Berry Avenue. To the east are single-family, open storage, and office land uses. And to the west are mobile homes and single-family land uses. This site's access to urban services is subject to water main extensions. Access to mass transit is through the Jacksonville Transportation Authority bus routes 18 and 23 (Stop 766). The infill development will continue the development trends in an area that has existing infrastructure. The proposed amendment to MDR maintains a balance of uses in the area and is a logical and compatible extension of the abutting MDR land use. Therefore, the amendment is consistent with FLUE Policies 1.1.22, Goal 1, and Goal 3.

The proposed amendment to MDR would allow for increased housing options within the Urban Priority Development Area of the North Planning District, and as such, it is consistent with FLUE Objective 3.1 and Policy 3.1.6.

The 0.36 of an Acre subject site will have a negligible impact on the amount of land needed to accommodate single-family residential uses, and the proposed amendment from CGC to MDR 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 land use application for a proposed single-family development can be served by sanitary sewer and water lines. According to the three JEA letters dated August 27, 2021, and August 31, 2021, there are existing water mains on-site for 8944 Cocoa Avenue while development of the remaining properties will require water main extension from the existing 8-inch water main within Lamson Street right-of-way, located west of the proposed development site. Existing gravity sewer service may be used if in good condition and there are no conflicts with the proposed construction. Therefore, the application is consistent with FLUE Policy 1.2.9. and subject to consistency with the MDR land use category density requirements.

The proposed amendment does not hinder the private property rights of the owner of record; has no impact on the right of the property owner to possess or control his or her interest in the property; maintains the owner's ability to use, maintain, develop and improve the property; protects the owner's right to privacy and security; and maintains the

ability of the property owner to dispose of the property at their discretion. Therefore, the amendment is consistent with PRE Goal 1, Objective 1.1 and Policies 1.1.1 and 1.1.2.

### **Neighborhood Action Plan**

The Woodland Acres Land Use and Zoning Study identifies the subject parcel as a non-conforming residential use. MDR is consistent with the MDR design of Woodland Acres and is not a higher density category than the surrounding residential uses. According to the study, residential redevelopment pressures are increasing in the study area. It is recognized that as the local market changes, there may be pressure to change zoning designations to accommodate higher-density residential development within the Woodland Acres study area. However, the residential portions of Woodland Acres are MDR and this request is consistent with the established land use pattern. The study contains guidelines for how higher density residential infill and redevelopment can occur in the study area without compromising the integrity of the study area. Therefore, the amendment is consistent with the study.

### **Vision Plan**

The proposed development site is within the boundary of the Great Arlington/Beaches Vision Plan. This plan identifies the opportunity for redeveloping underutilized sites and increasing density in strategic locations. Guiding Principle 2 of the plan states, "protect and promote community through land use, revitalization, and development patterns". The amendment site is currently vacant residential land and is proposed for single-family residential utilization. Therefore, the proposed land-use change amendment from CGC to MDR is consistent with these principles as it enhances the balance of uses in an appropriate location.

### **Strategic Regional Policy Plan**

The amendment is consistent with Policy 4 of the Strategic Regional Policy Plan, under the 6th Pillar titled "Quality of Life and Quality of Places, SPC:187.201(4) F.S.". The Region supports strategies identified by the Regional Community Institute as, including infill and redevelopment, incentives for dense and/or mixed development, and maintenance of a diversity of land use in the Region. The surrounding land uses abutting the proposed site include: single-family and undeveloped residential, vacant commercial, mobile homes, and open storage with land use categories of CGC and MDR. The proposed site is vacant residential land. Therefore, the proposed land-use change from CGC to MDR to allow for single-family residential development is consistent with the objectives of this plan to maintain a diversity of land uses in the region and encourage infill and redevelopment.

**LOCATION AND CURRENT LAND USE MAP**



# FIELD UTILIZATION MAP

