

# City of Jacksonville, Florida

*Lenny Curry, Mayor*

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December 9, 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. 2021-800/Application No. L-5614-21C**

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 2021-800 on December 9, 2021.

P&DD Recommendation	APPROVE
PC Issues:	None
<b>PC Vote:</b>	<b>6-0 APPROVE</b>

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

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

Sincerely,

*Kristen D. Reed*

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**Report of the Jacksonville Planning and Development Department**

**Large-Scale Future Land Use Map Amendment – December 3, 2021**

**Ordinance/Application No.:** 2021-800 / L-5614-21C

**Property Location:** 1930 Beaver Street West (SR 10), southeast of the corner of Beaver Street West and Stockton Street.

**Real Estate Number(s):** 076772 0000

**Property Acreage:** 3.80 acres

**Planning District:** District 5, Northwest

**City Council District:** District 9

**Applicant:** Cyndy Trimmer, Esquire

**Development Area:** Urban Priority Area

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

**Proposed Land Use:** Light Industrial (LI)

**Current Zoning:** Commercial Community / General – 2 (CCG-2)

**Proposed Zoning:** Industrial Light (IL)

***RECOMMENDATION: APPROVAL***

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

Applicant requests a land use amendment and conventional rezoning to bring the long-standing legal nonconforming use on the property into compliance.

**BACKGROUND**

The 3.80-acre subject site is southeast of the corner of Beaver Street West (SR 10), a major arterial roadway, and Stockton Street, a local road. The property is in Council District 9, the Northwest Planning District, and within the boundaries of the North Riverside Neighborhood Action Plan. The property is also located in the Urban Priority Development Area as identified in the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

Currently, the amendment site is a legal non-conforming use. The two buildings on the subject site were constructed in 1987 as a warehouse and office building. The property abuts a CSX Transportation rail line to the south. Uses across the rail lines include a plumbing supply store, building material store, and a computer store. The predominant land use pattern to the north, east, and west of the subject site is commercial, HI is to the south and west. While the portion of Beaver Street supports predominantly commercial activity, with single family residences further north.

A companion rezoning application is pending concurrently with the land use application via Ordinance 2021-801, which seeks a zoning change on the subject site from Commercial Community / General – 2 (CCG-2) to Industrial Light (IL).

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

North: Land Use: Community / General Commercial (CGC) and Light Industrial (LI) (across Beaver Street)  
Zoning: Commercial / Community General – 2 (CCG-2) and Industrial Light (IL)  
Property Use: Restaurants and vacant

South: Land Use: Heavy Industrial (HI)  
Zoning: IL  
Property Use: South side of the subject property abuts railroad tracks. Across the rail lines are industrial supply and commercial operations.

East: Land Use: CGC  
Zoning: CCG - 2  
Property Use: Commercial

West: Land Use: HI  
Zoning: IL  
Property Use: Commercial

## **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.

## Impact Assessment Baseline Review

<b>Development Analysis 3.8 Acres / 165,528 sq.ft.</b>		
Development Boundary	Urban Priority Area	
Roadway Frontage Classification / State Road	1930 Beaver Street (SR 10), a major arterial roadway	
Plans and/or Studies	North Riverside NAP Northwest Vision Plan	
Site Utilization	Current: Warehouse	Proposed: Same – Change is to bring current use in compliance.
Land Use / Zoning	Current: Land Use: CGC Zoning: CCG-2	Proposed: Land Use: LI Zoning: IL
Development Standards for Impact Assessment	Current: Scenario 1: 0.35 FAR Scenario 2: 0.35 FAR (20%), 45 DU/Acre (80%)	Proposed: 0.4 FAR
Development Potential	Current: Scenario 1: 57,934 sq. ft. Scenario 2: 11,587 sq. ft. / 136 MF DU	Proposed: 66,211 sq.ft.
Net Increase or Decrease in Maximum Density	Scenario 1: N/A Scenario 2: Decrease of 136 MF DU	
Net Increase or Decrease in Potential Floor Area	Scenario 1: Increase of 8,277 sq. ft. Scenario 2: Increase of 54,624 sq. ft.	
Population Potential	Current: Scenario 1: 0 People Scenario 2: 319 People	Proposed: 0 People
<b>Special Designation Areas</b>		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	500 ft. height restriction zone for Herlong Recreational Airport	
Industrial Preservation Area	Situational Compatibility	

<b>Development Analysis 3.8 Acres / 165,528 sq.ft.</b>	
Cultural Resources	None
Archaeological Sensitivity	Low and 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	Brownfield Study Area
<b>Public Facilities</b>	
Potential Roadway Impact	Scenario 1: Decrease of 2,962 Daily Trips Scenario 2: Decrease of 1,226 Daily Trips
Potential Public-School Impact	N/A
Water Provider	JEA
Potential Water Impact	Scenario 1: Decrease of 500 gpd Scenario 2: Decrease of 30,142 gpd
Sewer Provider	JEA
Potential Sewer Impact	Scenario 1: Decrease of 374 gpd Scenario 2: Decrease of 22,606 gpd
Potential Solid Waste Impact	Scenario 1: Increase of 112 tons per year Scenario 2: Decrease of 166 tons per year
Drainage Basin/Sub-basin	Basin: St. Johns River upstream of Trout River Sub-Basin: McCoy Creek
Recreation and Parks	McCoy's Creek Blvd. Park
Mass Transit Access	Routes 13, 53. Stop 3327 (directly in front of property)
<b>Natural Features</b>	
Elevations	19-25 feet
Land Cover	1400: Commercial and Services
Soils	SIN 7: Arents, nearly level SIN 69: Urban land
Flood Zones	None
Wetlands	None
Wildlife (applicable to sites greater than 50 acres)	N/A (under 50 acres)

### Utility Capacity

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).

Per JEA Availability Letter dated September 1, 2021, the subject site is served by a 16-inch water main and an 8-inch gravity sewer main, both along Beaver Street.

## Transportation

The Planning and Development Department completed a transportation analysis and determined that the proposed amendment will result no net 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. Trips generated by the new development will be processed through the Concurrency and Mobility Management System Office. A copy of the transportation analysis is on file with the Planning and Development Department.

### 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:

### Background Information:

The subject site is 3.8 acres and is accessible from Beaver Street West, a major arterial facility. The proposed land use amendment is located within the Urban Priority Development Area and Mobility Zone 9. The applicant proposes to change the existing land use from Community General Commercial (CGC) to Light Industrial (LI).

### 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.

These 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 period. 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.

#### **Trip Generation Estimation:**

Table A of the memo 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 LI development, this will result in a decrease of 2,962 or 1,226 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 2,962 or 1,226 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.

### **Airport Environment Zone**

The site is located within the 500-foot Height and Hazard Zone for the Herlong Recreational Airport. Zoning will limit development to a maximum height of less than 500', 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.

## **Industrial Zone**

The subject property is located within the "Industrial Situational Compatibility" Zone. "Industrial Sanctuary" and "Industrial Situational Compatibility" Zones are areas identified on the Industrial Preservation Map (Map L-23) of the Future Land Use Map series of the Future Land Use Element of the 2030 Comprehensive Plan as strategically located industrial lands for future industrial expansion and economic development.

### Future Land Use Element

Policy 3.2.29 The City shall continue to update its comprehensive inventory and mapping of Industrial lands to identify and protect existing strategically located industrial lands for future expansion and economic development. These areas are crucial to the long term economic well-being of the City and are identified on the Industrial Preservation Map (Map L-23) as "Industrial Sanctuary" or "Areas of Situational Compatibility".

Policy 3.2.30 The area shown on the Industrial Preservation Map (Map L-23) as "Industrial Sanctuary" or "Areas of Situational Compatibility" 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.

## **Archaeological Sensitivity**

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low and 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 on the portion of the site that is in a high sensitivity area. 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.

## **Brownfield Study Area**

The property is located within the Downtown Brownfield Pilot Area. The City of Jacksonville designated properties in the downtown area as a Pilot Program Brownfield Area by City Council Resolution Number 2000-125-A. The property owner may request the property be designated a Brownfield Site. A Brownfield Site is property where the expansion, redevelopment, or reuse of the property may be complicated by the presence or potential presence of a hazardous substance, pollutant or contaminant. The property owner may qualify for tax credits.

## **PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on November 9, 2021, the required notices of public hearing signs were posted. 39 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 via Zoom on November 15, 2021. There was no one from the public in attendance to discuss the application.

## **CONSISTENCY EVALUATION**

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

#### *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 intent of the UPA is 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.

#### **Future Land Use Element:**

- Policy 1.1.5      The amount of land designated for future development should provide for a balance of uses that:
- A. Fosters vibrant, viable communities and economic development opportunities;
  - B. Addresses outdated development patterns;
  - C. Provides 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 1.2.9** 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.

**Objective 3.2** Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

**Policy 3.2.1** The City shall promote development of commercial and ligh/service industrial uses in the form of nodes, corridor development, centers or parks.

**Policy 3.2.7** The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the areas served, availability of public facilities, and market demands.

**Policy 4.1.8B** The City shall evaluate all proposed amendments to the Comprehensive Plan as to their compliance with the area's vision plan and any existing neighborhood plans and studies. Priority shall be given to those amendments with the greatest potential to further the goals and objectives of the vision plans and neighborhood plans and studies.

**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.

**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 shall 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 category description of the Future Land Use Element (FLUE), the general intent of the CGC category is 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 in the Urban Priority Area is intended to provide compact development which should generally be developed in nodal and corridor development patterns while promoting the revitalization or advancement of existing commercial districts and the use of existing infrastructure through infill development and redevelopment.

The LI Future Land Use Category is intended to provide for the location of industrial uses which have fewer objectionable impacts than Heavy Industrial (HI) on residential areas such as noise, odor, toxic chemical and wastes. Generally, light assembly, manufacturing, packing, processing, and storage/warehousing are principal uses in this category.

The subject site is within an Industrial Situational Compatibility Zone. Per FLUE Policy 3.2.30, sites within such zones 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 applicant is proposing a land use change from CGC to LI. The proposed amendment remedies the current non-conforming use as a warehousing facility. The proposed land use amendment is in the Urban Priority Development Area (UPA), in an area with access to full urban services. The designation of LI for the existing non-conforming property promotes the intent of the UPA to promote infill development that takes advantage of existing infrastructure and services and that results in a compatible development pattern. Therefore, the proposed amendment is consistent with the intent of the UPA and FLUE Objective 6.3 and Policy 1.1.5. Additionally, the designation fits in with the surrounding uses and is part of the nodal commercial and industrial development of the area, consistent with FLUE Objective 3.2 and Objective 6.3 and Policies 3.2.1, 3.2.7, and 4.1.8B.

The amendment provides for additional LI designated land in order to allow for the continued use of an existing warehouse in an area that has the capacity to support such use. The historical use of the property demonstrates the need for the small-scale amendment and has a negligible impact the overall provision of CGC designated lands. Therefore, the amendment is consistent with FLUE Polices 1.1.5 and 1.1.21.

A JEA availability letter, dated September 1, 2021, provides that the subject site is served by a 16-inch water main and an 8-inch gravity sewer main, both along Beaver Street, consistent with FLUE Policy 1.2.9.

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.

### **North Riverside Neighborhood Action Plan (2003)**

The subject site is located within the boundaries of the North Riverside Neighborhood Action Plan. The Plan provides that in the plan area, at the time, industrially related parcels make up a small percentage of the land use. It has created significant issues due to the location of industrial uses in locations that abut, or even envelope, residential areas. Changing the designation of the subject site from CGC to LI is consistent with the land use of the area and should not affect any of the residential uses north of the site. Therefore, the proposed amendment to change the land use category from CGC to LI is consistent with the intent of the North Riverside Neighborhood Action Plan.

### **Strategic Regional Policy Plan**

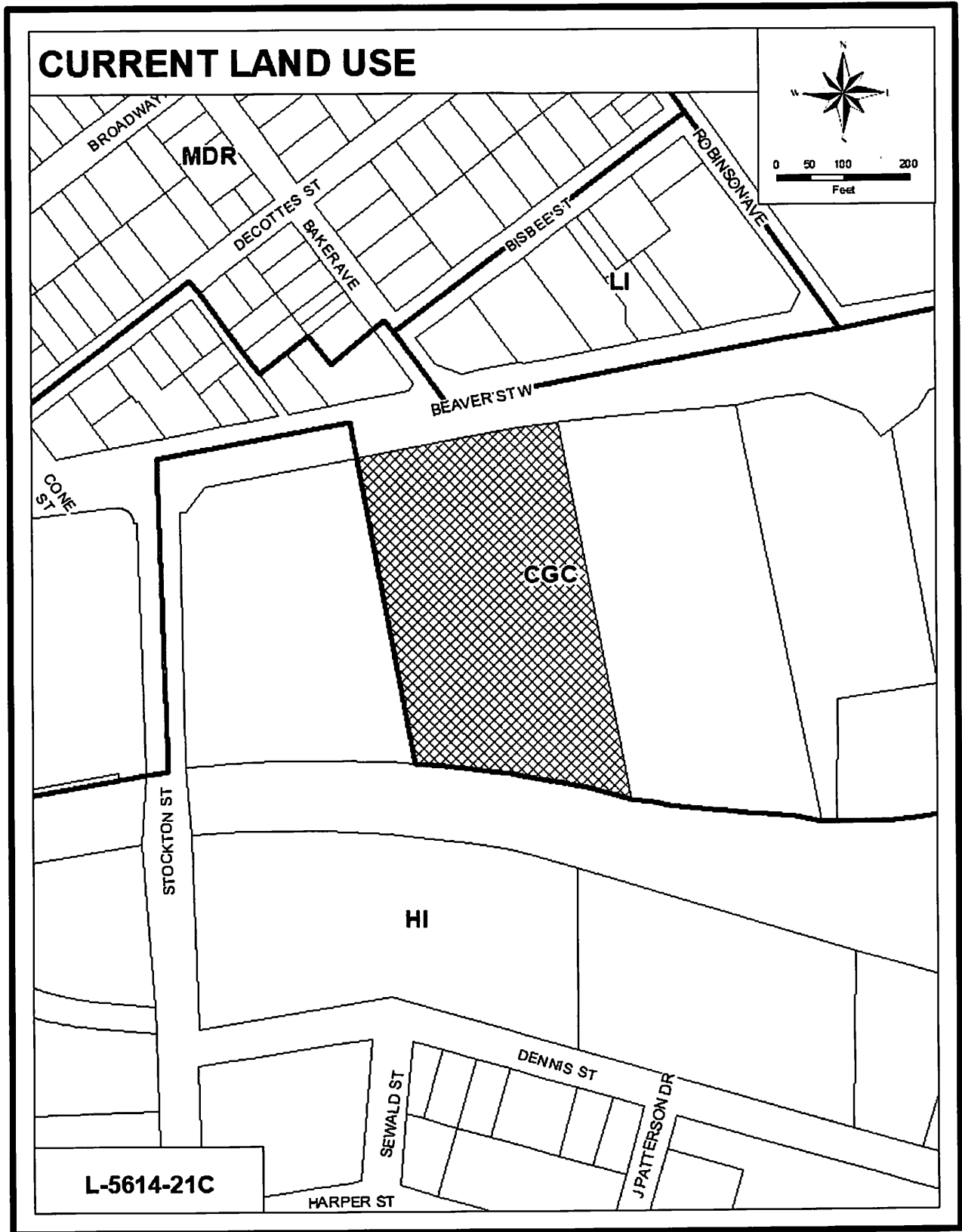
The proposed amendment is consistent with the following objective and policy of the Strategic Regional Policy Plan:

Goal	Recognize the importance of cultivation in Northeast Florida and be part of the conversation on what approaches are appropriate here and how to successfully implement them.
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**Policy 2** Support the existing base level of facilities and jobs, and look for opportunities to increase these sectors and expand existing businesses and services.

The proposed land use amendment promotes an environment that is conducive to the creation of new commercial business thereby providing an opportunity to further local economic growth.

**SMALL SCALE LAND USE APPLICATION L-5623-21C**



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