

City of Jacksonville, Florida

Lenny Curry, Mayor

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April 8, 2021

The Honorable Tommy Hazouri, President
The Honorable Michael Boylan, LUZ Chair
And Members of the City Council
117 West Duval Street
Jacksonville, Florida 32202

RE: Planning Commission Advisory Report / Ordinance No. 2020-744/Application No. L-5495-20C

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairman Boylan 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 SUBJECT TO CONDITIONS** Ordinance 2020-744 on April 8, 2021.

P&DD Recommendation

DENY

PC Issues:

The Commission discussed the potential for rodents and odors and the need to protect residential uses located north of the site. They also noted that the benefits of the proposed composting use are separate from the request to place HI land use in close proximity to residential uses.

PC Vote:

5-2 APPROVE - Subject to maintaining a 90 foot wide strip of LI land use along the northern boundary of the property

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

Kristen D. Reed, AICP
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Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment - January 15, 2021

Ordinance/Application No.: 2020-744 / L-5495-20C

Property Location: West side of Buffalo Avenue between 50th Street East and 55th Street East

Real Estate Number(s): 111121-0000 (portion of)

Property Acreage: 7.97 Acres

Planning District: District 5

City Council District: District 7

Applicant: Patrick Krechowski, Esquire

Current Land Use: LI

Proposed Land Use: HI

Development Area: Urban

Current Zoning: IL

Proposed Zoning: PUD

RECOMMENDATION: Deny

APPLICANT'S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

PUD re-zoning and land use change to accommodate outdoor food composting facility

BACKGROUND

The 7.97-acre subject property is located at 0 Buffalo Avenue, between 50th Street East and 55th Street East.

The property is located in Council District 7, the Northwest Planning District, and within the boundaries of the Northwest Vision Plan. The property is also located in the Urban Development Area, as identified in the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

The applicant proposes a future land use map amendment from LI to Heavy Industrial (HI) and a companion rezoning from Industrial Light (IL) to Planned Unit Development

(PUD) to continue the food composting business. LI will remain around the site and will be developed with retention ponds per the PUD and would leave approximately a 100 foot between the HI and single-family residential to the north. The property is located in an Industrial Situational Compatibility Zone. An Industrial Sanctuary Zone runs along the riverfront from Arlington Expressway north to the Main Street Bridge over the Trout River. The predominate use of the industrial area is port related. The much smaller area of Industrial Situational Compatibility is located along the CSX railroad line east to west from Evergreen Avenue to Main Street. The property abuts a residential area to the north and west. Industrial land is to the east and south.

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

North: Land Use: LDR
 Zoning: RLD-60
 Property Use: single-family

South: Land Use: LI
 Zoning: IL
 Property Use: vacant industrial

East: Land Use: HI
 Zoning: IH
 Property Use: Open Storage

West: Land Use: LDR, LI
 Zoning: RLD-60 and RLD-90, IL
 Property Use: single-family, vacant (proposed retention pond)

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.

Impact Assessment Baseline Review

Development Analysis 7.97 acres		
Development Boundary	Urban	
Roadway Frontage Classification / State Road	Collector	
Plans and/or Studies	Northwest Vision Plan	
Site Utilization	Current:	Proposed:

Development Analysis 7.97 acres		
	Composting	Composting
Land Use / Zoning	Current: LI/IL	Proposed: HI/PUD
Development Standards for Impact Assessment	Current: 0.4 FAR	Proposed: 0.4 FAR
Development Potential	Current: 138,869.28 s. f.	Proposed: 138,869.28 s. f.
Net Increase or Decrease in Maximum Density	N/A	
Net Increase or Decrease in Potential Floor Area	N/A	
Population Potential	Current: N/A	Proposed: N/A
Special Designation Areas		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	No	
Industrial Preservation Area	Situational Compatibility	
Cultural Resources	No	
Archaeological Sensitivity	High and Low	
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	
Public Facilities		
Potential Roadway Impact	No net new daily trips	
Potential Public School Impact	N/A	
Water Provider	JEA	
Potential Water Impact	Increase of 82,763 gallons per day	

Development Analysis 7.97 acres	
Sewer Provider	JEA
Potential Sewer Impact	Increase of 62,072 gallons per day ¹³⁸
Potential Solid Waste Impact	No change
Drainage Basin/Sub-basin	Upstream of Trout River/ St Johns River
Recreation and Parks	Panama Park
Mass Transit Access	No
Natural Features	
Elevations	18 ft.
Land Cover	5300 Reservoirs retention ponds and 1620 Sand and gravel pits
Soils	7-Arents nearly level
Flood Zones	No
Wetlands	Filled in 1.6 acres –former retention pond
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 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).

The applicant submitted a JEA availability letter with the companion rezoning application. According to a JEA letter, dated November 3, 2020 there is an existing 8-inch water main within the Buffalo Avenue right-of-way, adjacent to this property. There is an existing 4-inch LPS main within the 55th St. E. right of way.

Future Land Use Element

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.

Transportation

The Planning and Development Department completed a transportation analysis and determined that the proposed amendment has the potential to result in 0 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 Office.

Transportation Element

Policy 1.2.1 The City shall use the Institute of Transportation Engineers *Trip Generation Manual*, latest edition, to determine the number of trips to be produced or attracted to a particular land use when assessing a traffic impact.

Capital Improvements Element

Policy 1.6.1 Upon adoption of the Mobility Plan implementing ordinance, the City shall cease transportation concurrency and use a quantitative formula for purposes of assessing a landowner's mobility fee for transportation impacts generated from a proposed development, where the landowner's mobility fee shall equal the cost per vehicle miles traveled (A); multiplied by the average vehicle miles traveled per Development Area (B); multiplied by the daily trips (C); subtracted by any trip reduction adjustments assessed to the development.

Supplemental Transportation Information

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 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 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.

Mobility needs vary throughout the city and in order 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 located in Mobility Zone 9.

Subject site is accessible via Buffalo Avenue. Buffalo Avenue is a 2-lane undivided collector facility and the proposed development will have insignificant impacts on the roadway network.

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.

Industrial Zones

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.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on December 22, 2020, the required notices of public hearing signs were posted. Seventy Nine (79) 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 January 4, 2021. One person from the public spoke on the application and they were against the land use change to heavy industrial.

CONSISTENCY EVALUATION

Consistency with 2030 Comprehensive Plan Goals, Objectives and Policies Future Land Use Element (FLUE)

Development Area

Urban Area (UA): The UA is the second tier Development Area and generally corresponds with the densely developed portions of the City that have been in residential or employment generating uses prior to consolidation. It also includes major corridors which connect the other Development Areas. Similar to the UPA, the intent of the UA is to encourage revitalization and the use of existing infrastructure through redevelopment and infill development, but at moderate urban densities which are transit friendly. Also similar to the UPA, the UA is intended to support multi-modal transportation and the reduction of per capita greenhouse gas emissions and vehicle miles traveled. Development is

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 1.2.9 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.

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.

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 3.2.12 The City shall designate areas inappropriate for less intense development due to conditions such as excessive noise levels and incompatible surrounding land uses for intense commercial and light industrial use. Require that these intense commercial uses are appropriately buffered from adjacent residential or retail commercial development. Uses in the airport noise/accident zones and other restricted use areas however, shall be guided by the provisions in the Land Development Regulations for such areas

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.

According to the Category Description of the Future Land Use Element (FLUE), Light Industrial (LI) is a category which provides 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. Site access to roads classified as collector or higher on the Highway Functional Classification Map is preferred; except for sites located within the DIA's jurisdictional boundaries. Principal uses include: Light assembly and manufacturing; Packaging; Processing; Manufacturing of paints, enamels and allied products; Concrete batching plants; Storage/warehousing; Research and development activities; Transportation terminals; Radio/T.V. studios; Transmission and relay towers; Yard waste composting; Recycling facilities; Business/professional offices; Medical clinics; Veterinary offices; and Vocational/trade schools and building trade contractors.

Heavy industrial (HI) uses are generally the most likely to produce adverse physical and environmental impacts on adjacent residential areas such as noise, land, air and water pollution and transportation conflicts. For this reason, heavy industrial land uses should be buffered by other less intense transitional land uses, such as office, light industrial or open space, etc., to protect residential and other sensitive land uses; i.e., schools, health care facilities, etc. Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein. Principal uses include: Mining; Heavy manufacturing; Repair; Fabrication; Assembly; Packaging; Processing; Distribution; Transportation operations; Railroad switching yards; Solid waste management facilities; and Utility plants.

According to the application, the H I land use category is needed in order to use the property for food composting which is classified as a solid waste management facility and can only be accommodated in the H I land use category and I H zoning district. LI allows as a secondary use but the facility needs to be enclosed to control impacts of order on nearby residential areas.

Given the adjacent land use categories of LDR to the north and west, the proposed land use amendment would result in an incompatible and inappropriate intensive industrial use abutting single-family homes with insufficient (only 100+/- feet from single-family homes). transitional, less intense land use category to buffer the Heavy Industrial from the Low Density Residential. The Comprehensive Plan states, "to minimize the adverse impacts on other types of land uses it is necessary to identify geographic areas suitable for various types of industries." LI provides for the location of industrial uses which have fewer objectionable impacts than H I on residential areas such as noise, odor, toxic chemical and wastes. Heavy Industrial development may produce substantial impacts on the abutting neighborhood. The Comprehensive Plan HI description states the type of industrial land uses which can pose hazards, nuisances, noises, odors and environmental degradation should be located so as to minimize the risk to the health, safety and welfare of residents. Therefore, the amendment is inconsistent with FLUE Goal 1 and 3, Policies 1.1.22, 3.2.12 and 3.2.7.

The City has designated areas appropriate for industrial uses in order to protect existing strategically located industrial lands for future expansion and economic development, as these areas are crucial to the long-term economic well-being of the City. The site is located in an Industrial Area of Situational Compatibility, which is 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 site can be appropriate for less intense industrial uses due to the proximity of residential areas but needs to be appropriately buffered to control conditions such as excessive noise and odor levels. The current land use category of L I is suitable for less intense industrial uses. The proposed amendment change to HI is inconsistent with FLUE Policies 3.2.7, 3.2.12, and 3.2.30.

While FLUE Table L-20 identifies sufficient industrial land uses, the proposed land use amendment proposing a change from one industrial use to another would have minimal impact on the overall provision of industrial designated lands. However, the proposed amendment does not foster vibrant and viable communities and abuts residential areas. Therefore, the amendment is an incompatible use and is inconsistent with FLUE Policies 1.1.5 and 1.1.21.

In accordance with Chapter 381, F.S., the site cannot dispose of industrial wastes into private septic systems. According to the land use amendment application and the JEA Availability Letter provided by the applicant dated November 3, 2020, the site can be served by JEA for both water and sewer providing consistency with FLUE Policy 1.2.9.

Vision Plan

The application site lies within the boundary of Northwest Vision Plan area. The plan does not identify specific recommendations for the subject site. The plan identifies strengthening of the existing neighborhoods located in the older traditional building area. Residents listed the continued decline in older neighborhoods as an issue. Many factors can weaken the cohesiveness of the neighborhood, including locating an intensive heavy industrial use next to an existing neighborhood. Therefore, the land use amendment is not consistent with the Vision Plan's direction.

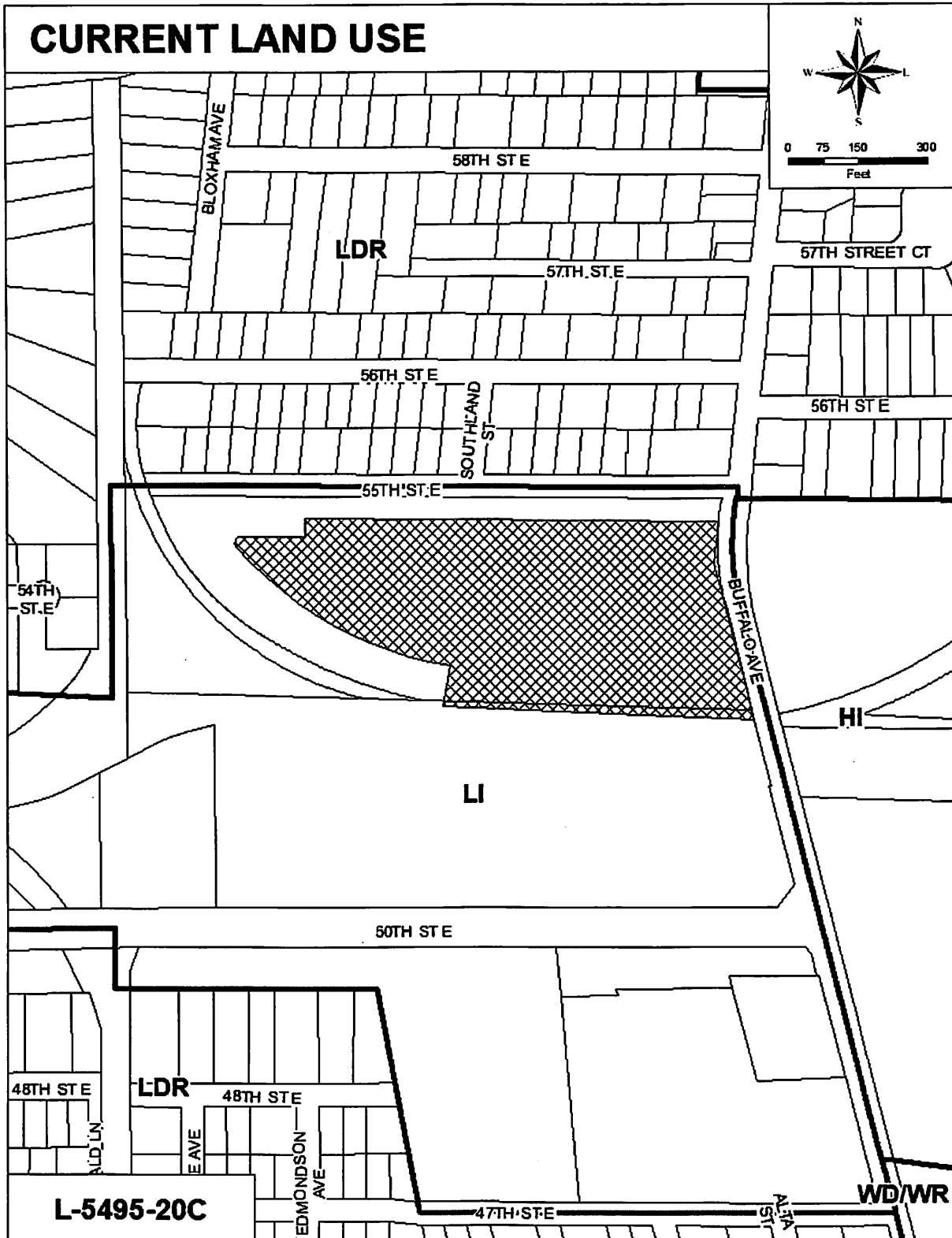
Strategic Regional Policy Plan

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

- Goal 2.3 An environment that is conducive to the creation and relocation of new businesses as well as the expansion of existing businesses in the northeast Florida region.
- Policy 3: Local governments are encouraged to offer incentives or make development easier in areas appropriate for infill and redevelopment.

Although the proposed land use amendment creates a new business, thereby providing an opportunity to further local economic growth, the location of the site does not promote good urban design. The location of the site is on undeveloped industrial land near existing industrial businesses, and therefore considered infill, but the location is inappropriate for the type of development proposed due to the abutting residential land uses to the north and west. Therefore, the proposed amendment is inconsistent with Goal 2.3 and Policy 3 of the Strategic Regional Policy Plan.

AMENDMENT LOCATION AND LAND USE MAP



CURRENT LAND UTILIZATION MAP

