

# City of Jacksonville, Florida

*Donna Deegan, Mayor*

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

October 5, 2023

The Honorable Ronald B. Salem, Pharm. D., President  
The Honorable Kevin Carrico, LUZ Chair  
And Members of the City Council  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report / Ordinance No. 2023-535/Application No. L-5831-23C**

Dear Honorable Council President Salem, Honorable Council Member and LUZ Chairman Carrico 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 2023-535 on October 5, 2023.

P&DD Recommendation                      APPROVE

PC Issues:                                      One citizen spoke in opposition to the amendment. They indicated that there is an affordable housing shortage, not a housing shortage and that Biscayne Boulevard is already operating above capacity.

Planning Commissioners noted that the proposed amendment is appropriate given existing uses in the area, that we have an overall housing shortage, and that there is a need to provide multi-family housing options.

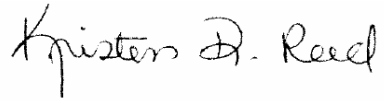
**PC Vote:                                      7-0 APPROVE**

Ian Brown, Chair	Aye
Jason Porter, Secretary	Absent
Marshall Adkison	Aye
Daniel Blanchard	Aye
Charles Garrison	Aye
David Hacker	Aye
Morgan Roberts	Aye
Jack Meeks	Aye

Planning Commission Report  
October 5, 2023

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

Sincerely,

A handwritten signature in black ink that reads "Kristen D. Reed". The signature is written in a cursive style with a large initial 'K' and a distinct 'D'.

Kristen D. Reed, AICP  
Chief of the 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 – September 15, 2023**

**Ordinance/Application No.:** 2023-535 / L-5831-23C

**Property Location:** 10939 Biscayne Boulevard, between Mar Vic Lane and Yelford Circle

**Real Estate Number(s):** 044176-0050

**Property Acreage:** 0.97 of an acre

**Planning District:** District 6, North

**City Council District:** District 8

**Applicant:** Wyman Duggan, Esq.

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

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

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

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

**Development Boundary:** Suburban Area

**RECOMMENDATION: APPROVE**

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

To permit development of multifamily residential units.

**BACKGROUND**

The 0.97 of an acre subject site is undeveloped and located along the east side of Biscayne Boulevard, a collector road, between Mar Vic Lane and Yelford Circle, both unclassified roads. The applicant is proposing a Future Land Use Map (FLUM) amendment from Low Density Residential (LDR) to Medium Density Residential (MDR) to allow for multifamily development. The applicant is also proposing a companion rezoning from Residential Low Density - 100A (RLD-100A) to Residential Medium Density - C (RMD-C), which is pending concurrently with this application, pursuant to Ordinance 2023-536.

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

North: Land Use: LDR

Zoning: Rural Residential – Acre (RR-Acre), Planned Unit Development (PUD)

Property Use: Undeveloped, Single Family, Daycare

South: Land Use: LDR, CGC (Community/General Commercial)

Zoning: RLD-100A, RR-Acre, Commercial Community / General -1 (CCG-1)

Property Use: Single Family, Undeveloped, Commercial

East: Land Use: MDR

Zoning: RMD-C

Property Use: Undeveloped, Multifamily

West: Land Use: MDR, CGC

Zoning: Residential Medium Density – A (RMD-A), PUD, CCG-1

Property Use: Undeveloped, Office, Multifamily, Single Family

## **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**

<b>Development Analysis</b>		
Development Boundary	Suburban Area	
Roadway Frontage Classification / State Road	Biscayne Boulevard – Collector road / No	
Plans and/or Studies	North Vision Plan	
Site Utilization	Current: Undeveloped	Proposed: Multi-family
Land Use / Zoning	Current: LDR / RLD-100A	Proposed: MDR / RMD-C
Development Standards for Impact Assessment	Current: 5 DUs / Acre	Proposed: 15 DUs / Acre
Development Potential	Current: 4 DUs	Proposed: 14 DUs
Net Increase/Decrease in Maximum Density	Increase of 10 dwelling units	

<b>Development Analysis</b>		
Net Increase/Decrease in Potential Floor Area	No increase or decrease	
Population Potential	Current: 10 people	Proposed: 32 people
<b>Special Designation Areas</b>		
Aquatic Preserve	No	
Evacuation Zone	Zone D	
Airport Environment Zone	No	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	Low	
Historic District	No	
Coastal High Hazard Area	No	
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	Increase of 56 net new daily trips	
Potential Public School Impact	De Minimis	
Water Provider	JEA	
Potential Water Impact	Increase of 2,226 gallons per day	
Sewer Provider	JEA	
Potential Sewer Impact	Increase of 1,669 gallons per day	
Potential Solid Waste Impact	Increase of 26 tons per year	
Drainage Basin/Sub-basin	Broward River / Broward River	
Recreation and Parks	Ray Greene Park	
Mass Transit Access	No	
<b>Natural Features</b>		
Elevations	16-21 feet	
Land Cover	1200: Residential, medium density 4340: Upland mixed coniferous / hardwood	
Soils	51: Pelham Fine Sand 63: Sapelo fine Sand	
Flood Zones	No	

<b>Development Analysis</b>	
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 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 has provided a JEA Availability Letter, dated July 21, 2023, as part of the companion rezoning application. According to the letter, there is an existing 8-inch water main along Biscayne Boulevard. There is an existing 16-inch sewer force main along Biscayne Boulevard. The letter also lists special sewer connection conditions, including the requirement of a privately owned and maintained pump station and a JEA dedicated forcemain, provided that no units will be platted or sold fee simple.

### Future Land Use Element

Policy 1.2.8            Require new development and redevelopment in the Central Business District (CBD), Urban Priority Area (UPA), Urban Area (UA), and Suburban Area (SA) to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site.

Development on sites located within the UPA, UA and SA are permitted where connections to centralized potable water and/or wastewater are not available subject to compliance the following provisions:

1. Single family/non-residential (estimated flows of 600 gpd or less) where the collection system of a regional utility company is not available through gravity service via a facility within a right-of-way or easement which abuts the property.
2. Non-residential (above 600 gpd) where the collection system of a regional utility company is not within 50 feet of the property.
3. Subdivision (non-residential and residential) where:
  - a. The collection system of a regional utility company is greater than 1/4 mile from the proposed subdivision.
  - b. Each lot is a minimum of ½ acre unsubmerged property.

- c. Installation of dryline sewer systems shall be installed when programmed improvements are identified in the Capital Improvements Element which will make connections the JEA Collection Systems available within a five (5) year period.

**Transportation**

**Background Information:**

The subject site is .97 of an acre and is accessible from Biscayne Blvd, a collector facility. The proposed land use amendment is located within the Suburban Development Area and Mobility Zone 4. The applicant proposes to change the existing land use from Low Density Residential (LDR) to Medium Density Residential (MDR).

**Comprehensive Plan Consistency:**

The Trip Generation Analysis is consistent with the 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).

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.

Objective 2.4 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 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. The current land use may result in 38 daily trips, depending on the scenario. If the land use is amended to allow for this proposed MDR development, this could result in 94 daily trips.

**Transportation Planning Division RECOMMENDS the following:**

The difference in daily trips for the proposed land use amendment will result in 56 net new daily trips when compared to the existing land use. The Transportation Planning Division recommends ongoing coordinating efforts with the City of Jacksonville Traffic Engineer to determine if a traffic operational analysis is needed.

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

Existing Land Use-Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
LDR	210	4 MF DUs	T = 7.20(X)	38	0	38
<i>Existing Scenario</i>						<b>38</b>
Proposed Land Use-Scenario 1	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
MDR	220	14 MF DUs	T = 6.74(X)	94	0	94
<b>Proposed Scenario</b>						<b>94</b>
<b>Difference in Daily Trips</b>						<b>56</b>

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

**School Impacts**

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

**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 1.2.5 The Planning and Development Department shall maintain and update for planning and permitting purposes, a series of GIS data layers and maps depicting recorded archaeological sites, historic districts and local landmarks.

**Evacuation Zone**

The subject site is within Evacuation Zone D. As such, the land use application was routed to the City’s Emergency Preparedness Division (EPD) for review and comment. EPD was provided with the land use application and the development potential of the proposed land use amendment change.

Conservation /Coastal Management Element (CCME)

Policy 7.1.6 The City shall not amend the Future Land Use Element or the Future Land Use Map series unless; the requested change can be determined to not exceed the established hurricane evacuation times; the requested



change is for a lower density; or the requested change for increased density provides adequate remedies to reduce impacts on hurricane evacuation times which exceed the acceptable standard.

## **PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on September 1, 2023, the required notices of public hearing signs were posted. Twenty-four (24) 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 August 28, 2023. No members of the public attended to speak on the proposed amendment.

## **CONSISTENCY EVALUATION**

### **Consistency with 2045 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 defined in this Plan.

Goal 1 To ensure that the character and location of land uses optimize the combined potentials for economic benefit, enjoyment, wellness 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 1.1.21 Rezoning and 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 and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business with the intent that this balance of uses shall:

A. Foster vibrant, viable communities and economic development opportunities;

B. Address outdated development patterns; and/or

C. Provide 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.

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 1.2.8

Require new development and redevelopment in the Central Business District (CBD), Urban Priority Area (UPA), Urban Area (UA), and Suburban Area (SA) to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site.

Development on sites located within the UPA, UA and SA are permitted where connections to centralized potable water and/or wastewater are not available subject to compliance the following provisions:

1. Single family/non-residential (estimated flows of 600 gpd or less) where the collection system of a regional utility company is not available through gravity service via a facility within a right-of-way or easement which abuts the property.
2. Non-residential (above 600 gpd) where the collection system of a regional utility company is not within 50 feet of the property.
3. Subdivision (non-residential and residential) where:
  - a. The collection system of a regional utility company is greater than 1/4 mile from the proposed subdivision.
  - b. Each lot is a minimum of 1/2 acre unsubmerged property.
  - c. Installation of dryline sewer systems shall be installed when programmed improvements are identified in the Capital Improvements

Element which will make connections the JEA Collection Systems available within a five (5) year period.

Objective 1.6 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.

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 residents. 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 Comprehensive Plan and Land Development Regulations.

Policy 3.1.5 The City shall provide opportunities 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.

#### Property Rights Element (PRE)

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), Low Density Residential (LDR) is a category intended to provide for low density residential development. Generally, single-family detached housing should be the predominant development typology in this category. The maximum gross density in the Suburban Area shall be 7 units/acre when centralized potable water and wastewater services are available to the site and there shall be no minimum density; except as provided herein.

Medium Density Residential (MDR) is a category intended to provide compact medium to high density residential development and can serve as transitional uses between low density residential uses and higher density residential uses, commercial uses and public and semi-public use areas. Multi-family housing such as apartments, condominiums, townhomes and rowhouses should be the predominant development typologies in this category. Plan amendment requests for new MDR designations are preferred in locations which are supplied with full urban services and in locations which serve as a transition between commercial and residential land uses. Development within the category should be compact and connected and should support multi-modal transportation. The maximum gross density in the Suburban Area, for a site that abuts LDR, shall be 20 units/acre and the minimum gross density shall be greater than 7 units/acre.

The applicant is proposing a change from LDR to MDR to allow for multifamily development for a site that is in the Suburban Development Area and that has access to centralized water and sewer. The proposed residential development will facilitate the provision of a variety of housing options, furthering the diversity of the housing stock within the City, while continuing to maintain a well balanced mix of land uses. Additionally, there is MDR designated land to the east and west of the site. Thus, the proposed amendment would result in a compatible and logical extension of the existing MDR. Therefore, the proposed amendment is consistent with FLUE Goals 1 and 3, Objective 3.,1 and Policy 3.1.5.

The proposed small-scale amendment would increase the amount of residentially designated land available to further meet the goal of meeting or exceeding the amount of land required to accommodate anticipated growth. Additionally, the property is underutilized land in the Suburban Development Area which has access to centralized water and sewer services. Development of this site is considered infill development. Thus, the proposed amendment is consistent with FLUE Objective 1.6 and Policy 1.1.21.

Consistent with FLUE Policy 1.2.8, the applicant has provided a JEA Availability Letter, dated July 21, 2023, as part of the companion rezoning application. According to the letter, there is an existing 8-inch water main along Biscayne Boulevard. There is an existing 16-inch sewer force main along Biscayne Boulevard. The letter also lists special sewer connection conditions, including the requirement of a privately owned and maintained pump station and a JEA dedicated forcemain, provided that no units will be platted or sold fee simple.

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.

### **Vision Plan**

The application site lies within the North Jacksonville Shared Vision and Master Plan area. The plan does not identify specific recommendations in the vicinity of the subject site. However, the proposed residential development would provide a variety of housing alternatives, encourage economic growth in the area, and is promoted within the boundaries of the Vision Plan.

### **Strategic Regional Policy Plan**

The proposed amendment is consistent with the following Objective and Policy of the Strategic Regional Policy Plan, Regional Health Subject Area:

Objective: Housing Options That Provide Choices to All of Our Residents and Promote Demographic and Economic Diversity as One Way to Ensure that Our Communities are Viable and Interesting Places for the Long Term.

Policy 21: The Region supports diverse and sufficient housing stock to provide choices for all households, from single persons to extended families with children.

The proposed land use amendment would increase opportunities for residential development, providing a wider range of housing in the northeast Florida region and creating a location for the development of new housing stock for the area. Therefore, the proposed amendment is consistent with the Strategic Regional Policy Plan.

**LAND USE AMENDMENT**  
**FIELD / LOCATION / CURRENT LAND USE MAP**

