



A NEW DAY.

# City of Jacksonville, Florida

*Donna Deegan, Mayor*

City Hall at St. James  
117 W. Duval St.  
Jacksonville, FL 32203  
(904) 630-CITY

[www.Jacksonville.gov](http://www.Jacksonville.gov)

August 22, 2024

The Honorable Randy White  
The Honorable Kevin Carrico, LUZ Chair  
And Members of the City Council  
117 West Duval Street  
Jacksonville, FL 32202

**RE: Planning Commission Advisory Report / Ordinance No. 2024-520/Application No. L-5881-23C**

Dear Honorable Council President White, 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 2024-520 on August 22, 2024.

P&DD Recommendation                      Approve

PC Issues:                                      The Commission discussed the companion PUD site plan and allowed uses before voting on the land use amendment. Two people spoke in opposition to the proposed allowed uses of the PUD and the close proximity to residential. The Planning Commission considered conditions to the companion PUD before voting on the subject amendment and companion rezoning.

**PC Vote:    7-0 APPROVE**

Charles Garrison, Chair	Aye
Lamonte Carter	Aye
Amy Yimin Fu	Aye
Julius Harden	Aye
Moné Holder	Aye
Ali Marar	Absent
Michael McGowan	Aye
Jack Meeks	Absent
Tina Meskel	Aye

Planning Commission Report  
August 22, 2024  
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If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read "Helena A. Parola".

**Helena A. Parola, MAURP**  
***Acting Chief of Community Planning***  
City of Jacksonville - Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, FL 32202  
(904) 255-7842  
[HParola@coj.net](mailto:HParola@coj.net)

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

**Small-Scale Future Land Use Map Amendment – August 16, 2024**

**Ordinance/Application No.:** 2024-520 / L-5881-23C

**Property Location:** 0 McDuff Avenue North, between Commonwealth Avenue and Burnside Street

**Real Estate Number(s):** 056005 0000, 056006 0000, 056007 0000

**Property Acreage:** 1.22 acres

**Planning District:** District 5, Northwest

**City Council District:** District 9

**Applicant:** Curtis Hart

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

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

**Current Zoning:** Commercial / Community General – 1 (CCG-1) & Residential Low Density-60 (RLD-60)

**Proposed Zoning:** Planned Unit Development (PUD)

**Development Boundary:** Urban Priority Area

**RECOMMENDATION:** **APPROVE**

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

Property is surrounded by CGC. The proposed land use change to light industrial would be compatible with the area.

**BACKGROUND**

The 1.22 acre subject site is located along the east side of McDuff Avenue North, a minor arterial roadway, between Commonwealth Avenue, a collector roadway, and Burnside Street, a local road. The applicant is proposing a Future Land Use Map (FLUM) amendment from Low Density Residential (LDR) to Community/General Commercial (CGC) to allow for commercial development. The applicant is also proposing a companion rezoning from Commercial / Community General - 1 (CCG-1) & Residential Low Density-60 (RLD-60) to Planned Unit Development (PUD), which is pending concurrently with this

application, pursuant to Ordinance 2024-521. The PUD rezoning includes a larger area than the land use amendment site with frontage on both Commonwealth Avenue and McDuff Avenue North.

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

North: Land Use: Community/General Comercial (CGC), Public Buildings and Facilities (PBF), and Low Density Residential (LDR)  
 Zoning: CCG-1, CCG-2, RLD-60 and PBF-1  
 Property Use: Vacant, Single-Family Residential, Retail Store, Service Garage, Open Storage, JSO Fleet Management

South: Land Use: LDR & CGC  
 Zoning: RLD-60 & CCG-1  
 Property Use: Single-Family Residential, Vacant

East: Land Use: LDR and Recreation and Open Space (ROS)  
 Zoning: RLD-60 & PBF-1  
 Property Use: Single-Family Residential, Westbrook Center and Park, Vacant

West: Land Use: CGC, LDR  
 Zoning: CCG-2, RLD-60  
 Property Use: Warehouse, Used Vehicle Sales, 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.

**Impact Assessment Baseline Review**

<b>Development Analysis</b>		
Development Boundary	Urban Priority Area	
Roadway Frontage Classification / State Road	McDuff Avenue/Minor Arterial Roadway	
Plans and/or Studies	Northwest Vision Plan	
Site Utilization	Current: Vacant	Proposed: Comercial
Land Use / Zoning	Current: LDR/CCG-1 & RLD-60	Proposed: CGC/PUD

<b>Development Analysis</b>		
Development Standards for Impact Assessment	Current: 5 SF DU/Acre	Proposed: Scenario 1: 0.35 FAR Scenario 2: 45 MF DU/Acre
Development Potential	Current: 6 SF DUs	Proposed: Scenario 1: 18,600 Sq. Ft. Scenario 2: 54 MF DUs
Net Increase or Decrease in Maximum Density	Scenario 1: Increase of 6 DUs Scenario 2: Increase of 48 DUs	
Net Increase or Decrease in Potential Floor Area	Scenario 1: Increase of 18,600 Sq. Ft. Scenario 2: N/A	
Population Potential	Current: 15 People	Proposed: 126 People
<b>Special Designation Areas</b>		
Aquatic Preserve	No	
Evacuation Zone	Zone F	
Airport Environment Zone	500' Airport Height Restriction Zone for Herlong Recreational Airport	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	High Sensitivity	
Historic District	No	
Coastal High Hazard	No	
Adaptation Action Area	Yes	
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: 369 net new daily trips Scenario 2: 307 net new daily trips	
Potential Public School Impact	11 new students	
Water Provider	JEA	
Potential Water Impact	Scenario 1: Increase of 922 gpd Scenario 2: Increase of 11,094 gpd	
Sewer Provider	JEA	
Potential Sewer Impact	Scenario 1: Increase of 692 gpd Scenario 2: Increase of 8,320 gpd	
Potential Solid Waste Impact	Scenario 1: Increase of 42 tpy Scenario 2: increase of 124 tpy	
Drainage Basin/Sub-basin	Upstream of Trout River/McCoy Creek	
Recreation and Parks	Westbrook Center and Park	
Mass Transit Access	JTA bus stop 3424	

<b>Development Analysis</b>	
<b>Natural Features</b>	
Elevations	9 to 20 feet above mean sea level
Land Cover	1200: Residential, medium density 1850: Parks and Zoos
Soils	73: Urban Land-Mascotte Sapelo Complex
Flood Zones	0.2 Pct Annual Chance Flood Hazard Zone and AE Flood Zone
Wetlands	No
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 has provided a JEA Availability Letter, dated May 2, 2024, as part of the companion rezoning application. According to the letter, there is an existing 12-inch water main along McDuff Avenue North and a 8-inch water main along Commonwealth Avenue. There is also existing 8-inch gravity sewer mains along McDuff Avenue North and the alley to the east of the parcels.

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

The subject site is 1.22 acres and is located on McDuff Avenue N, a minor arterial, and Commonwealth Avenue, a collector facility. The proposed land use amendment is located within the Urban Priority Area and Mobility Zone 9. The applicant proposes to change the existing land use from Low Density Residential (LDR) to Community General Commercial (CGC).

### 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 <i>Trip Generation Manual</i> , 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 LDR land use would result in 9 trips. If the land use is amended to

allow for this proposed CGC development, this will result in 426 or 364 daily trips depending on the scenario.

**Transportation Planning Division RECOMMENDS the following:**

The difference in daily trips for the proposed land use amendment has 369 or 307 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**

Current Land Use-Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
LDR	210	6 SFDUs	T= 9.43 (X)	57	0	57
				<i>Total Trips for Existing Land Use- Scenario</i>		<i>57</i>
Proposed Land Use-Scenario 1	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC	822	18,600 SF	T = 54.45 (X) / 1000	1013	587	426
				<i>Total Trips for Proposed Land Use- Scenario 1</i>		<i>426</i>
Proposed Land Use-Scenario 2	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC	220	54 MFDUs	T= 6.45 (X)	364	0	364
				<i>Total Trips for Proposed Land Use- Scenario 2</i>		<i>364</i>
				<b>Scenario 1 Difference in Daily Trips</b>		<b>369</b>
				<b>Scenario 2 Difference in Daily Trips</b>		<b>307</b>

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

**School Capacity**

The 1.22 acre proposed land use map amendment has a development potential of 54 dwelling units and 11 new students. The proposed development was analyzed in accordance with the adopted level of service standards (LOS) for school capacity as established in the Interlocal Agreement (ILA) and the Public Schools and Facilities Element. The ILA was entered into in coordination with the Duval County Public School System (DCPS) and the other municipalities within Duval County.

School concurrency LOS is the methodology used to analyze and to determine whether there is adequate school capacity for each school type (elementary, middle, and high school) to accommodate a proposed development. The LOS (105% of permanent capacity) is based on Concurrency Service Areas (CSAs), not the closest school in the area for elementary, middle and high schools, as well as on other standards set forth in the City of Jacksonville School Concurrency Ordinance.



In evaluating the proposed residential development for school concurrency, the following results were documented:

Application Review Request: <b>COJ PDD: School Impact Analysis</b> Proposed Name: <b>L-5881-23C</b> Requested By: <b>Marcus Salley</b> Reviewed By: <b>Levonne Griggs</b> Date: <b>8/5/2024</b>							
Analysis based on maximum dwelling units: <b>54</b>							
School Type	CSA <sup>1</sup>	2023-24 Enrollment/CSA	Current Utilization (%)	New Student/Development <sup>2</sup>	5-Year Utilization (%)	Available Seats - CSA <sup>3</sup>	Available Seats - Adjacent CSA 2, 7&8
Elementary	1	11,216	56%	6	57%	1,822	1,801
Middle	1	6,876	80%	2	86%	992	696
High	1	7,054	72%	3	64%	775	1,059
<b>Total New Students</b>				<b>11</b>			

NOTES:  
<sup>1</sup> Proposed Development's Concurrency Service Area (CSA)  
<sup>2</sup> Student Distribution Rate  
 ES-.125  
 MS-.051  
 HS-.074  
 0.250

The Student Distribution Rate is calculated for each school type by dividing the total number of public school students enrolled in that school type in Duval County (104,757) by the number of total permitted housing units (418,708) for the same year, generating a yield of 0.250.  
<sup>3</sup> Available CSA seats include current reservations

The analysis of the proposed residential development does not reveal any deficiency for school capacity within the CSA.

Public School Facilities Element

Policy 2.3.2 The City will coordinate with DCPS to establish plan review procedures to manage the timing of Future Land Use Map amendments and other land use decisions so that these decisions coordinate with adequate school capacity.

Policy 2.3.3 The City will take into consideration the DCPS comments and findings on the availability of adequate school capacity in the evaluation of comprehensive plan amendments, and other land use decisions as provided in Section 163.3177(6)(a), F.S. and development of regional impacts as provided in 1380.06, F.S

Objective 3.2 Adopted Level of Service (LOS) Standards

Through the implementation of its concurrency management systems and in coordination with the DCPS, the City shall ensure that the capacity of schools is sufficient to support new residential developments at the adopted level of service (LOS) standards within the period covered in the five-year schedule of capital improvements and the long range planning period. These standards shall be consistent with the Interlocal Agreement agreed upon by the DCPS, the City and the other municipalities. Minor deviations to the LOS standards may occur, so long as they are limited, temporary and with scheduled capacity improvements, school capacity is maximized to the greatest extent feasible.

Policy 3.1.1 The LOS standards set forth herein shall be applied consistently for the purpose of implementing school concurrency, including determining whether sufficient school capacity exists to accommodate a particular development application, and determining the financial feasibility of DCPS Five-Year Capital Facilities Plan and the City's Capital Improvement Plan.

Supplemental School Information:

The following additional information regarding the capacity of the assigned neighborhood schools was provided by the Duval County School Board. This is not based on criteria utilized by the City of Jacksonville School Concurrency Ordinance. Note that the percentage occupied may not appear correct due to ESE space requirements.

**Application Review Request: COJ PDD: Baseline Checklist Review**

Proposed Name: L-5881-23C  
 Requested By: Marcus Sallee  
 Reviewed By: LeVonne Griggs  
 Date: 8/5/2024

Analysis based on maximum dwelling units: 54

SCHOOL <sup>1</sup>	CSA	STUDENTS GENERATED (Rounded) <sup>2</sup>	SCHOOL CAPACITY <sup>3</sup> (Permanent/Portables)	CURRENT ENROLLMENT 20-Day Count (2023/24)	% OCCUPIED	4 YEAR PROJECTION
Annie R. Morgan ES #21	1	6	479	212	44%	44%
Jean Ribault MS #212	1	2	1148	682	59%	58%
William M. Raines HS #165	1	3	1680	1331	79%	77%
		<b>11</b>				

**NOTES:**

<sup>1</sup> Attendance school may not be in proposed development's Concurrency Service Area (CSA).

<sup>2</sup> Student Distribution Rate  
 ES-.125  
 MS-.051  
 HS-.074

0.250

The Student Distribution Rate is calculated for each school type by dividing the total number of public school students enrolled in that school type in Duval County (104,757) by the number of total permitted housing units (418,708) for the same year, generating a yield of 0.250.

<sup>3</sup> Does not include ESE & room exclusions

### **Archaeological Sensitivity**

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of high sensitivity for the presence of archaeological resources. Projects that move forward through the Site Review process may be required to perform a Professional Archaeological Reconnaissance Survey. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

### **Historic Preservation Element**

Policy 1.2.2 The City shall continue to review new development for the potential of archeologically significant sites. The City shall utilize the most current version of the Archeological Sensitivity Predictive Model to identify areas of high probability for artifact concentrations.

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.

### **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 500 feet, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

### **Future Land Use Element**

Objective 2.6 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 in accordance with the requirements of Section 163.3177, F.S.

Policy 2.6.16 Airport Height and Hazard zones (HH) exist around all military and civilian airports within the city limits of Jacksonville. The horizontal limits of the zones and limitations on heights of obstructions within these zones are defined for each military airport in Naval Facilities Engineering Command (NAVFAC) P-80.3 01/82, on file with the Planning and Development Department, and for each civilian airport in Title 14, Code of Federal Regulations (CFR), Part 77 guidelines, on file with the Planning and Development Department. In order to assure that Title 14, CFR, Part 77 guidelines and NAVFAC P-80.3 01/82 guidelines are not exceeded and that no structure or obstruction is permitted that would

raise a minimal obstruction clearance altitude, a minimum vectoring descent altitude or a decision height, all cell towers and any structure or obstruction that would extend into an Airport (HH) requires, in writing, comment from the U.S. Navy. Although written documentation from the U.S. Navy for military HH and from the FAA or JAA for civilian HH is not required for proposed structure heights below the listed height, United States Code (USC) Title 14, CFR Part 77 still applies.

### **Brownfield Study Area**

This site is located within a Brownfields Study Area designated by Resolution 2011-383-A, and as defined in Section 376.79(5), F.S. Since the property is located within a Brownfields Study Area, the owner may request that the property be designated as a Brownfield Site. Not all properties located within the Brownfield Study Area are contaminated. 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. Tax credits may be available for properties designated as a Brownfield Site.

### **Adaptation Action Area**

1.08 acres of the subject site is within the AAA. The AAA boundary is a designation in the City's 2045 Comprehensive Plan which identifies areas that experience coastal flooding due to extreme high tides and storm surge, and that is vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure needs and adaptation planning. The AAA is defined as those areas within the projected limit of the Category 3 storm surge zone, those connected areas of the 100-year and 500-year Flood Zone, and additional areas determined through detailed flood analysis.

The applicant is encouraged to consider site design measures, such as clustering development away from the AAA, to protect development from the impacts of flooding.

### Conservation/Coastal Management Element

Policy 13.1.2 The City shall recognize existing regulations, programs and policies that overlap with the AAA and that are currently in place to limit public investment and address appropriate development and redevelopment practices related to flooding. These regulations, programs and policies include but are not limited to the floodplain management ordinance, CHHA policies, the Local Mitigation Strategy and the Post Disaster Redevelopment Plan and shall only be applied in cases where such regulation would otherwise apply to a development or redevelopment project.

Policy 13.3.1 The City shall consider the implications of the AAA when reviewing changes to the use, intensity and density of land lying within the AAA.

Policy 13.3.6 In order to guide development away from the Adaptation Action Area (AAA) towards areas that are already high, dry, and connected, the Planning and Development Department shall explore the feasibility of offering density bonuses, transfers of development rights, clustering development entitlements, or other strategies to limit new development within the AAA or environmentally sensitive or special flood hazard areas, or as an incentive for a development's use of low impact development stormwater solutions.

### **Flood Zone**

Approximately .19 acres of the subject site is located within the AE flood zone. Approximately 1.03 acres of the subject site is located within the 0.2 PCT Annual Chance Flood Hazard flood zone. Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). FEMA defines the various flooding characteristics of different lands based on a 100-year storm. The 100-year storm or Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. This does not mean that a storm of this type will happen every 100-years. There is a 1-percent chance that a storm of this magnitude will occur in any given year.

The AE flood zone is defined as areas within the 100-year floodplain or SFHA where flood insurance is mandatory. The .2 PCT Annual Chance Flood Hazard flood zone is defined as areas within the 500-year floodplain and outside of the SFHA. Flood insurance is not mandatory within these flood zones. The areas are deemed to be subject to moderate flood hazards. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

### Conservation /Coastal Management Element (CCME)

Policy 2.6.1 The City shall continue to define the surface hydrology of the area to determine flood plain vulnerability and sensitivity, and will determine appropriate protection measures.

Policy 2.6.3 The City shall protect appropriate floodplain areas for the public benefit and restore degraded floodplain areas by:

- A. Land acquisition or conservation easement acquisition;
- B. Regulation, including setbacks, buffer zones, designated wildlife corridors, low density zoning, performance standards and open space requirements; and
- C. Incentives, including tax benefits and transfer of development rights.

Policy 13.7.10 The City has adopted and shall maintain a floodplain management ordinance that establishes engineering requirements to safeguard the public health, safety, and general welfare and minimizes public and private losses due to flooding through regulation and development of flood hazard areas. The ordinance shall include development and redevelopment regulations that:

- A. Minimize unnecessary disruption of commerce, access and public service during times of flooding;
- B. Require the use of construction practices that will prevent or minimize future flood damage;
- C. Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
- D. Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
- E. Minimize damage to public and private facilities and utilities;
- F. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;
- G. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and
- H. Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.

## **PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on July 2, 2024, the required notices of public hearing signs were posted. Fifty-One (51) 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 July 29, 2024. 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*

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 defined in this Plan. 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, 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 1.1.22 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 1.2.8 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.

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.

Policy 3.1.2        Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

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.

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 to reduce the number of Vehicle Miles Traveled. CGC also allows for multi-family residential at densities up to 20 units per acre in the Suburban Area.

The applicant is proposing a change from LDR to CGC to allow for commercial development for a site that is in the Urban Priority Development Area and that abuts a minor arterial road. While the site is surrounded by LDR on three sides, the LDR that directly abuts the proposed amendment to the south is separated by a park in the LDR land use category. The park continues east of the subject site in the ROS land use category. The intersection of McDuff Avenue and Commonwealth Avenue includes commercial uses with McDuff Avenue continuing as a commercial corridor to the north. His commercial corridor includes a warehouse, a used car lot, open storage, and a retail store. The proposed amendment would allow for an expansion of the existing commercial uses north and west of the site, while still providing adequate protections to the nearby

residential neighborhoods through the PUD rezoning. Therefore, the amendment is consistent with FLUE Goals 1 and 3, and Policies 1.1.21, 1.1.22, and 3.1.2.

Consistent with FLUE Policy 1.2.8, the applicant has provided a JEA Availability Letter, dated May 2, 2024, as part of the companion rezoning application. According to the letter, there is an existing 12-inch water main along McDuff Avenue North and a 8-inch water main along Commonwealth Avenue. There is also existing 8-inch gravity sewer mains along McDuff Avenue North and the alley to the east of the parcels.

The proposed small-scale amendment would increase the amount of commercially 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 Urban Priority 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.

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.

### **Northwest Vision Plan**

The subject property is located within the boundaries of what is identified as of the Northwest Vision Plan (September 2003). While the Vision Plan does not specifically address the commercial areas throughout the district, the Plan recommends strategies to improve the visual appearance of corridors with landscaping, street trees, gateways, and signs. These methods should be considered in reviving commercial properties. Therefore, the proposed land use amendment is compatible with the Northwest Jacksonville Vision Plan.

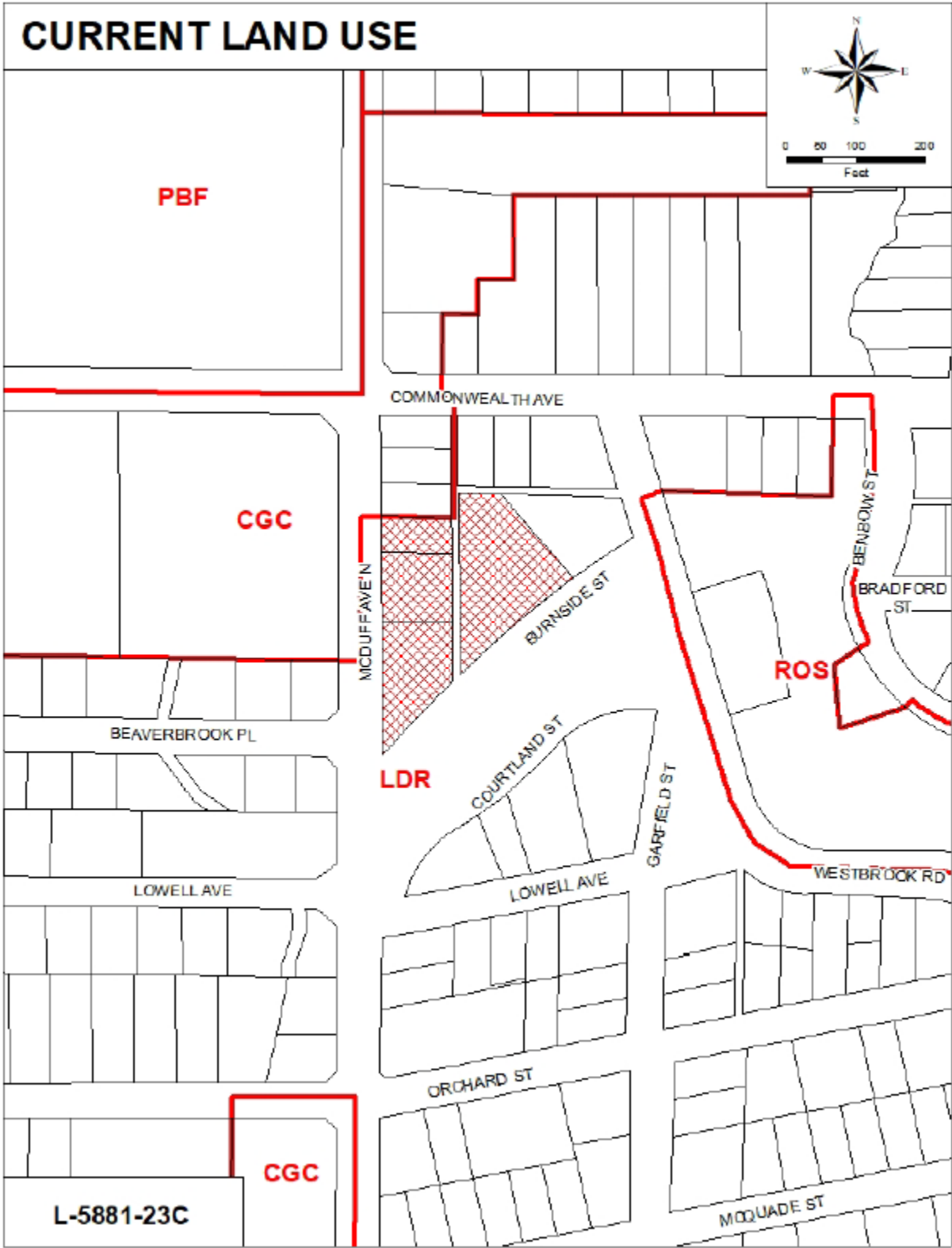
### **Strategic Regional Policy Plan**

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

- Objective: Integrated planning: The link between land use, resources, and mobility
- Policy 4: The Region supports strategies identified by the Regional Community Institute as they worked on First Coast Vision, including:
- Maintenance of a diversity of land use in the Region.
  - Infill and redevelopment.

The proposed land use amendment would increase opportunities for commercial development, helping to maintain a diversity of land use in the area. Therefore, the proposed amendment is consistent with the Strategic Regional Policy Plan.

**LAND USE AMENDMENT MAP**



# Land Utilization Map

