



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

Planning and Development Department
214 N. Hogan St., Suite 300
Jacksonville, FL 32202
(904) 630-CITY
Jacksonville.gov

January 18, 2024

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

**RE: Planning Commission Advisory Report
Ordinance No.: 2023-857**

Dear Honorable Council President Salem, Honorable Council Member and LUZ Chairperson Carrico and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve**

Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: **7-0**

Charles Garrison, Chair	Aye
Tina Meskel, Vice Chair	Absent
Mark McGowan, Secretary	Aye
Lamonte Carter	Absent
Amy Fu	Aye
Julius Harden	Aye
Mon'e Holder	Aye
Ali Marar	Aye

Jack Meeks

Aye

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

Sincerely,

A handwritten signature in blue ink that reads "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B" and "L".

Bruce E. Lewis
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7820
blewis@jacksonville.gov

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2023-0857

JANUARY 18, 2024

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee, and City Council its comments and recommendation regarding Application for Rezoning Ordinance **2023-0857**.

Location: 0 Business Park Boulevard N; 0 Greenland Road

Real Estate Number: 167823-0510; 167823-0520

Current Zoning District: Industrial Business Park (IBP)

Proposed Zoning District: Industrial Light (IL)

Current Land Use Category: Light Industrial (LI)

Planning District: District 3—Southeast

Council District: District 11

Applicant/Agent: Blair Knighting
Kimley Horn and Associates, Inc.
12740 Gran Bay Parkway West
Jacksonville, FL 32258

Owner: J & D Investments of Jacksonville LLC
310 Mealy Drive
Atlantic Beach, FL 32233

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2023-0857** seeks to rezone the vacant undeveloped 4.04-acre subject site that is located on the east side of Business Park Boulevard N, between Business Park Boulevard and Phillips Industrial Boulevard E. The applicant is seeking to rezone the two properties from IBP to IL for the proposed development of an office building and industrial shop. According to the City’s Functional Highways Classification Map, Business Park Boulevard N is an unclassified road. The property is also located in the Suburban Development Area as identified in the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to Section 656.125 of the Zoning Code, an applicant for a proposed rezoning bears the burden of proving, by substantial competent evidence, that the proposed rezoning is consistent with the City's comprehensive plan for future development of the subject parcel. In determining whether a proposed rezoning is consistent with the 2045 Comprehensive Plan, the Planning and Development Department considers several factors, including (a) whether it is consistent with the functional land use category identified in the Future Land Use Map series of the Future Land Use Element; (b) whether it furthers the goals, objectives and policies of the Comprehensive Plan; and (c) whether it conflicts with any portion of the City's land use regulations. Thus, the fact that a proposed rezoning is permissible within a given land use category does not automatically render it consistent with the 2045 Comprehensive Plan, as a determination of consistency entails an examination of several different factors.

1. *Is the proposed rezoning consistent with the 2045 Comprehensive Plan?*

Yes. In accordance with Section 656.129 *Advisory recommendation on amendment of Zoning Code or rezoning of land* of the Zoning Code, the Planning and Development Department finds the subject property requests to be in compliance with the 2045 Comprehensive Plan.

According to the Future Land Use Element (FLUE), Light Industrial (LI) is a category intended to provide for the location of industrial uses that are able to be performed in such a manner as to control the external effects of the process, such as smoke, noise, soot, dirt, vibration, odor, etc. Uses within this category, other than outside storage, shall be conducted within an enclosed building. Generally light industrial uses involve materials that have been previously prepared, or raw material that do not need refining. These uses do not create a noticeable amount of noise, dust, odor, smoke, glare or vibration outside of the building or on the site in which the activity takes place. 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.

The proposed zoning change to IL is consistent with the LI land use category.

2. *Does the proposed rezoning further the goals, objectives and policies of the 2045 Comprehensive Plan?*

Yes. The proposed rezoning is consistent with the listed objectives, policies and goals of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan.

Future Land Use Element

<u>Goal 1</u>

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 1.1.21 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. 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.

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.

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.

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.

Industrial Situational Compatibility Overlay

The subject property is in an area identified on the Industrial Preservation Map as an Industrial Situational Compatibility Zone. Industrial Situational Compatibility Zones are

areas identified on the Industrial Preservation Map as areas that are strategically located are strategically located to provide access to rail facilities or trucking routes; serve ports; or serve airport multi-modal requirements. Industrial uses are crucial to the long-term economic well-being of the City and these areas are presumed to be appropriate for land use map amendments to industrial categories, subject to FLUE Objective 3.2 and supporting policies as well as other applicable objectives and policies.

Policy 3.2.18 The City shall prohibit expansion or new development of non-industrially designated land uses in industrially designated areas unless the use is determined to be an accessory and complementary use to the industrial area, unless otherwise provided for herein. The Land Development Regulations include standards and/or criteria for location and intensity of these types of non-industrial uses.

Policy 3.2.22 The area shown on the Industrial Preservation Map 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.

Policy 3.2.24 Where there is not an adopted neighborhood plan and/or study recommending the contrary, within the “Area of Situational Compatibility”, as shown on the Industrial Preservation Map, lands designated Heavy Industrial, Light Industrial or Water Dependent/Water Related on the Future Land Use Map that are strategically located to provide access to rail facilities or trucking routes; serve ports; or serve airport multi-modal requirements, shall not be converted to a non-industrial land use category unless the applicant demonstrates to the satisfaction of the City that the site cannot be reasonably used for any of industrial uses. Reasonable demonstration for suitability of industrial uses may include but is not limited to the following: access to arterial road network, access to rail, proximity to existing residential, industrial vacancy rates in the vicinity, size of parcel and potential for redevelopment. Conversion of these lands shall only be permitted for development that supports and is compatible with nearby industrial uses.

3. *Does the proposed rezoning conflict with any portion of the City's land use regulations?*

No. The proposed rezoning is not in conflict with portions of the City’s land use regulations. If approved by the Planning and Development Department, the subject property could be rezoned from IBP to IL.

SURROUNDING LAND USE AND ZONING

The 4.04-acre subject site is located on the east side of Business Park Boulevard N, between Business Park Boulevard and Phillips Industrial Boulevard E. The property is adjacent to many light industrial, residential, and commercial uses. The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use

North	LI; CGC; LDR	IBP; IL; CCG-1; RR-Acre	Public School; Warehousing; Timber; Single Family Dwellings
South	LI; CGC	IL; CCG-1	Warehousing; Timber; Office
East	LI; CGC	IL; CCG-1	Warehousing; Timber
West	LDR; LI;	RR-Acre; PUD (2003-0830); IL	Single Family Dwellings; Warehousing; Office; Manufacture Light

The Planning and Development Department finds that the requested rezoning to IL would be consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on December 18, 2023 by the Planning and Development Department, the required Notice of Public Hearing sign **was** posted.

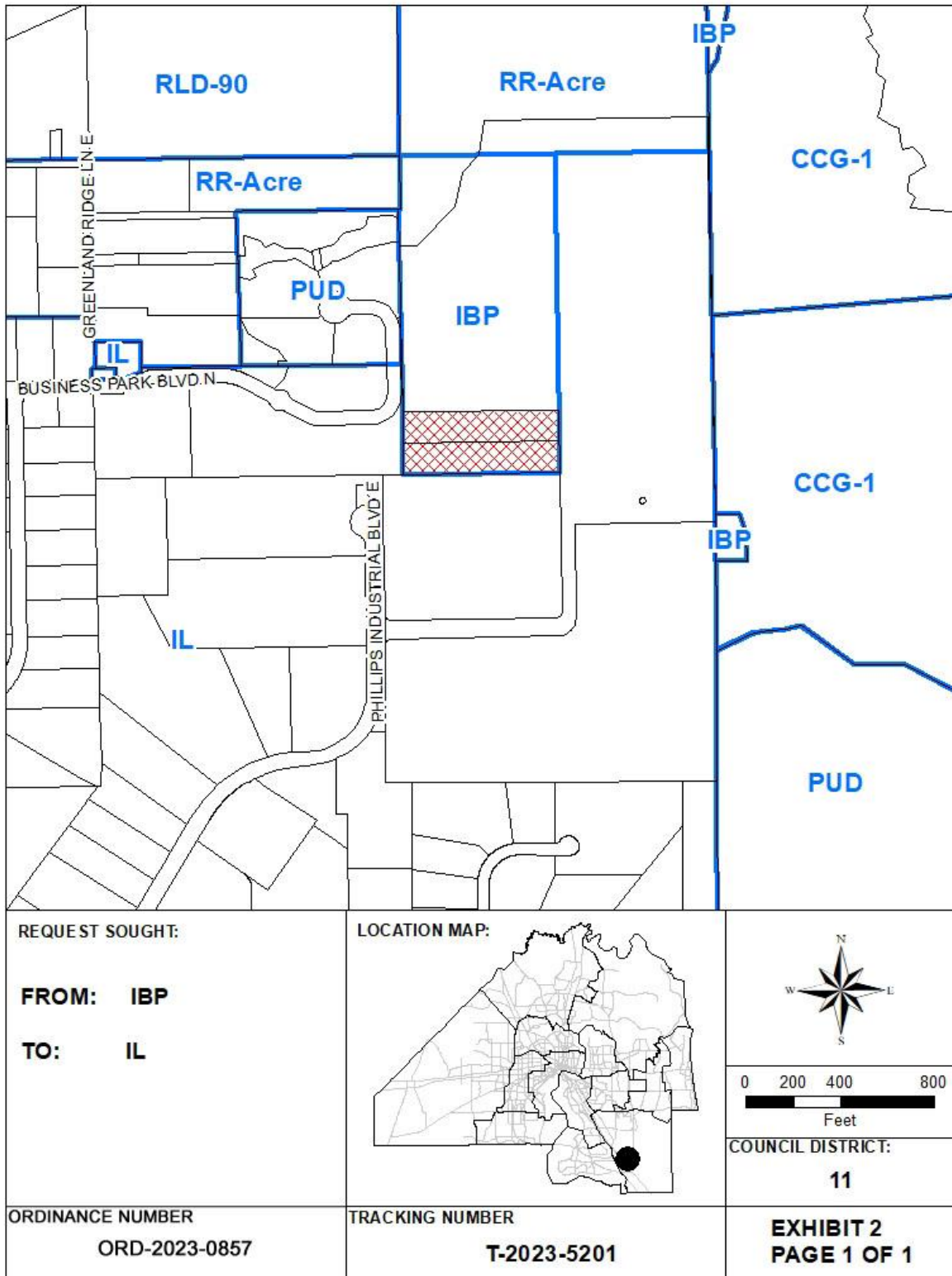


RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2023-0857** be **APPROVED**.



View of adjacent properties facing Business Park Boulevard N
Source: Planning & Development Department, 12/18/2023



Legal Map
Source: JaxGIS Map