

# City of Jacksonville, Florida

*Lenny Curry, Mayor*

City Hall at St. James  
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August 4, 2022

The Honorable Terrance Freeman, 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. 2022-479/Application No. L-5710-22C**

Dear Honorable Council President Freeman, 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 2022-479 on August 4, 2022.

P&DD Recommendation                      DENY

PC Issues:                                      There were no speakers in opposition. However, the Commission members discussed the existing and well established mix of residential and industrial uses in the area, as well as concerns about locating LI land use next to residential.

**PC Vote:    6-1 APPROVE**

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

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

Sincerely,

*Kristen D. Reed*

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

**Small-Scale Future Land Use Map Amendment – July 29, 2022**

**Ordinance/Application No.:** 2022-479 / L-5710-22C

**Property Location:** 328 Center Avenue, between General Avenue and I-10

**Real Estate Number(s):** 006728-0000

**Property Acreage:** 3.04 Acres

**Planning District:** District 5, Northwest

**City Council District:** District 12

**Applicant:** Taylor Mejia

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

**Development Area:** Urban Development Area

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

**Current Zoning:** Rural Residential-Acre (RR-Acre)

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

***RECOMMENDATION: Deny***

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

Rezoning and land use amendment to allow for light industrial uses more fitting with the character of the area.

**BACKGROUND**

The 3.04 acre subject site is located at the end of Center Avenue, which is a single lane narrow road off General Avenue. According to the City’s Functional Highways Classification Map, both roads are unclassified. The area of the subject site is accessible via Chaffee Road South.

The subject site is an occupied residential property that is for sale. The applicant seeks an amendment to the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan from Low Density Residential (LDR) to Light Industrial (LI) to allow the applicant’s intended use of the property for unspecified

light industrial uses. A companion rezoning has been filed and is pending concurrently with the land use amendment, via Ordinance 2022-480, to change the zoning district of the site from Rural Residential-Acre (RR-Acre) to Industrial Light (IL).

The application site is surrounded on all sides by LDR land uses. Beyond that, to the east of the subject site, there are LI and HI land uses. More specific uses along with the current zoning districts are listed below.

The adjacent land use categories, zoning districts and property uses of the land use amendment site are as follows:

North: Land Use: LDR and LI  
Zoning: Rural Residential – Acre (RR-Acre) and Industrial Light (IL)  
Property Use: Single family homes, mix of unoccupied and occupied

South (across I-10): Land Use: LDR  
Zoning: Residential Low Density – 60 (RLD-60)  
Property Use: Single Family Homes

East: Land Use: LDR, and LI  
Zoning: Industrial Business Park (IBP), IL and Industrial Heavy (IH)  
Property Use: Undeveloped, open truck storage, and single family homes

West: Land Use: LDR  
Zoning: RR-Acre and RLD-60  
Property Use: Undeveloped and single family homes

## **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.

**Land Use Amendment Impact Assessment - Application Number L-5710-22C**

<b>Development Analysis</b>		<b>3.04 Acres – 132,422 sq. ft.</b>	
Development Boundary	Urban Development Area		
Roadway Frontage Classification / State Road	Center Avenue – Local Road. Abuts I-10 but no direct access.		
Plans and/or Studies	Northwest Vision Plan		
Site Utilization	Current: Vacant Home	Proposed: LI Uses	
Land Use / Zoning	Current: LDR / RR-Acre	Proposed: LI / IL	
Development Standards for Impact Assessment	Current: 5 DU / Acre	Proposed: 0.4 FAR	
Development Potential	Current: 15 SF DU	Proposed: 52,969 sq. ft.	
Net Increase or Decrease in Maximum Density	Increase of 52,969 sq. ft.		
Net Increase or Decrease in Potential Floor Area	Decrease of 15 SF DU		
Population Potential	Current: 39 People	Proposed: 0	
<b>Special Designation Areas</b>			
Aquatic Preserve	No		
Septic Tank Failure Area	No		
Evacuation Zone	No		
Airport Environment Zone	OLF Whitehouse – 150', Military Notice Zone, OLF Whitehouse Lighting Regulation Zone		
Industrial Preservation Area	Situational Compatibility		
Cultural Resources	None		
Archaeological Sensitivity	Low and High		
Historic District	No		
Coastal High Hazard	No		
Adaptation Action Area	No		
Groundwater Aquifer Recharge Area	0-4 inches		
Wellhead Protection Zone	No		
Boat Facility Siting Zone	No		
Brownfield	No		
<b>Public Facilities</b>			
Potential Roadway Impact	0 Net New Daily Trips		
Potential Public-School Impact	N/A		
Water Provider	JEA		
Potential Water Impact	Decrease of 2,073 gpd		
Sewer Provider	JEA		

<b>Development Analysis</b>		<b>3.04 Acres – 132,422 sq. ft.</b>
Potential Sewer Impact	Decrease of 1,554 gpd	
Potential Solid Waste Impact	Increase of 125 tons per year	
Drainage Basin/Sub-basin	Drainage Basin: Ortega River Drainage Sub-basin: Ortega River	
Recreation and Parks	Whitehouse Park	
Mass Transit Access	None	
<b>Natural Features</b>		
Elevations	74' to 82'	
Land Cover	1100: Residential, low density - less than 2 dwelling units/acre 2150: Field crops	
Soils	32 – Leon fine sand, 0% to 2% slopes	
Flood Zones	No	
Wetlands	No	
Wildlife (applicable to sites greater than 50 acres)	N/A	

### **Utility Capacity**

According to a JEA Availability Letter dated June 17, 2022, there is an existing 12-inch water main within General Avenue right-of-way, approximately 950 linear feet northeast of the subject site. There is also an existing 4-inch sewer force main within the General Avenue right-of-way, also approximately 950 linear feet northeast of the subject site.

### **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 subject site is 3.04 acres and is accessible from Center Avenue, an unclassified facility. The proposed land use amendment is located within the Urban Development Area and Mobility Zone 5. The applicant proposes to change the existing land use from Low Density Residential (LDR) to Light Industrial (LI).

### **Comprehensive Plan Consistency:**

The Trip Generation Analysis is consistent with most recent version of the Transportation Element (TE) of the City of Jacksonville Comprehensive Plan (TE Objective 2.4 and Policies 1.2.1 and 2.4.2).

## 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 would result in 258 daily trips. If the land use is amended to allow for this proposed LI development, this will result 141 daily trips.

### **Transportation Planning Division RECOMMENDS the following:**

The difference in daily trips for the proposed land use amendment will result in no 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	15 SF DUs	T = 9.43 (X)	258	0	258
<i>Existing Scenario Total</i>						<b>258</b>
Proposed Land Use Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
LI	110	52,969 SF	T = 4.87 (X) / 1000	141	0	141
<i>Proposed Scenario Total</i>						<b>141</b>
<b>Proposed Net New Daily Total</b>						<b>0</b>

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

### **Schools**

The proposed amendment does not have a residential component, therefore the proposed development will have no impact on school capacity.

### **Airport Environment Zone**

The site is located within the 150-foot Height and Hazard Zone for OLF Whitehouse and Cecil Field. Zoning will limit development to a maximum height of 150', unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

### **Future Land Use Element**

**Objective 2.5** Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

### **Military Notice Zone**

The site is also located in a Military Notice Zone requiring execution of an Airport Notice Zone Acknowledgement, as required in Section 656.1010, Ordinance Code. The Airport Notice zones are areas for which the limits are represented by the 60 DNL to 64.99 DNL noise contour range.

**Policy 2.5.6** To ensure safety and education of citizens occupying properties that are located near military and civilian airports, the City requires disclosure of airport proximity to prospective owners or lessees in the Military and Civilian Influence Zones depicted on Map L-22.

### **OLF Lighting Regulation Zone**

Additionally, this site is in the Lighting Regulation Zone for OLF Whitehouse. In accordance with 656.1005.2(d)(6), all artificial lighting equipment, including but not limited to flood lights and search lights, whether temporary or permanent installations, shall have positive optical controls so that no light is emitted above the horizontal plane. No building permit shall be granted in this zone unless this requirement has been met.

**Policy 2.5.7** In cooperation with the US Military and to preserve the utility of the field for simulated night carrier landings or related missions, the City has designated, through the land development regulations, a lighting regulation zone around Outlying Field (OLF) Whitehouse, requiring that all artificial lighting equipment have positive optical control so that no light is emitted above the horizontal plane. The United States Military has requested this special designation for OLF Whitehouse because of its special fleet carrier landing practice mission.

### **Industrial Zones**

The subject property is located within the "Industrial Situational Compatibility" Zone. "Situational Compatibility" Zone area is identified on the Industrial Preservation Map (Map L-23) of the Future Land Use Map series of the Future Land Use Element of the 2030



Comprehensive Plan as strategically located industrial lands for future industrial expansion and economic development.

#### Future Land Use Element

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

Policy 3.2.30 The area shown on the Industrial Preservation Map (Map L-23) as “Industrial Sanctuary” or “Areas of Situational Compatibility” are presumed to be appropriate for land use map amendments to industrial categories, subject to a case-by-case review of consistency with State and regional plans and the Comprehensive Plan.

#### **Archaeological Sensitivity**

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

#### Historic Preservation Element

Policy 1.2.6 The Planning and Development Department shall maintain and update for planning and permitting purposes, a U.S.G.S. series of topographic maps upon which recorded archaeological sites are shown.

#### **PROCEDURAL COMPLIANCE**

Upon site inspection by the Planning and Development Department on July 14, 2022, the required notices of public hearing signs were posted. Nineteen (19) 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 18, 2022. No members of the public were in attendance.

## CONSISTENCY EVALUATION

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

#### Future Land Use Element (FLUE)

##### *Development Area*

*Urban Development 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 Urban Priority Development Area (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 1.1.10 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.
- Policy 1.1.21 Future amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population of the area and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business consistent with FLUE Policy 1.1.5. The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of

localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.

Policy 1.2.9 Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element

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

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.

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 Statues.

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 Category Descriptions of the Future Land Use Element (FLUE), Low Density Residential (LDR) in the Suburban Development Area is intended to provide for

low-density residential development. Generally, single-family detached housing should be the predominant development typology in this category. Mixed use developments utilizing the Traditional Neighborhood Development (TND) concept, which is predominantly residential but includes a broad mixture of secondary recreational, commercial, public facilities and services may also be permitted. Residential development is permitted at up to seven (7) dwelling units per acre where centralized water and sewer is available.

Light Industrial (LI) land use category 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. Principal uses in the LI category include but are not limited to light assembly and manufacturing, packaging, processing, storage and warehousing.

The subject site is within an Industrial Situational Compatibility Zone. Per FLUE Policy 3.2.30, sites within such zones are presumed to be appropriate for land use map amendments to industrial categories, subject to a case-by-case review of consistency with State and regional plans and the Comprehensive Plan. The subject site, while in an industrial compatibility zone, is on a block designated LDR and is surrounded to the north and west by both occupied and unoccupied single-family homes. Additionally, access to the site is via a road that narrowly accommodates two cars side by side. Thus, the land use change is in conflict with FLUE Goal 1 and Policies 1.1.10 and 3.2.30.

According to a JEA availability letter, dated July 17, 2022, there is a 12-inch water main and a 4-inch sewer force main approximately 950 feet from the subject site. The subject site will need to access central water and central sewer to be consistent with Policy 1.2.9.

The proposed amendment would provide additional LI designated land near existing industrial areas, beyond LDR uses, east of the subject site. The small-scale amendment to take 3.04 acres from LDR to LI would support real estate market flexibility for industrial uses. However, analysis of the surrounding area demonstrates that changing the land use to LI is premature due to the surrounding development. Thus, the proposed amendment is inconsistent with FLUE Policies 1.1.5, 1.1.21, and 3.2.1.

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 Consistency**

The application site lies within the boundary of the Northwest Vision Plan. The plan does not identify specific recommendations for the subject site. A focus of the plan is to create centers to increase development and redevelopment within the district while protecting existing neighborhoods. The proposed infill redevelopment promotes a use inconsistent

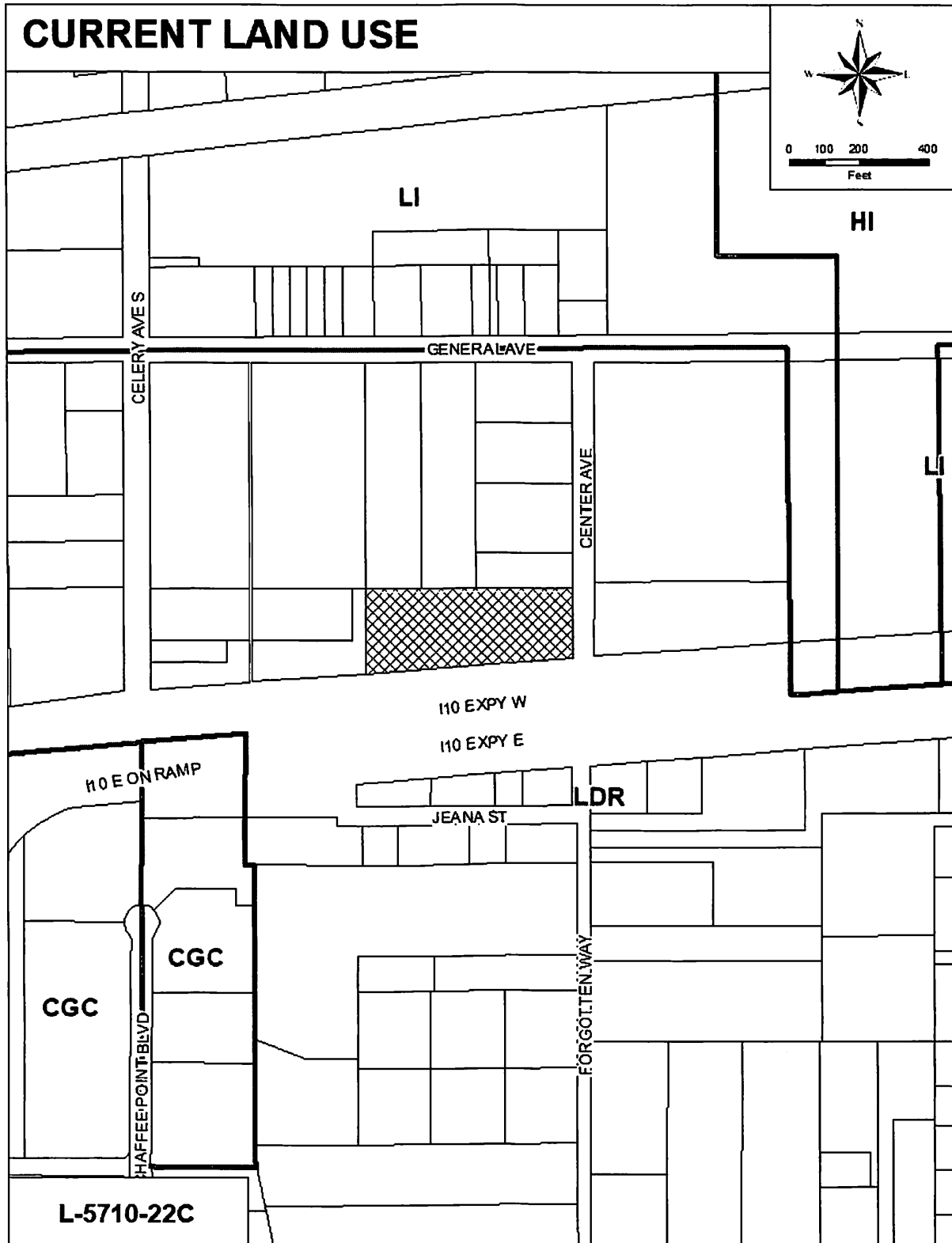
use with abutting and surrounding uses and intrudes into the existing neighborhood. Therefore, the amendment is inconsistent with the Vision Plan.

**Strategic Regional Policy Plan**

While the plan does not address the site specifically, the land use amendment aligns with the following goal of the SRPP:

Goal: Our region is the top destination for opportunity and investments, making it the highest performing economy in the nation.

# CURRENT LAND USE AMENDMENT MAP



**LAND USE AMENDMENT LAND UTILIZATION MAP**

