

# City of Jacksonville, Florida

*Lenny Curry, Mayor*

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

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. 2022-483/Application No. L-5719-22C**

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 2022-483 on August 4, 2022.

P&DD Recommendation	APPROVE
PC Issues:	None
<b>PC Vote:</b>	<b>7-0 APPROVE</b>

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

Planning Commission Report  
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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*

Kristen D. Reed, AICP  
Chief of 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 – July 29, 2022

**Ordinance/Application No.:** 2022-483 / L-5719-22C

**Property Location:** 3701 Buckman Street between 27<sup>th</sup> Street and 28<sup>th</sup> Street

**Real Estate Number(s):** 131742-0000

**Property Acreage:** 0.09 of an acre

**Planning District:** District 1, Urban Core

**City Council District:** District 7

**Applicant:** Zach Waton Miller, Esquire

**Current Land Use:** Neighborhood Commercial (NC)

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

**Development Area:** Urban Priority Area

**Current Zoning:** Commercial Neighborhood (CN)

**Proposed Zoning:** Residential Low Density-40 (RLD-40)

***RECOMMENDATION: APPROVE***

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

The property is a vacant lot of record which was platted for residential. All of the properties around the property are developed with single family residential.

**BACKGROUND**

The 0.09 of an acre subject site is a lot of record located at the southeast quadrant of the intersection of Buckman Street and 27<sup>th</sup> Street and between 27<sup>th</sup> Street and 28<sup>th</sup> Street. According to the City's Functional Highways Classification Map, Buckman Street and 27<sup>th</sup> Street are local roadways. While, the land use application site is within the Neighborhood Commercial (NC) land use category, this area is surrounded by properties in the the Low Density Residential (LDR) land use category. Access to the site can be either from 27<sup>th</sup> Street or Buckman Street.

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 NC to LDR in order to allow the property to be used for a single family dwelling. A companion rezoning application is pending concurrently with the land use application via Ordinance 2022-484, which seeks to change the zoning district from Commercial Neighborhood (CN) to Residential Low Density-40 (RLD-40).

Currently the site is vacant. Surrounding the property there are two stores in the NC land use category and a mix of single family dwellings, multi-family dwellings, churches, and vacant undeveloped lots in the surrounding LDR land use category.

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

North: Land Use: NC, LDR, Medium Density Residential (MDR), Light Industrial (LI) and Heavy Industrial (HI)  
Zoning: CN, RLD-60, Residential Medium Density-A (RMD-A), Industrial Light (IL), and Industrial Heavy (IH)  
Property Use: Retail store, single-family dwellings, multi-family dwellings, service garage, church, warehouse, light manufacturing, lumber yard and vacant undeveloped land.

South: Land Use: LDR  
Zoning: RLD-60  
Property Use: Single-family dwellings, multi-family dwellings and vacant undeveloped land.

East: Land Use: LDR  
Zoning: RLD-60  
Property Use: Single-family dwellings, multi-family dwelling and vacant undeveloped land.

West: Land Use: NC, LDR and MDR  
Zoning: CN, RLD-60 and Residential Medium Density-B (RMD-B)  
Property Use: Single family dwellings, multi-family dwellings, church and vacant undeveloped land.

## **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.

Where there is not an associated site specific policy or note on the Annotated FLUM, the impact assessment incorporates supplemental information for non-residential land use

categories that permit residential uses in order to assess the potential impacts. Supplemental information related to these impacts are depicted as scenario 2 in the Impact Assessment Baseline Review Table and, as relevant, in the analysis following the table.

## **Land Use Amendment Impact Assessment**

### **Land Use Amendment Impact Assessment - Application Number L-5719-22C**

<b>Development Analysis:</b>		<b>0.09 of an acre</b>
Development Boundary	Urban Priority Area	
Roadway Frontage Classification / State Road	Buckman Street – Local road 27th Street East – Local road	
Plans and/or Studies	Urban Core Vision Plan (June 2010)	
Site Utilization	Current: Vacant	Proposed: Residential
Land Use / Zoning	Current: NC / CN	Proposed: LDR / RLD-40
Development Standards for Impact Assessment	Current: Scenario 1: 0.45 FAR Scenario 2: 0.45 (10% non-residential) and 30 DUs/acre (90% residential)	Proposed: 5 single family dwelling units / acre
Development Potential	Current: Scenario 1: 1,764 sq. ft. of commercial space Scenario 2: 176 sq. ft. of commercial space and 2 multi-family DUs	Proposed: 1 single family dwelling unit
Net Increase or Decrease in Maximum Density	Scenario 1: Increase of 1 dwelling unit Scenario 2: Decrease of 1 dwelling unit	
Net Increase or Decrease in Potential Floor Area	Scenario 1: Decrease of 1,764 sq. ft. Scenario 2: Decrease of 176 sq. ft.	
Population Potential	Current: Scenario 1: 0 people Scenario 2: 4 people	Proposed: 2 people
<b>Special Designation Areas</b>		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	No	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	Low Sensitivity	
Historic District	No	
Coastal High Hazard	No	
Adaptation Action Area	No	
Groundwater Aquifer Recharge Area	Discharge area	
Evacuation Zone	Zone C	
Wellhead Protection Zone	No	

<b>Development Analysis:</b>		<b>0.09 of an acre</b>
Boat Facility Siting Zone	No	
Brownfield	Yes; Brownfields study area	
<b>Public Facilities</b>		
Potential Roadway Impact	Scenario 1: No increase in daily trips Scenario 2: No increase in daily trips	
Potential Public School Impact	De minimus	
Water Provider	JEA	
Potential Water Impact	Scenario 1: Increase of 70.0 gpd Scenario 2: Decrease of 223.6 gpd	
Sewer Provider	JEA	
Potential Sewer Impact	Scenario 1: Increase of 52.5 gpd Scenario 2: Decrease of 167.7 gpd	
Potential Solid Waste Impact	Scenario 1: Decrease of 3.672 tons per year Scenario 2: Decrease of 3.227 tons per year	
Drainage Basin/Sub-basin	Drainage Basin – St. Johns River, upstream from Trout River Sub-drainage Basin – St. Johns River	
Recreation and Parks	Russell "Bill" Cook Jr. Park	
Mass Transit Access	Bus stop #2700, 27th Street and Buckman Street; Route 11	
<b>Natural Features</b>		
Elevations	19 above mean sea level	
Land Cover	1300 – Residential, high density	
Soils	(71) Urban land-Leon-Boulogne complex	
Flood Zones	No	
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 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 established shall continue to be based on JEA's Water, Sewer and Reuse for New Development Projects document (latest edition).

A JEA availability letter dated March 8, 2022, is included in the companion rezoning application. The letter indicates that an 8-inch water main and an 8-inch gravity sewer main within the 27<sup>th</sup> Street right-of-way. In addition, there is an 8-inch water main and an 8-inch gravity sewer main within the Buckman Street right-of-way.

## Transportation

### Background Information:

The subject site is 0.09 of an acre and is accessible from Buckman Street and 27<sup>th</sup> Street East, both unclassified facilities. The proposed land use amendment is located within the Urban Priority Development Area and Mobility Zone 9. The applicant proposes to change the existing land use from Neighborhood Commercial (NC) to Low Density Residential (LDR).

### 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 165 or 29 daily trips, depending on the scenario. If the land use is amended to allow for this proposed LDR development, this will result in 9 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**  
**Daily Trip Generation Estimation Scenarios**

Existing Land Use-Scenario 1	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
NC	814	3,920 SF	T = 63.66 (X) / 1000	250	85	165
				<b>Total Trips for Existing Scenario 1 Land Use</b>		<b>165</b>
Existing Land Use-Scenario 2	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
NC- N	814	392 SF	T = 63.66 (X) / 1000	25	9	16
NC- R	220	2 MF DUs	T = 6.74 (X)	13	0	13
				<b>Total Trips for Existing Scenario 2 Land Use</b>		<b>29</b>
Proposed Land Use	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
LDR	210	1 SF DUs	T= 9.43 (X)	9	0	9
				<b>Total Trips for Proposed Land Use</b>		<b>9</b>
				<b>Scenario 1 Difference in Daily Trips</b>		<b>0</b>
				<b>Scenario 2 Difference in Daily Trips</b>		<b>0</b>

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

### School Capacity

While the proposed amendment includes a residential component, the site will generate fewer than 20 residential units. 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 1.2.6 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.

### Brownfield Area

The property is located within the Downtown Brownfield Pilot Area. The City of Jacksonville designated properties in the downtown area as a Pilot Program Brownfield Area by City Council Resolution Number 2000-125-A. The property owner may request the property be designated as a Brownfield Site. 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. The property owner may qualify for tax credits.

### **Evacuation Zone**

The subject site is within Evacuation Zone C. 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. Per EPD, no impacts to countywide evacuation times are anticipated from the amendment proposed in L-5719-22C. Proximity to Martin Luther King Jr. Parkway indicates sufficient access to evacuation routes (I-295 and I-95). Site design techniques that minimize disruption to existing traffic flow are encouraged

### **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 July 15, 2022, the required notices of public hearing signs were posted. Eighty-four (84) 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 July 18, 2022, for the adoption of the small-scale land use amendment. Other than the applicant, no members of the public were present.

## **CONSISTENCY EVALUATION**

### **Consistency with 2030 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 that 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 further described in each land use plan category. 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 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 for sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.
- Policy 1.1.21 Future amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population of the area and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business consistent with FLUE Policy 1.1.5. The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.
- Policy 1.1.22 Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.
- Policy 1.2.9 Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area may be permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.
- Goal 3 To achieve a well-balanced and organized combination of residential, non-residential, recreational, and public uses served by a convenient

and efficient transportation network while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

**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 the citizens. 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 2030 Comprehensive Plan and Land Development Regulations.

**Policy 3.1.6** The City shall provide for the 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

**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.

The NC land use category in the Urban Priority Area is a category primarily intended to provide commercial retail and service establishments which serve the daily needs of nearby residential neighborhoods. These uses shall generally be located within walking distance of residential neighborhoods in order to reduce the number of Vehicles Miles Traveled. All uses should be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and

compatibility with adjacent residential neighborhoods. Multi-family integrated with a permitted use is permitted at up to 40 dwelling units per acre.

According to the Category Descriptions of the Future Land Use Element (FLUE), LDR in the Urban Priority Area is intended to provide for low density residential development. Further, it is intended to promote neighborhoods in need of redevelopment and to provide a compact single-family development typology that is supportive of transit, neighborhood commercial uses and services. In these instances, the category provides a higher density than LDR in other Development Areas of the City. The application of this higher density should be supported by a neighborhood plan or study. Single-family residential is permitted at up to 7 dwelling units per acre.

A JEA availability letter dated March 8, 2022, is included in the companion rezoning application. The letter indicates that an 8-inch water main and an 8-inch gravity sewer main within the 27<sup>th</sup> Street right-of way. In addition, there is an 8-inch water main and an 8-inch gravity sewer main within the Buckman Street right-of-way. Therefore, FLUE Policy 1.2.9 is satisfied.

The site is currently undeveloped and surrounded by a mix of uses in the NC and LDR land use categories. Single-family and undeveloped residential land uses are the dominate uses surrounding the site. This site has access to urban services and access to mass transit is through the Jacksonville Transportation Authority bus routes 11 (Stop #2700). The infill development will continue the development trends in an area that has existing infrastructure. The proposed amendment to LDR maintains a balance of uses in the area and is a logical and compatible extension of the abutting LDR land use. Therefore, the amendment is consistent with FLUE Goals 1 and 3 and Policy 1.1.22.

The proposed amendment to LDR would allow for increased housing options within the Urban Priority Development Area of the Urban Core Planning District, and as such, it is consistent with FLUE Objective 3.1 and Policy 3.1.6.

The 0.09 of an acre subject site will have a negligible impact on the amount of land needed to accommodate single-family residential uses, and the proposed amendment from NC to LDR maintains a balance of uses in the area. For these reasons the proposed amendment is consistent with FLUE Policies 1.1.5 and 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.

### **Urban Core Vision Plan**

The application site lies within the boundary of the Urban Core Vision Plan (June 2010). The plan does not identify specific recommendations for the subject site. However, the proposed land use amendment to LDR appears to be consistent with Guiding Principle

Two, Sub-Principle 2.1 and 2.2 of the Plan allowing for infill development and the creation of housing opportunities and choices.

**Strategic Regional Policy Plan**

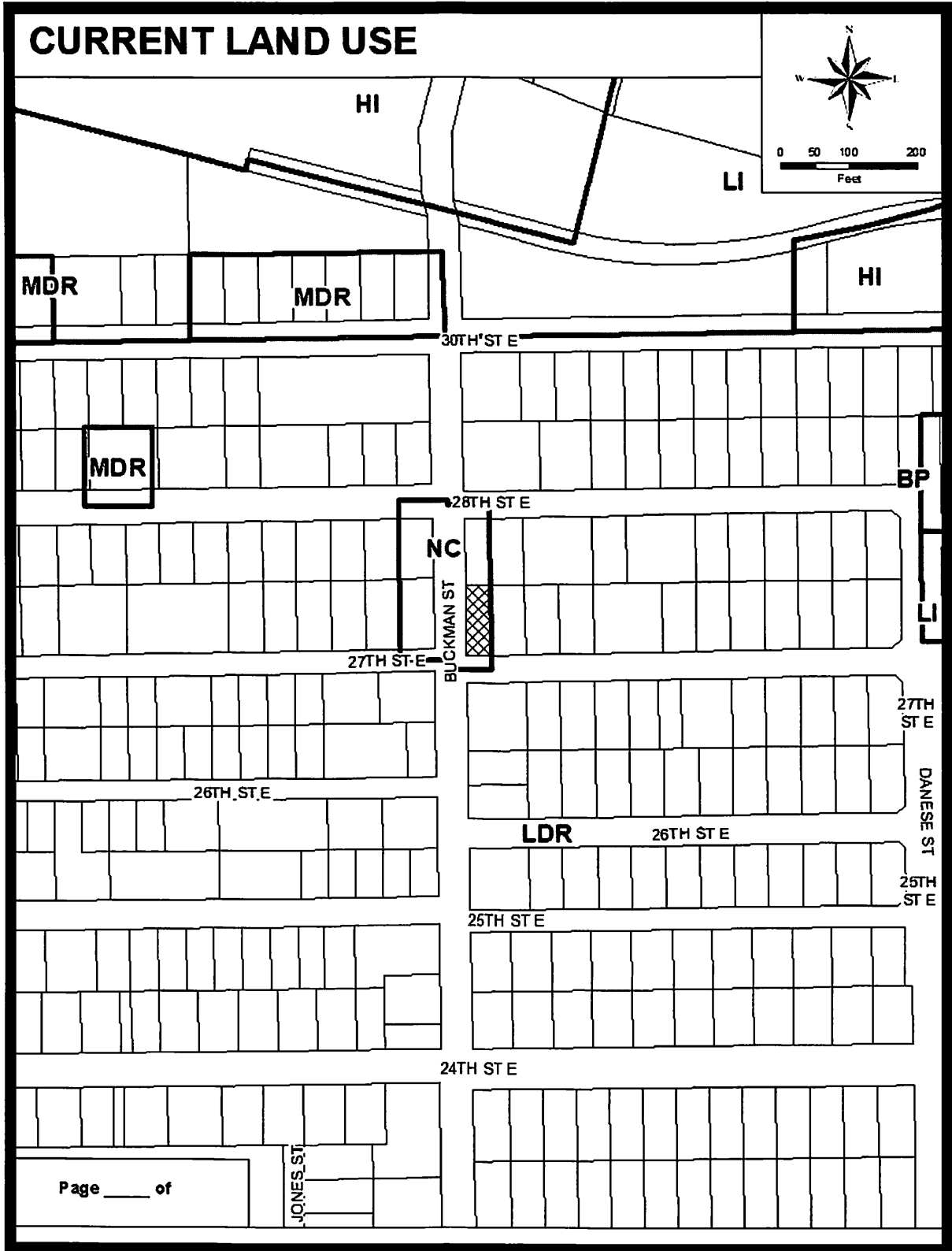
The proposed amendment is consistent with the following Objective and Policy of the Strategic Regional Policy Plan, Regional Health Subject Area:

**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 is consistent with Policy 21 of the Regional Health Subject Area as it encourages providing more housing options in the Urban Core Planning District.

# CURRENT LAND USE MAP



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# LAND UTILIZATION MAP

