

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

May 4, 2023

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. 2023-225/Application No. L-5779-22C

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 2023-225 on May 4, 2023.

P&DD Recommendation DENY

PC Issues: There were no speakers in opposition to the amendment. The Commission discussed the mixed industrial and residential characteristics of the area, the proximity of the amendment site to Heavy Industrial land, and concerns about the proximity of Light Industrial to single-family dwellings.

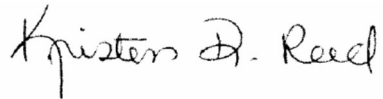
PC Vote: 6-0 APPROVE

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

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

Kristen D. Reed, AICP
Chief of Community Planning Division
City of Jacksonville - Planning and Development Department
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Report of the Jacksonville Planning and Development Department

Large-Scale Future Land Use Map Amendment – April 28, 2023

Ordinance/Application No.: 2023-225 / L-5779-22C

Property Location: 340 Beverly Lane, between Lane Avenue S. and Beverly Lane.

Real Estate Number(s): 005240 0000

Property Acreage: 0.67 acres

Planning District: District 5, Northwest

City Council District: District 10

Applicant: Chris Hagan

Development Area: Urban Development Area

Current Land Use: Community/General Commercial (CGC)

Proposed Land Use: Light Industrial (LI)

Current Zoning: Commercial Community/General–1 (CCG-1)

Proposed Zoning: Industrial Light (IL)

RECOMMENDATION: Deny

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

Expand existing operations. Industrial use across the street.

BACKGROUND

The 0.67-acre subject site is located along the west side of Beverly Lane, a local roadway between Lane Avenue South and Beverly Lane. The property is located in the Northwest Planning District (5), Council District 10, within the Situational Compatibility Zone and in the Urban Development Area as identified in the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

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

Community/General Commercial (CGC) to Light Industrial (LI), with a companion rezoning application from Commercial Community/General-1 (CCG-1) to Industrial Light (IL) to allow the expansion of industrial uses. The companion rezoning, Ordinance 2023-226, is pending concurrently with this application.

Currently, the amendment site is vacant land that abuts commercial, residential and industrial uses within the Community/General Commercial and Heavy Industrial (HI) land use categories. Further details are provided below.

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

North: Land Use: CGC and Heavy Industrial (HI)
Zoning: CCG-1 and Industrial Heavy (IH)
Property Use: Single-Family, Warehouse, Vacant, Utility building, Office, Convenience store

South: Land Use: CGC and Light industrial (LI)
Zoning: CCG-1 and IL
Property Use: Single-Family, Warehouse, Vacant, Restaurant, Gas station, Office, Light manufacturing, Motel

East: Land Use: HI
Zoning: IH
Property Use: Warehouse, Office, Vacant, Single-Family

West: Land Use: CGC
Zoning: CCG-1
Property Use: Office, Convenience store, Vacant, Parking lot, Single-Family

IMPACT ASSESSMENT

Potential impacts of a proposed land use map amendment have been analyzed by comparing the Development Impact Standards for the subject site's existing vs. proposed land use categories unless maximum density/intensity is noted on the Annotated FLUM or is in a site-specific policy. Development Impact Standards are detailed in FLUE Policy 1.2.16, *Development Standards for Impact Assessment*. These standards produce development potentials as shown in this section.

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.

Impact Assessment Baseline Review

Land Use Amendment Impact Assessment - Application Number L-5779-22C

Development Analysis		
Development Boundary	Urban Area	
Roadway Frontage Classification / State Road	Beverly Lane, Local roadway	
Plans and/or Studies	Northwest Vision Plan	
Site Utilization	Current: Commercial	Proposed: Industrial
Land Use / Zoning	Current: CGC/CCG-1	Proposed: LI/IL
Development Standards for Impact Assessment	Current: Scenario 1: 0.35 FAR Scenario 2: 80% residential at 30 units/acre and 20% non-residential at 0.35 FAR	Proposed: LI: 0.4 FAR
Development Potential	Current: Scenario 1: 10,214 sq. ft. of commercial space Scenario 2: 2,042 ft. of commercial space and 16 multi-family DUs	Proposed: Scenario 1: 11,674 sq. ft. of industrial space
Net Increase or Decrease in Maximum Density	Scenario 1: No change Scenario 2: Decrease of 16 DU	
Net Increase or Decrease in Potential Floor Area	Scenario 1: Increase of 1,460 sq. ft. Scenario 2: Increase of 9,632 sq. ft.	
Population Potential	Current: 37 People	Proposed: 0 People
Special Designation Areas		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Evacuation Zone	Zone D	
Airport Environment Zone	300' Height Restriction Zone for the Herlong Recreational Airport	
Industrial Preservation Area	Situational Compatibility	
Cultural Resources	No	
Archaeological Sensitivity	Low and High Sensitivity	
Historic District	No	
Coastal High Hazard	No	

Development Analysis	
Adaptation Action Area	Yes
Groundwater Aquifer Recharge Area	Discharge
Wellhead Protection Zone	No
Boat Facility Siting Zone	No
Brownfield	No
Public Facilities	
Potential Roadway Impact	No net new daily trips
Potential Public School Impact	De minimis impact
Water Provider	JEA
Potential Water Impact	Scenario 1: Decrease of 88.1 gpd
Sewer Provider	JEA
Potential Sewer Impact	Scenario 1: Decrease of 66 gpd
Potential Solid Waste Impact	Scenario 1: Increase of 19.84 tpy
Drainage Basin/Sub-basin	Ortega River/Cedar River
Recreation and Parks	No
Mass Transit Access	JTA bus route 13
Natural Features	
Elevations	14 to 15 feet above mean sea level
Land Cover	1200: Residential, medium density
Soils	51: Pelham Fine Sand
Flood Zones	0.2 Pct Annual Chance Flood Hazard 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).

No JEA letter was submitted with the companion zoning application for this subject site. According to the City's GIS Infrastructure Map there is a 2-inch water main within the Beverly Lane right-of-way along the property line. In addition, there is a 4-inch sanitary sewer main within the Highway Avenue right-of-way.

According to Florida Statutes Chapter 381, construction permits may not be issued for an onsite sewage treatment and disposal system in any area used or zoned for industrial or manufacturing purposes where a publicly owned or investor owned sewage treatment system is available (located within one-fourth mile) or where the system will receive toxic, hazardous, or industrial waste. The applicant should contact the Florida Department of Environmental Protection for additional information.

Transportation

The subject site is .67 acres and is accessible from Beverly Lane, an unclassified facility. The proposed land use amendment is located within the Urban Development Area and Mobility Zone 9. The applicant proposes to change the existing land use from Community General Commercial (CGC) to Light Industrial (LI).

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).

Objective 2.4 of the Transportation Element (TE) of the 2030 Comprehensive Plan requires that 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 1.2.1 of the TE of the 2030 Comprehensive Plan requires the City to 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.

Policy 2.4.2 of the TE of the 2030 Comprehensive Plan requires that 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.

These Comprehensive Plan policies ensure that the transportation impact related to land use amendments are captured in the Long Range Transportation Plan (LRTP) that is conducted every 5 years. This analysis includes the cumulative effect of all land use amendments that were approved within this time period. This plan identifies the future transportation needs and is used to create cost feasible roadway needs that can be funded by the City's Mobility Strategy Plan.

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 334 or 175 daily trips, depending on the scenario. If the land use is amended to allow for this proposed LI development, this could result in 57 daily trips.

Transportation Planning Division RECOMMENDS the following:

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

Table A

Trip Generation Estimation Scenarios

Existing Land Use-Scenario 1	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC	822	10,214 SF	$T = 54.45(X) / 1000$	556	222	334
Existing Scenario 1 Total						334
Existing Land Use-Scenario 2	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
CGC- N	822	2,042 SF	$T = 54.45(X) / 1000$	111	44	67
CGC- R	220	16 MF DUs	$T = 6.74(X)$	108	0	108
Existing Scenario 2 Total						175
Proposed Land Use-Scenario	ITE Land Use Code	Potential Number of Units	Estimation Method	Gross Trips	Less Pass-By Trips	Daily Trips
LI	110	11,674 SF	$T = 4.87(X) / 1000$	57	0	57
Proposed Scenario Total						57
Scenario 1 Difference in Daily Trips						0
Scenario 2 Difference in Daily Trips						0

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

School Capacity

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

Industrial Zone

The subject property is located within the “Industrial Situational Compatibility” Zone. “Industrial Sanctuary” and “Industrial Situational Compatibility” Zones are areas 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.

Airport Environment Zone

The site is located within the 300-foot Height and Hazard Zone for the Herlong Recreational Airport. Zoning will limit development to a maximum height of 300', 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.

Evacuation Zone

Although the subject site does not have a proposed residential component it is within Evacuation Zone D. As such, the land use application was not routed to the City's Emergency Preparedness Division (EPD) for review and comment.

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.

Adaptation Action Area (AAA)

The City of Jacksonville implemented the 2015 Peril of Flood Act (Chapter 2015-69, Laws of Florida) by establishing an Adaptation Action Area (AAA). The AAA boundary is an area that experiences coastal flooding due to extreme high tides and storm surge. The area is vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure needs and adaptation planning. Ordinance 2020-732-E expands the AAA boundaries to those areas within the projected limits of the Category 3 storm surge zone and those contiguous areas of the 100-year and 500-year Flood Zones.

The entire subject site is within the Adaptation Action area and subject to coastal flooding during cataclysmic hurricane storms. The AAA area is within the approximate 22 feet above mean sea level elevation in the nearby location. The City will continue to enforce building standards and requirements to minimize structural damage to property in hazardous coastal areas. Future City expenditures for infrastructure improvements will be limited to meeting the needs of existing residents and resource protection.

Conservation/Coastal Management Element

Policy 11.5.2 The City shall consider the implications of the AAA when reviewing changes to the use, intensity and density of land lying within the AAA.

Future Land Use Element

Policy 1.5.14 In accordance with the Conservation and Coastal Management Element, the City shall encourage environmentally sensitive areas to be placed in a Conservation land use category, Conservation zoning district, and/or conservation easement.

Flood Zones

The entire subject site is located within the (0.2 PCT Annual Chance Flood Hazard. 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 0.2 PCT Annual Chance Flood Hazard 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.

Conservation /Coastal Management Element (CCME)

Policy 2.7.1 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 2.7.3 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 11.3.18 The City shall require all development within the 100-year flood plain to be in strict conformance with all applicable federal, State, regional and local development regulations.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on April 13, 2023, the required notices of public hearing signs were posted. Twenty-Six (26) 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 via Zoom on April 17, 2023. There was no one in attendance to discuss the application.

CONSISTENCY EVALUATION

Consistency with 2030 Comprehensive Plan Goals, Objectives and Policies

Development Area

Urban 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 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.

Future Land Use Element:

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 1.1.22 Futures 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 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.

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 shall 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 description of the Future Land Use Element (FLUE), the general intent of the CGC category is 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 in order to reduce the number of Vehicle Miles Traveled.

CGC in the Urban Area is intended to provide compact development which should generally be developed in nodal and corridor development patterns while promoting the revitalization or advancement of existing commercial districts and the use of existing infrastructure through infill development and redevelopment.

The LI Future Land Use Category is intended to provide 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. Generally, light assembly, manufacturing, packing, processing, and storage/warehousing are principal uses in this category.

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 site is accessed by Beverly Lane, which is a single-lane, unmarked local road that dead ends 300 feet south of the amendment site. Beverly Lane is not designed to accommodate industrial traffic and the amendment would result in the potential to increase industrial traffic. Additionally, the amendment site abuts a single-family dwelling and there are no

protections proposed to provide for an appropriate transition of uses. Therefore, the amendment is premature and inconsistent with FLUE Goal 1, Policies 1.1.5, 1.1.10, 1.1.21, and 1.1.22.

No JEA letter was submitted with the companion zoning application for this subject site. According to the City's GIS Infrastructure Map there is a 2-inch water main within the Beverly Lane right-of-way along the property line. In addition, there is a 4-inch sanitary sewer main within the Highway Avenue right-of-way. The applicant proposes to connect to water and sewer. Therefore, the proposed amendment is consistent with FLUE Policy 1.2.9.

Denial of 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.

The proposed amendment was filed as an amendment to the 2030 Comprehensive Plan. However, the 2045 Comprehensive Plan became effective on April 7, 2023. Staff considered changes implemented under the 2045 Comprehensive Plan and finds that review of the amendment under the 2045 comprehensive Plan would result in the same conclusion of inconsistency.

Northwest Jacksonville Vision Plan (2003)

The site is located within the boundary of the Northwest Jacksonville Vision Plan area. 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. However, the Vision Plan has no recommendations for converting commercial land into industrial lands.

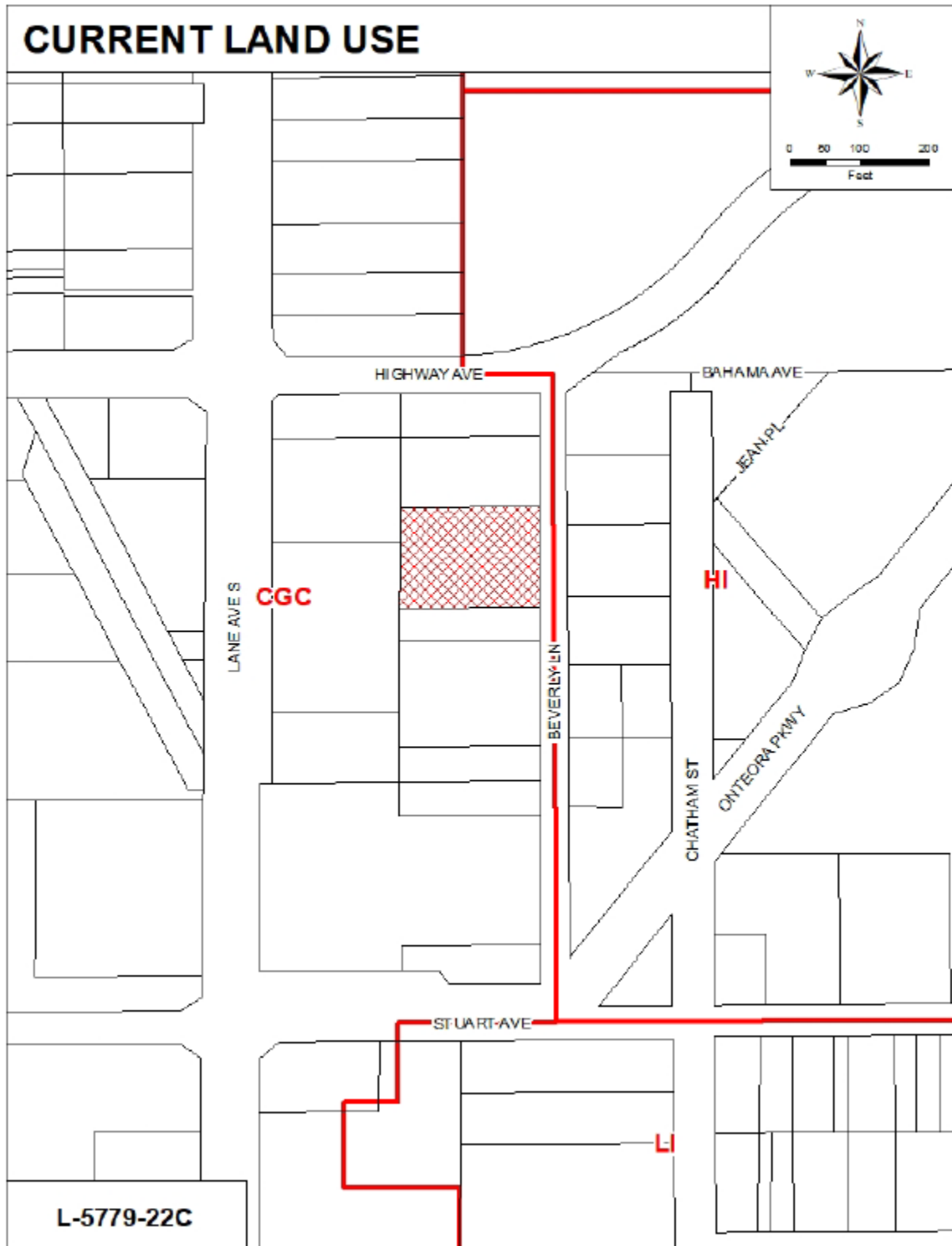
Strategic Regional Policy Plan

The proposed amendment is consistent with the following Policy of the Strategic Regional Policy Plan, Economic Development Element:

Goal 2.3 An environment that is conducive to the creation and relocation of new businesses as well as the expansion of existing businesses in the northeast Florida region.

The proposed land use amendment to LI promotes an environment that is conducive to the creation of new business thereby providing an opportunity to further local economic growth. Therefore, the proposed amendment is consistent with Goal 2.3 of the Strategic Regional Policy Plan, Economic Development Element

LAND USE MAP L-5779-22C



LAND UTILIZATION MAP L-5779-22C

