

City of Jacksonville, Florida

Donna Deegan, Mayor

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

July 18, 2023

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.: 2023-330**

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
Alex Moldovan, Chair	Aye
Ian Brown, Vice Chair	Aye
Jason Porter, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Aye
Jordan Elsbury	Aye
David Hacker	Aye
Morgan Roberts	Aye

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

Sincerely,



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@coj.net

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FO

APPLICATION FOR REZONING ORDINANCE 2023-0330

June 22, 2023

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 **2023-0330**.

Location: 0 Lane Avenue South

Real Estate Number: 011778-0005

Current Zoning District: Residential Medium Density-D (RMD-D)
Commercial Community/General-1 (CCG-1)

Proposed Zoning District: Public Buildings and Facilities-1 (PBF-1)

Current Land Use Category: Medium Density Residential (MDR)
Community General Commercial (CGC)

Planning District: Southwest, District 4

Applicant/Owner: City of Jacksonville
214 North Hogan Street, Suite 300
Jacksonville, FL 32202

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2023-0330 (Z-4916)** seeks to rezone approximately 2.30± acres of property from Residential Medium Density-D (RMD-D) and Commercial Community/General-1 (CCG-1) to Public Buildings and Facilities-1 (PBF-1) to allow for a Fire Station. The Planning and Development Department finds that the subject property is located in the Medium Density Residential (MDR) and Community/General Commercial (CGC) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part 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. The 2.30 acre subject site is located west of Lane Avenue South and north of Lenox Avenue. According to the Functional Highway Classification system, Lenox Avenue is a collector roadway and Lane Avenue South is a minor arterial roadway. The site is in Planning District 4, Council District 10, and is in the Urban Priority Area. The site is also in the CGC and MDR land use categories. The applicant seeks to rezone the property from RMD-D & CCG-1 to PBF-1 to allow for the construction of a new fire station.

Urban Priority Area (UPA): The UPA is the first tier Development Area and generally includes the historic core of the City and major connecting corridors. The intent of the UPA is to encourage revitalization and the use of existing infrastructure through redevelopment and infill development at urban densities which are highly supportive of transit and result in the reduction of per capita greenhouse gas emissions and vehicle miles traveled. Development is expected to employ urban development characteristics as defined in this Plan. The UPA does not include the Central Business District Land Use Category boundaries.

Public buildings such as the proposed Fire Station are allowed as a secondary use in the MDR and CGC land use categories.

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

Policy 1.1.8

Require public and private infrastructure facilities to be located and designed in a manner that complements surrounding development.

The subject property is located around commercial and residential properties, while serving as a public facility. There are a variety of zoning districts and uses in the area. This variety of zoning districts and uses follows Policy 1.1.8 of the Land Use Element.

Objective 1.6

The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

The subject property is on vacant land and surrounded by vacant land. There is infrastructure in the area, though. The addition of the fire station will utilize the land and service the residents in the area.

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.

As stated above, Goal 3 is followed by the several different zoning districts and uses around this proposed fire station.

The proposed rezoning has been identified as being related to the following issues identified in the 2045 Comprehensive Plan. Based on this relationship, the rezoning application should be carefully evaluated for consistency or inconsistency with the following issues and related goals, objectives and/or policies:

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

Future Land Use Element

Objective 2.6

Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities in accordance with requirements of Section 163.3177, F.S.

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low, medium, 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 1.2.5

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.

Wetlands

Review of City data indicates the potential existence of wetlands on the subject site. The Department reviewed aerials, soils and elevations to determine quality and functional value of the wetlands. Based on the information noted below, the proposed amendment is consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

Wetlands Characteristics:

Approximate Size: 5.33 acres

General Location(s): Category II – The wetlands are located on the western side of the property buffering Cedar River and are part of a larger wetland system north and south of the application site.

Quality/Functional Value: Category II- The wetland has a high functional value for water filtration attenuation and flood water capacity and has a direct impact on the City's waterways.

Soil Types/

Characteristics: Category II - (67) Surrency Loamy fine sand - The Surrency series consists of nearly level, very poorly drained soils. In areas flood plains. The high water table generally is at or above the soil surface for very long periods.

Wetland Category: Category II

Consistency of
Permitted Uses: All permitted uses must meet CCME Policies 4.1.3 and 4.1.5

Environmental Resource
Permit (ERP): Not provided by the applicant.

Wetlands Impact: None proposed at this time.

Associated Impacts: Wetlands are within the AE-Floodway, AE Flood Zone and X Flood Zone (0.2 Percent Chance Hazard) associated with the Cedar River that drains south into the Ortega River. The wetlands are also located within the Adaptation Action Area.

Relevant Policies:

Conservation/Coastal Management Element

Policy 4.1.3

The following performance standards shall apply to all development, except public utilities and roadways, permitted within Category I, II, and III wetlands:

(a) Encroachment

Encroachment in Category I, II, or III wetlands is the least damaging and no practicable on-site alternative exists; and

(b) No net loss

Development is designed and located in such a manner that there is no net loss to the wetland functions including but not limited to:

- i the habitat of fish, wildlife and threatened or endangered species,
- ii the abundance and diversity of fish, wildlife and threatened or endangered species,
- iii the food sources of fish and wildlife including those which are

threatened or endangered,

iv the water quality of the wetland, and

v the flood storage and flood conveyance capabilities of the wetland;
and

(c) Floodplain protection

Buildings are built at an elevation of sufficient height to meet the designated flood zone standards as set forth by the Federal Emergency Management Agency. The design must be in conformance with Chapter 652 (Floodplain Regulations) of the Ordinance Code; and

(d) Stormwater quality

In the design and review of developments which will discharge stormwater into the Category I, II, or III wetlands the following performance standards shall be used to protect water quality:

i Issuance of a Management and Storage of Surface Waters permit pursuant to Chapter 40C-4 or 40C-40, F.A.C. or a stormwater permit issued pursuant to Chapter 40C-42, F.A.C., provides assurances necessary for compliance with subsections (i) - (iv) above provided the stormwater management system is constructed in accordance with the permit; and

ii Regular monitoring and maintenance program on an annual basis for the performance of stormwater treatment systems

(e) Septic tanks

Septic tanks, drainfields and/or greywater systems are located outside the Category I, II, or III wetland area and not within 75 feet of the mean high water line of tidal bodies or within 75 feet of any wetland unless the Duval County Health Department grants a variance for a hardship case pursuant to the provisions of Section 381.0065, F.S. Where public utilities are available, development is required to connect to these facilities; and

(f) Hydrology

The design of the fill shall include measures to maintain the wetlands hydrology of the site.

Policy 4.1.5

The permitted uses within Category I and II wetlands shall be limited to the following land uses and associated standards, provided such use is consistent with the Future Land Use Map series (FLUMs):

(1) Conservation uses, provided the following standards are met:

(a) Dredge and fill

Dredging or filling of the Category I and II wetlands shall not exceed more than 5% of the wetlands on-site; and

(b) Vegetation

For Category I wetlands:

All native vegetation outside the development area is maintained in its natural state

For Category II wetlands:

No more than 10% of the arial extent of the vegetation outside the development area may be altered or removed; and

(2) Residential uses, provided the following standards are met:

(a) Density/Dredge and fill

Where lots, except for lots of record as defined in the Future Land Use Element, are located totally within the wetlands:

i density shall not exceed one (1) dwelling unit per five (5) acres; and

ii buildings shall be clustered together to the maximum extent practicable; and

iii dredging or filling shall not exceed 5% of the wetlands on-site; and

(b) Vegetation

For Category I wetlands:

All native vegetation outside the development area is maintained in its natural state

For Category II wetlands:

No more than 10% of the arial extent of the vegetation outside the development area may be altered or removed; and

- (3) Water-dependent and water-related uses, provided the following standards are met:

- (a) Vegetation

For Category I wetlands:

All native vegetation outside the development area is maintained in its natural state

For Category II wetlands:

No more than 10% of the arial extent of the vegetation outside the development area may be altered or removed; and

- (b) Boat facilities siting and operation

Boat facilities are further subject to Objectives 10.1, 10.2, 10.3, 10.5 and 10.6 and their related policies of this element.

- (4) Access to a permitted use, subject to the requirements of (a), (b), and (f) as noted in the performance standards outlined in Policy 4.1.3 above.
- (5) Any use which can be shown to be clearly in the public interest, subject to the requirements of (a), (b), (d) and (f) as noted in the performance standards outlined in Policy 4.1.3 above.
- (6) For Category II wetlands only, silvicultural uses are allowed, provided the following standards are met:

Best Management Practices: Silviculture

Such activities are conducted in compliance with the provisions of the "Silvicultural Best Management Practices Manual", as may be amended, published by the Florida Division of Forestry, Department of Agriculture and Consumer Services.

Flood Zones

Approximately 1.98 acres of the subject site is located within the AE-Flood Zone, 4.84 acres within the AE Flood zone and 2.96 acres within Flood Zone X (0.2 Percent Chance Flood Hazard) that are associated with Cedar River. Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). FEMA defines the various flooding characteristics of different lands based on a 100-year storm. The 100-year storm or Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. This does not mean that a storm of this type will happen every 100 years. There is a 1-percent chance that a storm of this magnitude will occur in any given year.

The AE Floodway are areas within the 100-year floodplain or SFHA where flood insurance is mandatory if construction is allowed within the floodway. Areas located within AE Floodway zones should be left intact as construction and filling within these areas is severely restricted.

The AE Flood Zone are areas within the 100-year floodplain or SFHA where flood insurance is mandatory.

The (0.2 PCT Annual Chance Flood Hazard) are 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.

Adaptation Action Area

Approximately 12.29 acres of the amendment site is within the AAA. The AAA boundary is a designation in the City's 2045 Comprehensive Plan which identifies areas that experience coastal flooding due to extreme high tides and storm surge, and that is vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure needs and adaptation planning. The AAA is defined as those areas within the projected limit of the Category 3 storm surge zone, those connected areas of the 100-year and 500-year Flood Zone, and additional areas determined through detailed flood analysis.

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

Manatee Protection Plan Boat Facility Siting Zone

The subject property is located in an area that falls within the jurisdiction of the Manatee Protection Plan Boat Facility Siting Zone. According to the Boat Facility Siting Zones of the Manatee Protection Plan, this portion of Cedar River is in a zone designated as "Unacceptable." Dock construction will be limited to 1 dock per 100 linear feet of shoreline owned. Permits must be approved by the Florida Department of Environmental Protection and the St. Johns River Water Management District.

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 any portion of the City's land use regulations. If approved as recommended by the Staff of the Planning and Development Department, the subject property will be rezoned from Residential Medium Density-D (RMD-D) and Commercial Community/General-1 (CCG-1) to Public Buildings and Facilities-1 to allow for a fire station.

SURROUNDING LAND USE AND ZONING

The subject site is located north of Lenox Avenue, a collector roadway. The subject property is zoned Residential Medium Density-D (RMD-D) and Commercial Community/General-1 (CCG-1), which is currently vacant. Properties to the north, east, and west are zoned CCG-1 all of which are vacant. South of the property is zoned Residential Medium Density-D (RMD-D) and is also vacant land. The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	CGC	CCG-1/PUD	Vacant Commercial
South	MDR	RMD-D	Vacant Residential
East	CGC	CCG-1	Vacant Institute
West	CGC	CCG-1	Vacant Commercial

It is the opinion of the Planning and Development Department that the requested rezoning to PBF-1 will be consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

The Public Hearing signs were posted by the Planning and Development Department, on **June 6, 2023**.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2023-0330** be **APPROVED**.

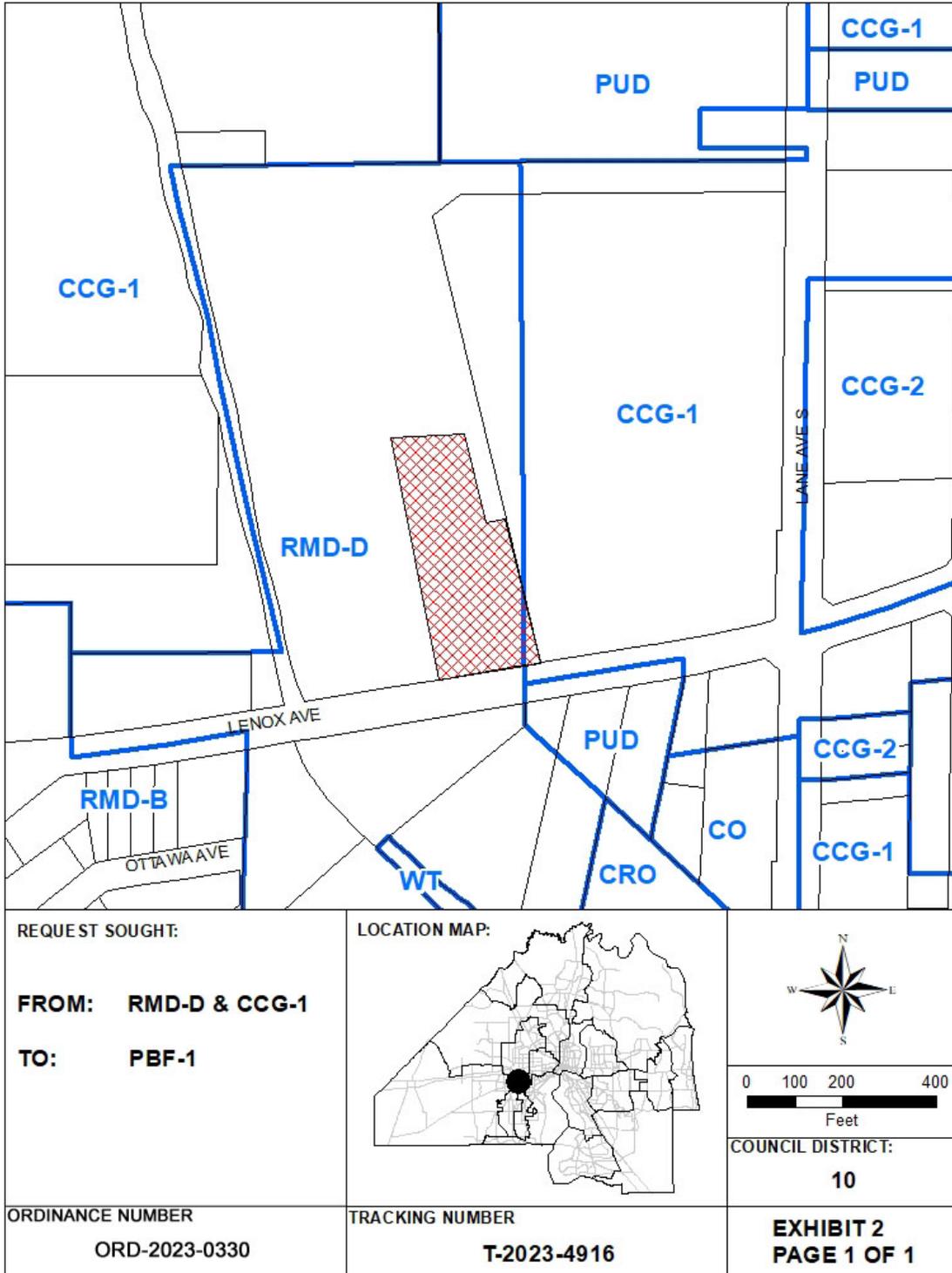


Aerial View



View of Subject Property from Lenox Avenue

Source: Planning and Development Department



Legal Map
 Source: JaxGIS Map