

Staff Report on Proposed 2024B Series Text Amendment to the Future Land Use Element of the 2045 Comprehensive Plan

ORDINANCE 2024-868

Ordinance 2024-868 includes an amendment to the Operative Provisions, Low Density Residential (LDR) and Medium Density Residential (MDR) land use categories of the Future Land Use Element (FLUE) and an amendment to include a Missing Middle Overlay Map in the Future Land Use Map Series of the 2045 Comprehensive Plan.

Key Findings and Staff Recommendation: Denial

While the Planning and Development Department (PDD) supports in concept Ordinance 2024-868, which expands the availability of missing middle housing, the ordinance is misaligned with these ongoing and related efforts:

- PDD's Missing Middle Study. At the direction of the Special Committee of the City Council on Homelessness and Affordable Housing, the PDD has drafted a Missing Middle Study in accordance with the Committee's guidance. Ordinance 2024-868 was generated outside of the process and results in different density recommendations and a different footprint for missing middle housing.
- Land Development Regulations Update. In implementing actions from the *Resilient Jacksonville* report, a significant update of the City's land development regulations is underway, one that will build resilience into the development process. This update is led by a committee of development professionals and community members and chaired by Emily Pierce. The process started in November 2023; the final draft is anticipated by February 2025 and will be routed to Council for adoption. As proposed, the draft land development regulations allow increased densities when resilience is built into projects (through an incentive program). The PDD's Missing Middle Study (above) aligns with the land development regulations update, i.e., it allows increased densities of missing middle housing in low flood-risk areas. Approval of Ordinance 2024-868 would result in the following impacts:
 - negate the investment of considerable time and money expended on the land development regulations process;

- create a lost opportunity to build resilience into future development;
- subject life and property to increased climate hazards; and,
- place increased financial burden on the City resulting from storm events that were not mitigated in advance of the event.

Details of Proposed Text Amendments to the 2045 Comprehensive Plan and Staff Findings

a. Proposed Text Amendment Language (proposed changes underlined)

Development Areas: As depicted on the FLUM series, the City is organized into five tiers of Development Areas ranging from high density in the historic core to very low density in the outlying rural areas. These include: the Central Business District (CBD); the Urban Priority Area (UPA); the Urban Area (UA); the Suburban Area (SA); and the Rural Area (RA). Overlayed on portions of the Urban Priority Area and the Urban Area is the Missing Middle Overlay (Map _____) which allows for increased density to accommodate a diversity of housing options in areas designated low density residential on the future land use map. The Missing Middle Overlay does not apply to the CBD, SA or RA. These Development Areas determine differing development characteristics and a gradation of densities for each land use plan category, as follows:

Staff Findings

- This amendment describes the proposed Missing Middle Overlay Map boundary as including portions of the Urban Priority Area and the Urban Area. This boundary would allow for an increase in density in these areas.
- The proposed Missing Middle Overlay boundaries exclude portions of the Urban Priority and Urban Areas without explanation.
- The Land Development Regulations Update process, described above, will propose a data-based boundary area that is logically appropriate for increased densities. Following are the criteria:
 - Urban Priority and Urban Areas;
 - Lower flood risk areas that are least likely to experience flooding and are not within the boundaries of the Coastal High Hazard Area (CHHA);
 - Areas in proximity to multi-modal transportation;
 - Areas that are not currently part of a zoning overlay; and,
 - Areas with centralized water and sewer services.

- The criteria for the development of the proposed Missing Middle Overlay Map should be provided for PDD to provide an appropriate evaluation.

b. Proposed Text Amendment Language (proposed changes underlined)

LDR – GENERAL USES

The uses provided herein shall be applicable to all LDR sites within all development areas.

Principal Uses

Single family dwellings; Multi-family dwellings, including duplexes, tri-plexes and quad-plexes, where both centralized potable water and wastewater are available to the site;

Staff Findings

- The principal uses of the Low Density Residential (LDR) land use category would be amended to identify specific multi-family typologies allowed in the LDR land use category; these being duplexes, tri-plexes and quad-plexes. However, multi-family development typologies are not limited to duplexes, tri-plexes, and quad-plexes.
- The specified residential typologies included in the proposed text amendment are appropriate for Missing Middle Housing. Supporting the concept of Missing Middle Housing and the addition of duplexes, tri-plexes, and quad-plexes to the allowed uses in the LDR category, Ordinance 2024-516-E which recently approved text amendments to the Comprehensive Plan, includes a definition for Missing Middle Housing, shown below.

Missing Middle Housing - Medium density housing, such as duplexes, fourplexes, cottages, and multiplexes. This type of housing provides opportunities to increase the supply of affordable housing at a form and scale that fits seamlessly between single-family homes and mid- to high-rise multi-family structures.

- Additionally, recent text amendments to the Comprehensive Plan approved for transmittal with Ordinance 2024-516-E includes a Housing Element policy encouraging the development of Missing Middle Housing. The addition of duplexes, tri-plexes, and quad-plexes to the allowed uses in the LDR category, provides consistency with the Missing Middle Housing definition and Housing Element Policy 1.3.4 of the 2045 Comprehensive Plan. The Planning and Development Department supports this portion of the text amendment identified

above. See pending Housing Element Policy 1.3.4 below (recently approved with Ordinance 2024-516-E):

Policy 1.3.4

The City shall promote the construction of Missing Middle Housing and increase the allowed density of future development through zoning reform with the goal of doubling the amount of multifamily zoned land in the City. Potential strategies may include, but are not limited to the following:

- Permitting duplexes, triplexes, and quadraplexes on properties within a “Missing Middle Overlay Area” within the Urban Priority and Urban Development Areas.
- Permitting low density multi-family dwelling units in the Residential Low Density (RLD) Zoning Districts, subject to compliance with the applicable Future Land Use Category.
- Permitting corner-lot duplexes in all residential zoning districts.
- Permitting increased densities in the Residential Medium Density Zoning Districts as provided for in the Medium Density Residential Future Land Use Categories.
- Providing parking reductions for attainable and workforce affordable housing developments located within a 15-minute ped-shed of a mass transit stop or station.

c. Proposed Text Amendment Language (proposed changes underlined)

LDR - DENSITY

Urban Priority Area (UPA) Density

The maximum gross density in the Urban Priority Area shall be 7 units/acre when centralized potable water and wastewater services are available to the site and there shall be no minimum density; except as provided herein.

- *The maximum gross density shall be 25 units per acre when located within the Missing Middle Overlay and served by centralized potable water and wastewater services; except for sites within the Coastal High Hazard Area (CHHA), unless appropriate mitigation is provided consistent with the City’s CHHA policies, the maximum gross density shall be 7 units/acre.*

Urban Area (UA) and Suburban Area (SA) Density

The maximum gross density in the Urban and Suburban Areas shall be 7 units/acre when centralized potable water and wastewater services are available to the site and there shall be no minimum density; except as provided herein.

- *The maximum gross density shall be 20 units per acre in the Urban Areas when located within the Missing Middle Overlay and served by centralized potable water and wastewater services.*

Staff Findings

- The Urban Priority Area (UPA) density in the LDR land use category currently allows a maximum of 7 units per acre. The amendment would allow a maximum of 25 units per acre when the site is located within the boundaries of the Missing Middle Overlay Map and is served by centralized water and wastewater, unless the site is located within the boundaries of the Coastal High Hazard Area (CHHA).
- The Urban Area (UA) density in the LDR land use category currently allows a maximum of 7 units an acre. The amendment would allow a maximum of 20 units per acre when located within the boundaries of the Missing Middle Overlay Map and served by centralized water and wastewater. The proposed Urban Area density for the LDR land use category in the Missing Middle Overlay Area should include the same language as the Urban Priority Area, with regards to the CHHA.
- Density increases should be allowed in appropriate locations to meet the housing needs of the city's growing population. The proposed amendment allows for up to 25 units per acre within the Urban Priority Area (UPA) of the Missing Middle Overlay Map, which more than triples the currently allowed density of 7 units per acre. Currently, the Medium Density Residential (MDR) land use category allows between 20 to 30 units per acre. The proposed increase of up to 25 units per acre in the LDR category is more consistent with a medium density residential typology. The LDR Update process is currently looking at a maximum of 15 units per acre within the target area for those properties in the target area and in the LDR land use category.
- Currently, Policy 1.2.16 of the Future Land Use Element (FLUE) of the Comprehensive Plan includes assumptions for maximum development when analyzing the impacts of amendments to the Future Land Use Map, such as transportation impacts, school capacity, utility capacity, and similar. For density, the impact analysis is generally based on 75% of the maximum allowed. For example, LDR currently allows 7 units per acre; the development impact analysis for properties located within the LDR land use category is calculated at 5 units per acre given

real-world development limitations. The proposed increase in density to 20 and 25 units per acre should include a corresponding amendment to FLUE Policy 1.2.16 to accommodate the increased impact to public services.

- The LDR land use category of the FLUE currently includes language that would allow a density of up to 15 units per acre in areas deemed appropriate by an approved study or plan. The Land Development Regulations Update process is currently considering a density increase of up to 15 units per acre under certain criteria for those properties in the LDR land use category. The allowance of up to 15 units per acre, which is more than double the currently allowed density, is already contemplated within the Comprehensive Plan.
- The proposed density increases for those areas that are in the proposed Missing Middle Overlay Map would undermine the work of the Land Development Regulations Update process. To encourage development in appropriate areas and utilize resilient construction strategies, the Land Development Regulations Update proposes a density bonus for design factors used to increase resilience, manage stormwater, and improve health.
- While the PDD supports increasing the density in suitable areas, the proposed amendment would allow this density increase without any mitigation or flood control efforts from the developer. The Land Development Regulations Update process only allows a density increase when resilient strategies are utilized in construction efforts to decrease flooding potential while accounting for population growth in Jacksonville.

d. Proposed Text Amendment Language (proposed changes underlined)

MDR - DENSITY

Urban Priority Area (UPA) Density

The maximum gross density in the Urban Priority Area shall be 20 units/acre and the minimum gross density shall be greater than 7 units/acre; except as provided herein.

- *The maximum gross density shall be 30 units/acre when the site does not abut land in LDR or RR (unless said land is in the Missing Middle Overlay); except for sites within the Coastal High Hazard Area (CHHA) where the maximum gross density shall*

be 20 units/acre, unless appropriate mitigation is provided consistent with the City's CHHA policies.

Urban Area (UA), Suburban Area (SA), and Rural Area (RA) Density

The maximum gross density in the Urban, Suburban, and Rural Areas shall be 20 units/acre and the minimum gross density shall be greater than 7 units/acre; except as provided herein.

- *For sites located within the Urban Area, the maximum gross density shall be 30 units/acre when the site does not abut land in LDR or RR (unless said land is in the Missing Middle Overlay); except for sites within the Coastal High Hazard Area (CHHA) where the maximum gross density shall be 20 units/acre, unless appropriate mitigation is provided consistent with the City's CHHA policies.*

Staff Findings

- The Urban Priority Area (UPA) and the Urban Area (UA) density descriptions in the MDR land use category currently allow 30 units per acre when the site does not abut land in the LDR or Rural Residential (RR) land use categories. The proposed amendment removes this criterion and allows up to 30 units per acre if the property is located within the boundaries of the proposed Missing Middle Overlay Map, except for those properties located within the boundaries of the CHHA.
- The proposed portion of the amendment stated above supports the pending Missing Middle Housing definition and pending Housing Element Policy 1.3.4 of the 2045 Comprehensive Plan.

e. **Proposed Map – the Missing Middle Overlay Map**

Staff Findings

- The proposed Missing Middle Overlay Map is intended for inclusion in the Future Land Use Map Series of the 2045 Comprehensive Plan. The Missing Middle Overlay Map is identified in the corresponding text amendments as the area where higher density would be allowed for property in the LDR land use category.
- The methodology and criteria used to create the boundaries of the Missing Middle Overlay Map are not provided with the proposed amendment. While a proposed increase in density would be most appropriate in the Urban Priority and Urban Areas of the city, the

proposed Missing Middle Overlay boundaries exclude portions of the Urban Priority and Urban Areas without explanation.

- The Land Development Regulations Update process, as previously described, will propose a data-based boundary area that is logically appropriate for increased densities. Following are the criteria:
 - Urban Priority and Urban Areas;
 - Lower flood risk areas that are least likely to experience flooding and are not within the boundaries of the Coastal High Hazard Area (CHHA);
 - Areas in proximity to multi-modal transportation;
 - Areas that are not currently part of a zoning overlay; and,
 - Areas with centralized water and sewer services.

- At the direction of the Special Committee of the City Council on Homelessness and Affordable Housing, the PDD has drafted a Missing Middle Study in accordance with the Committee's guidance. Ordinance 2024-868 was generated outside of the process and results in different density recommendations and a different footprint for missing middle housing.

- The criteria for the development of the proposed Missing Middle Overlay Map should be provided for PDD to provide an appropriate evaluation.

Addendum to the
Staff Report on Proposed 2024B Series Text Amendment
to the Future Land Use Element of the
2045 Comprehensive Plan

ORDINANCE 2024-868

General Overview: This Addendum to the Planning and Development Department Staff Report includes the Land Development Regulations Update Stakeholder Advisory Committee’s proposed amendments to Ordinance 2024-868.

Staff Recommendation: The Planning and Development Department supports the recommendations of the Stakeholder Advisory Committee.

Background

A significant update of the City’s Land Development Regulations is underway, one that will build resilience into the development process through the implementation actions of the *Resilient Jacksonville* report. The purpose of the update is to increase the supply of housing that is both affordable for the development community and affordable for residents, while ensuring that infill development does not exacerbate flooding challenges or overwhelm infrastructure. This update is led by the Land Development Regulations (LDR) Update Stakeholder Advisory Committee (Committee) that includes development professionals and community members. The process started in November 2023; final recommendations are anticipated in early 2025 and will be routed to City Council for adoption.

The LDR Committee met on December 11, 2024, and December 17, 2024, to discuss potential amendments to Ordinance 2024-868 that would incorporate some of the resilient strategies the Committee has identified to include in the City’s Land Development Regulations in response to their charge. While the Committee will continue the charge to identify and recommend resilient and affordable housing strategies through the Land Development Regulation update, the Committee offers amendments to Ordinance 2024-868 that align with their discussions and recommendations over the past year of the group’s convening.

Below is an overview of the proposed amendments. The proposed amendments are included as an attachment to this summary.

Overview of Committee Recommended Amendments to Ordinance 2024-868

- Replace the geographic area of the Missing Middle Overlay Map, Exhibit 1 to Ordinance 2024-868, with an area that incorporates a boundary resulting from months-long science-based modeling and analysis. This map excludes areas that are at a higher risk for being flood prone and areas where higher densities would be unwarranted, such as the Accident Potential Zone 2 (APZ2). Property included within the amended area has been determined using the following criteria:
 - Located within the Urban Priority, Urban and Suburban Areas;
 - Are lower-flood risk areas that are least likely to experience flooding and are not within the boundaries of the Coastal High Hazard Area (CHHA);
 - Are areas in proximity to multi-modal transportation;
 - Are areas that are not currently part of an adopted zoning overlay; and,
 - Are areas with centralized water and sewer services.
- Amend the text to indicate that the Missing Middle Overlay is applicable to the Urban Priority, Urban and Suburban Areas. Exhibit 1 of Ordinance 2024-868 limits applicable areas for the Missing Middle Overlay to the Urban Priority and Urban Areas.
- Amend the density of the Low Density Residential land use category in the Urban Priority Area to exclude properties within the Missing Middle Overlay from the density increase to 15 dwelling units per acre (DUA) when there is a supporting Council-approved plan or study. The reason for this amendment is because the Missing Middle Overlay Map area would allow for 25 DUA; therefore, this provision is no longer necessary in the Urban Priority Area.
- Amend the density of the Low Density Residential land use category in the Urban Area and Suburban Area to include the same language shown in the Urban Priority Area that references a density increase to 15 DUA when there is a supporting Council-approved plan or study.