

City of Jacksonville, Florida

Lenny Curry, Mayor

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September 9, 2021

The Honorable Samuel Newby, President
The Honorable Rory Diamond, LUZ Chair
And Members of the City Council
117 West Duval Street
Jacksonville, Florida 32202

RE: Planning Commission Advisory Report / Ordinance No. 2021-526/Application No. L-5564-21C

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairman Diamond 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 2021-526 on September 9, 2021.

P&DD Recommendation APPROVE

PC Issues: The Commission noted that the general area is residential and the land use designation should reflect that development pattern.

PC Vote: 5-0 APPROVE

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

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

Sincerely,

Kristen D. Reed

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Report of the Jacksonville Planning and Development Department

Small-Scale Future Land Use Map Amendment – September 3, 2021

Ordinance/Application No.: 2021-526 / L-5564-21C

Property Location: 723 James Street, between Rosselle Street and Gilmore Street

Real Estate Number(s): 063810 0000

Property Acreage: 0.17 of an acre

Planning District: District 5, Northwest

City Council District: District 9

Applicant: Taylor Mejia

Development Area: Urban Development Area

Current Land Use: Light Industrial (LI)

Proposed Land Use: Medium Density Residential (MDR)

Current Zoning: Industrial Light (IL)

Proposed Zoning: Residential Medium Density – B (RMD-B)

RECOMMENDATION: Approve

APPLICANT’S JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

Land Use Amendment to allow for a residential use that would be compatible with other homes in the area.

BACKGROUND

The 0.17 acre subject site is located on James Street, between Rosselle Street and Gilmore Street. According to the City’s Functional Highways Classification Map, all three streets are local roadways. Presently, the application site is vacant. The amendment will change the land use category from Light Industrial (LI) to Medium Density Residential (MDR). The amendment site is adjacent to the MDR land use to the west. While the site is in the LI land use category, the dominant uses south and west of the site are single family dwellings. The zoning is currently Industrial Light (IL) and the applicant proposes a rezoning to Residential Medium Density-B (RMD-B). The property is located within the Urban Development Area. A companion rezoning is pending concurrently with this application pursuant to Ordinance 2021-527.

The area surrounding the property is made up of light industrial and single-family residential uses. Ordinance 2004-1093-E approved a similar amendment from LI to MDR for a site just south of Gilmore Street.

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

North: Land Use: LI
 Zoning: IL
 Property Use: Vacant Commercial Properties and a Construction Business

South: Land Use: LI
 Zoning: IL
 Property Use: Single Family Dwellings

East: Land Use: LI
 Zoning: IL
 Property Use: Single Family Dwellings, Vacant Commercial Properties and an Air Conditioner Business

West: Land Use: MDR
 Zoning: RMD-A
 Property Use: Single Family Dwellings

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 – Application Number L-5564-21C

Development Analysis	
Development Boundary	Urban Area
Roadway Frontage Classification / State Road	James Street, Local Road
Plans and/or Studies	Northwest Vision Plan

Development Analysis		
Site Utilization	Current: Vacant	Proposed: Residential
Land Use / Zoning	Current: LI / IL	Proposed: MDR / RMD-B
Development Standards for Impact Assessment	Current: 0.4 FAR	Proposed: 15 DU / Acre
Development Potential	Current: 2,962 Sq. Ft.	Proposed: 2 MF DU
Net Increase or Decrease in Maximum Density	Increase of 2 MF DU	
Net Increase or Decrease in Potential Floor Area	Decrease of 2,962 Sq. Ft.	
Population Potential	Current: 0	Proposed: 4 people
Special Designation Areas		
Aquatic Preserve	No	
Septic Tank Failure Area	No	
Airport Environment Zone	500 ft. height restriction zone for Jacksonville Naval Air Station and Herlong Recreational Airport	
Industrial Preservation Area	No	
Cultural Resources	No	
Archaeological Sensitivity	Low Sensitivity	
Historic District	No	
Coastal High Hazard/Adaptation Action Area	No	
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	
Water Provider	JEA	
Potential Water Impact	Increase of 321.9 gpd	
Sewer Provider	JEA	
Potential Sewer Impact	Increase of 241.4 gpd	
Potential Solid Waste Impact	Increase 0.46 tons per year	
Drainage Basin/Sub-basin	St. Johns River, Upstream of Trout River / McCoy Creek	
Recreation and Parks	Hollybrook Park	
Mass Transit Access	No	

Development Analysis	
Natural Features	
Elevations	21 ft.
Land Cover	1550: Other light industrial
Soils	73: Urban Land-Mascotte-Sapelo complex, 0 to 2 percent slopes 74: Pelham-Urban land complex, 0 to 2 percent slopes
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 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). Per JEA letter dated May 20, 2021, centralized water and sewer are available at the subject site.

Transportation

Transportation Element Policy 1.2.1 of the 2030 Comprehensive Plan requires the use of the most current ITE Trip Generation Manual (10th Edition) to calculate the vehicular trips based on the maximum development potential for existing and proposed land uses. The subject site has a Light Industrial (LI) land use category on approximately 0.17 of an acre. The proposed land use amendment is to allow for Medium Density Residential (MDR) on the entire site.

In accordance with development standards for impact assessments established in the Future Land Use Element Policy 1.2.16, the existing LI land use category has a development potential of 2,962 square feet of industrial space (ITE Land Use Code 110), which could generate 15 daily trips.

The proposed MDR land use category (ITE Code 220) has a development potential of two (2) multi-family dwelling units, which could generate 15 daily trips.

If the land use is amended to allow for MDR development this will result in zero net new daily vehicular trips on the roadway network, respectively.

Additional Information:

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 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 two 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 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.

Mobility needs vary throughout the city and to quantify these needs, the city was divided into 10 Mobility Zones. The Mobility Strategy Plan identifies specific transportation strategies and improvements to address traffic congestion and mobility needs for each mode of transportation. The project site is in Mobility Zone 7.

Subject site is accessible via James Street, a 2-lane unclassified facility. The proposed development will have insignificant external traffic impacts on the roadway network.

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.

Airport Environment Zone

The site is located within the 500 feet Height and Hazard Zone for both Naval Air Station Jacksonville and the Herlong Recreational Airport. Zoning will limit development to a maximum height of less than 500 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 2.5 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.

PROCEDURAL COMPLIANCE

Upon site inspection by the Planning and Development Department on August 18, 2021, the required notice of public hearing sign was posted. Fifty-six (56) notices were mailed out to adjoining property owners informing them of the proposed land use change and pertinent public hearing and meeting dates.

The Citizen Information Meeting was held on August 16, 2021. No members of the public attended the meeting to ask questions or express concerns about the land use amendment.

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 generation uses prior to consolidation. It also includes major corridors which connect the other Development Areas. Similar to the Urban Priority Area (UPA) the intent of the UA is to encourage revitalization and the use of existing infrastructure through redevelopment and infill development, but at moderate urban densities which are transit friendly. Also similar to the UPA, the UA is intended to support multi-modal transportation and the reduction of per capita greenhouse gas emissions and vehicle miles traveled. Development is encouraged to employ urban development characteristics as further described in each land use category.

Future Land Use Element:

- Objective 1.1 Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.
- 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 1.1.24 The City will encourage new development to locate in the Urban Core, Southwest, North, and Northwest planning districts through such measures as economic incentives, greater marketing assistance, etc.

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.

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 3.1.3 Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

Policy 3.1.6 The City shall provide for 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.

Pending Property Rights Element (PRE) (Ordinance 2021-334)

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.

According to the Category Description of the Future Land Use Element (FLUE), the Light Industrial land use category in all development areas provides for the location of industrial uses which have fewer objectionable impacts than Heavy Industrial (HI) on residential areas such as noise, odor, toxic chemical and wastes. Compatibility with adjacent and abutting residential neighborhoods shall be achieved through the implementation of site design techniques including but not limited to: transitions in uses; buffering; setbacks; and graduated height, scale, mass and bulk of structures, vehicular traffic and associated airborne debris, circulation, access and parking impacts, landscaping, lighting, noise and odor.

The MDR land use category in the Urban Development Area is intended to provide compact medium density residential development which are supplied with full urban services and in locations which serve as a transition between commercial and residential uses. Multi-family housing such as apartments, condominiums, townhomes and rowhouses should be the predominant development typologies in this category.

Principal uses in the MDR land use category include multi-family dwellings. Single-family dwellings are allowed when the predominant surrounding development typology within the MDR category is single-family. MDR allows residential development at up to 20

dwelling units per acre. There is no minimum density for single family dwellings when the predominant surrounding development typology within the MDR category is single-family or when single-family dwellings are permitted as a secondary use.

Consistent with FLUE Policy 1.2.9, the subject site can be served by city water and sewer services. According to a JEA letter dated May 20, 2021, the site is served by a 6-inch water main and an 8-inch gravity sewer main.

The subject site has access to centralized water and sewer facilities and the proposed amendment to MDR would allow for residential construction on the property, which is already the dominant typology of the area to the west, south, and east. It appears there was a single-family residence on the property in the past but currently there is only a concrete slab. Therefore, the amendment is consistent with FLUE Objectives 1.1 and 3.1, and Policies 1.1.5, 1.1.21, 1.1.24 and 3.1.6.

The amendment to MDR results in a compatible use with abutting residential uses the east, south and west of the subject site. Access to the site is from a street with predominantly single-family residences. Amending the land use to MDR to allow the construction of a residential unit would be a compatible residential use with the surrounding uses and buffers the rest of the residential neighborhood from light industrial north and east of the site. Therefore, the proposed land use amendment to MDR is consistent to FLUE Policies 1.1.10 and 3.1.3.

The proposed amendment does not hinder the private property rights of the owner of record; has no impact on the right of the property owner to possess or control his or her interest in the property; maintains the owner's ability to use, maintain, develop and improve the property; protects the owner's right to privacy and security; and maintains the ability of the property owner to dispose of the property at their discretion. Therefore, the amendment is consistent with PRE Goal 1, Objective 1.1 and Policies 1.1.1 and 1.1.2.

Vision Plan

The subject property is located within the boundaries of the Northwest Jacksonville Vision Plan (2003). The Plan provides no specific guidelines for the location of the subject site. However, changing the land use category from LI to MDR to construct a single-family dwelling on a lot similar in size to the rest of the residential properties in the neighborhood is keeping with the type of residences in the area. Therefore, MDR at this location is consistent with the vision plan.

Strategic Regional Policy Plan

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

Objective: Improve Quality of Life and Provide Quality Places in Northeast Florida

Policy 3: Local governments are encouraged to offer incentives or make development easier in areas appropriate for infill and redevelopment.

The proposed land use amendment is consistent with Policy 3 of the Northeast Florida Regional Council's Strategic Regional Policy Plan as it would provide an additional location for the infilling of residential development in an established residential area.

LAND USE MAP



