

**Staff Report on**  
**Proposed 2014B Series' Text Amendment**  
**To The Transportation and Capital Improvements**  
**Elements of 2030 Comprehensive Plan**

**ORDINANCE 2014-540**

As indicated in EXHIBIT 1 for Ordinance 2014-540, a text amendment is being proposed to amend Transportation Element (TE) Policy 1.4.3, Policy 1.4.10 and Capital Improvement Element (CIE) 1.6.7 to ensure consistency with the *2030 Comprehensive Plan* for the proposed changes to Ordinance Code Chapter 655 (Ordinance 2014-761).

The Planning and Development Department finds that currently, TE Policy 1.4.3 and CIE 1.6.7 allow credit for transportation improvement projects identified in the 2030 Mobility Plan constructed by a landowner or developer. The legislation expands the options to allow a transportation improvement project not listed in the 2030 Mobility Plan to provide flexibility and coordination between the specific impacts of the transportation improvement project to a proposed development's impact, as well as provide for a more predictable recoupment of credits for the cost of the transportation project. T.E. Policy 1.4.10 further expands that the 11% of the mobility fee designated for bicycle or pedestrian transportation improvements can be satisfied by cash payment or credit for construction of an improvement project. Furthermore, the text changes are consistent with Ordinance 2014-761 to further the purposes of Concurrency and Mobility System and the Comprehensive Plan. Therefore, the Planning and Development Department recommends **APPROVAL** of the text amendment in the attached **EXHIBIT 1** and submitted as **Ordinance 2014-540**.

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2014-540**

5 AN ORDINANCE ADOPTING 2014B SERIES TEXT AMENDMENT  
6 TO THE TRANSPORTATION ELEMENT AND THE CAPITAL  
7 IMPROVEMENT ELEMENT OF THE 2030 COMPREHENSIVE  
8 PLAN OF THE CITY OF JACKSONVILLE RELATING TO  
9 ALLOWING A LAND OWNER OR DEVELOPER TO RECEIVE A  
10 MOBILITY FEE CREDIT FOR CONSTRUCTION AND  
11 DEDICATION OF A TRANSPORTATION IMPROVEMENT PROJECT  
12 THAT IS NOT IDENTIFIED IN THE 2030 MOBILITY PLAN,  
13 OR IN THE 2030 COMPREHENSIVE PLAN IF IT MEETS  
14 CERTAIN REQUIREMENTS; PROVIDING A DISCLAIMER THAT  
15 THE AMENDMENT GRANTED HEREIN SHALL NOT BE  
16 CONSTRUED AS AN EXEMPTION FROM ANY OTHER  
17 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.  
18

19 **WHEREAS**, the Planning and Development Department has initiated  
20 certain revisions and modifications to the text in accordance with the  
21 procedures and requirements set forth in Chapter 650, Part 4, *Ordinance*  
22 *Code* in order to facilitate the appropriate and timely implementation  
23 of the plan, and has provided the necessary supporting data and  
24 analysis documentation to support and justify the amendments determined  
25 to be required and accordingly has proposed certain revisions and  
26 modifications which are more particularly set forth in **Exhibit 1,**  
27 **attached hereto**, and incorporated herein by reference; and

28 **WHEREAS**, the City by the adoption of Ordinance 2014-57-E approved  
29 this text amendment to the 2030 Comprehensive Plan on May 27, 2014 for  
30 transmittal to the Florida Department of Economic Opportunity ("DEO"),  
31 as the State Land Planning Agency and other required state agencies,

1 for review and comment; and

2       **WHEREAS**, by various letters and e-mails, the DEO and other state  
3 reviewing agencies transmitted their comments, if any, regarding this  
4 proposed amendment; and

5       **WHEREAS**, the Planning and Development Department reviewed the  
6 proposed revisions, considered all comments received, prepared a  
7 written report and rendered an advisory recommendation to the Council  
8 with respect to these proposed text amendments; and

9       **WHEREAS**, the Planning Commission, as the Local Planning Agency,  
10 held a public hearing on this proposed amendment to the *2030*  
11 *Comprehensive Plan*, with due public notice having been provided, and  
12 reviewed and considered all comments received during the public  
13 hearing, and made a recommendation to the City Council; and

14       **WHEREAS**, pursuant to Section 650.408 *Ordinance Code*, the Land Use  
15 and Zoning (LUZ) Committee held a public hearing in accordance with the  
16 requirements of Chapter 650, Part 4, *Ordinance Code*, on this proposed  
17 amendment and has made its recommendation to the City Council; and

18       **WHEREAS**, pursuant to Section 163.3184(3), *Florida Statutes* and  
19 Chapter 650, Part 4, *Ordinance Code*, the City Council held a public  
20 hearing with public notice having been provided on this proposed  
21 amendment to the *2030 Comprehensive Plan*; and

22       **WHEREAS**, the City Council further considered all oral and written  
23 comments received during public hearings, including the data collection  
24 and analysis portions of this proposed amendment to the *2030*  
25 *Comprehensive Plan*, the recommendations of the Planning and Development  
26 Department and the Planning Commission, the final recommendations of  
27 the LUZ Committee, and the comments, if any, of the DEO and the other  
28 state agencies; and

29       **WHEREAS**, in the exercise of its authority, the City Council has  
30 determined it necessary and desirable to adopt this proposed amendment  
31 to the *2030 Comprehensive Plan* to preserve and enhance present

1 advantages, encourage the most appropriate use of land, water and  
2 resources, consistent with public interest, overcome present  
3 deficiencies, and deal effectively with future problems that may result  
4 from the use and development of land within the City of Jacksonville;  
5 now therefore,

6 **BE IT ORDAINED** by the Council of the City of Jacksonville:

7 **Section 1. Purpose and Intent.** This ordinance is adopted to  
8 carry out the purpose and intent of, and exercise the authority set out  
9 in the Local Government Comprehensive Planning and Land Development  
10 Regulation Act, Sections 163.3161 through 163.3248, *Florida Statutes*  
11 and Chapter 166, *Florida Statutes*, as amended.

12 **Section 2. Amendment to Comprehensive Plan.** The *2030*  
13 *Comprehensive Plan* is hereby amended to include this revision to the  
14 text of the *2030 Comprehensive Plan* in the Transportation Element and  
15 the Capital Improvement Element from the 2014B Series which has been  
16 initiated by the Planning and Development Department, as more  
17 particularly set forth in **Exhibit 1, attached hereto**, and incorporated  
18 herein by reference.

19 **Section 3. Disclaimer.** The amendment granted herein shall  
20 not be construed as an exemption from any other applicable local,  
21 state, or federal laws, regulations, requirements, permits or  
22 approvals. All other applicable local, state or federal permits or  
23 approvals shall be obtained before commencement of the development or  
24 use and issuance of this amendment is based upon acknowledgement,  
25 representation and confirmation made by the applicant(s), owner(s),  
26 developer(s) and/or any authorized agent(s) or designee(s) that the  
27 subject business, development and/or use will be operated in strict  
28 compliance with all laws. Issuance of this amendment does not approve,  
29 promote or condone any practice or act that is prohibited or restricted  
30 by any federal, state or local laws.

31 **Section 4. Effective Date.** This ordinance shall become

1 effective upon the signature by the Mayor or upon becoming effective  
2 without the Mayor's signature.

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4 Form Approved:

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7           /s/ Susan C. Grandin          

8 Office of General Counsel

9 Legislation Prepared By: Kristen Reed

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## Ordinance 2014-540

### 2014B Series Text Amendment City of Jacksonville 2030 Comprehensive Plan

#### Transportation Element

##### **Policy 1.4.3**

The Capital Improvements Element shall be based upon the transportation modes improvement project list set forth in the Mobility Plan or a project as set forth pursuant to Capital Improvements Element Policy 1.6.7.

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##### **Policy 1.4.10**

Approximately 11 percent (11%) of the mobility fee ~~collected~~ assessed per development shall be allocated for projects identified on the bicycle and pedestrian prioritized transportation mode improvement list within the applicable mobility zone, as found within the Mobility Plan. This percentage shall be revised as necessary at the time of the 5-year evaluation of the Multi-modal Transportation Study. This percentage of the mobility fee assessed shall be provided to the City either as a cash payment, or through credits derived from the construction of an applicable bicycle or pedestrian transportation improvement project pursuant to the Concurrency and Mobility Management System Chapter of the Ordinance Code.

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#### Capital Improvements Element

##### **Policy 1.6.7**

A landowner or developer may construct, or cause to be constructed, a transportation improvement project and receive credit for such project based on its mode type(s) if it meets either (a) or (b) below:

(a) A transportation improvement project from the approved Mobility Plan, including from the Prioritized Project List, Project Evaluation and Prioritization List, Committed Project List, Bicycle Mode Project Summary List, or the Pedestrian Mode Project Summary List may be chosen by the applicant to be constructed or funded in lieu of or as credit to the assessed mobility fee subject to the following requirements:

1. The project must be within the respective applicable Mobility Zone;
2. The project must maintain or improve the adopted eCity-wide and Mobility Zone minimum mobility score;

3. The project must be adopted into the next cycle of the 5-year Capital Improvements Element schedule; and
4. The cost of improvements for the chosen project, as determined by ~~the most recent edition of information provided from the FDOT Generic Cost Per Mile Models~~ Office of Policy Planning regarding generic cost per mile models, may be greater than, equal to or less than the applicant's assessed mobility fee. If the cost of the improvement project is less than the applicant's assessed mobility fee, the applicant shall be required to pay the difference between the assessed mobility fee and the cost of the improvement project.

(b). A transportation improvement project that is not identified in the Mobility Plan may be chosen to offset a calculated mobility fee if the transportation improvement project meets the following requirements:

1. Is located within the applicable Mobility Zone(s);
2. Improves mobility within the applicable Mobility Zone(s) for the applicable mode, as evidenced by a professional traffic study provided by the landowner or developer which utilizes and employs professionally accepted standards and criteria, subject to the review and approval of the Planning and Development Department, or, such project maintains or improves the adopted City-wide and Mobility Zone minimum mobility score for the applicable mode when such project is substituted in lieu of a Prioritized Project List project for purposes of calculating the minimum mobility score;
3. Meets the requirements of the Mobility Plan;
4. Meets applicable criteria as established by City Council as set forth in the Ordinance Code;
5. The cost of improvements for the chosen project, as determined by information provided from the FDOT Office of Policy Planning regarding generic cost per mile models, may be greater than, equal to or less than the applicant's assessed mobility fee. If the cost of the improvement project is less than the applicant's assessed mobility fee, the applicant shall be required to pay the difference between the assessed mobility fee and the cost of the improvement project;
6. The project must be adopted into the next cycle of the 5-year Capital Improvements Element schedule; and
7. Is approved by City Council.

