

PLANNING AND DEVELOPMENT DEPARTMENT



October 20, 2016

The Honorable Lori Boyer, President  
The Honorable Danny Becton, LUZ Chair  
And Members of the City Council  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report  
Ordinance No. 2016-633**

**2030 Comprehensive Plan Text Amendment**

Dear Honorable Council President Boyer, Honorable Council Member and LUZ Chairman Becton 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 2016-633 on October 20, 2016.

- P&DD Recommendation                      APPROVE
- PC Issues:    None
- PC Vote:    6-0 APPROVE

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Chris Hagen, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Daniel Blanchard, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Abel Harding, Secretary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jerry Friley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Marshall Adkinson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nicole Sanzosti Padgett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dawn Motes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Respectfully,

Kristen D. Reed, AICP  
Chief of Community Planning

**Staff Report on**  
**Proposed 2016B Series' Text Amendment**  
**to Future Land Use and Transportation Elements of**  
**2030 Comprehensive Plan**

**ORDINANCE 2016-633**

As indicated in EXHIBIT 1 for Ordinance 2016-633, a text amendment is being proposed to amend the Future Land Use Element (FLUE) and the Transportation Element (TE) to add policies regarding the compatibility of lands adjacent to public use/civilian airports. The text amendment is in response to the requirements of Florida Statutes Chapter 163 and is consistent with Florida Statutes Chapter 333 and Jacksonville Aviation Authority's (JAA's) most recent Part 150 Study. The proposed changes are also consistent with regulations adopted in Chapter 656, Part 10 of the City of Jacksonville Zoning Code.

The proposed amendment adds policies that recognize, protect and promote the safe and productive function of civilian airports located within the City of Jacksonville similar to those already in the FLUE and TE that address military airports. Specifically, the amendments address policy regarding land use density, height limitations, disclosure/public notice and noise attenuation requirements and adds the definition of "Civilian Influence Zones" to the FLUE and TE. The amendment also updates Map L-22 to include the Civilian Influence Zones, defines where disclosure is required related to civilian airports, and designates supporting mitigation strategies to limit incompatible uses within the Civilian Influence Zones.

The Planning and Development Department recommends **APPROVAL** of the text amendment in the attached **EXHIBIT 1** and submitted as **Ordinance 2016-633**.

1 Introduced by the Land Use and Zoning Committee:  
2  
3

4 **ORDINANCE 2016-633**

5 AN ORDINANCE APPROVING FOR TRANSMITTAL TO THE  
6 STATE OF FLORIDA'S VARIOUS AGENCIES FOR REVIEW  
7 PROPOSED 2016B SERIES TEXT AMENDMENT TO THE  
8 FUTURE LAND USE ELEMENT AND TRANSPORTATION  
9 ELEMENT OF THE 2030 COMPREHENSIVE PLAN OF THE  
10 CITY OF JACKSONVILLE FOR INCORPORATION OF  
11 POLICIES WITHIN THE FUTURE LAND USE AND  
12 TRANSPORTATION ELEMENTS REGARDING THE  
13 COMPATIBILITY OF LANDS ADJACENT TO PUBLIC  
14 USE/CIVILIAN AIRPORTS ADDING THE DEFINITION OF  
15 "CIVILIAN INFLUENCE ZONE", AND UPDATING MAP L-22  
16 TO INCLUDE CIVILIAN INFLUENCE ZONE; PROVIDING AN  
17 EFFECTIVE DATE.  
18

19 **WHEREAS**, the Planning and Development Department has initiated  
20 certain revisions and modifications to the text of the *2030*  
21 *Comprehensive Plan* in accordance with the procedures and requirements  
22 set forth in Chapter 650, Part 4, *Ordinance Code* to facilitate the  
23 appropriate and timely implementation of the plan, and has provided the  
24 necessary supporting data and analysis to support and justify the  
25 amendments determined to be required and accordingly has proposed  
26 certain revisions and modifications which are more particularly set  
27 forth in **Exhibit 1, attached hereto**, dated August 24, 2016 and  
28 incorporated herein by reference; and

29 **WHEREAS**, the Jacksonville Planning Commission, as the Local  
30 Planning Agency, held a public hearing on this proposed amendment to  
31 the *2030 Comprehensive Plan*, with due public notice having been

1 provided, and reviewed and considered all comments received during the  
2 public hearing, and made a recommendation to the City Council; and

3 **WHEREAS**, the Land Use and Zoning (LUZ) Committee held a public  
4 hearing on this proposed amendment pursuant to Chapter 650, Part 4,  
5 *Ordinance Code*, having considered all written and oral comments  
6 received during the public hearing, has made its recommendation to the  
7 Council; and

8 **WHEREAS**, the City Council held a public hearing on this proposed  
9 amendment with public notice having been provided, pursuant to Section  
10 163.3184(3), *Florida Statutes*, and Chapter 650, Part 4, *Ordinance Code*,  
11 and having considered all written and oral comments received during the  
12 public hearing, the recommendations of the Planning and Development  
13 Department, the Planning Commission and the LUZ Committee, desires to  
14 transmit this proposed amendment through the State's expedited state  
15 review process to the Florida Department of Economic Opportunity, as  
16 the State Land Planning Agency, the Northeast Florida Regional Council,  
17 the Florida Department of Transportation, the St. Johns River Water  
18 Management District, the Florida Department of Environmental  
19 Protection, the Florida Fish and Wildlife Conservation Commission, the  
20 Department of State's Bureau of Historic Preservation, the Florida  
21 Department of Education, and the Department of Agriculture and Consumer  
22 Affairs; now, therefore

23 **BE IT ORDAINED** by the Council for the City of Jacksonville:

24 **Section 1. Approval of Amendment for Transmittal Purposes.** The  
25 Council hereby approves the proposed 2016B Series' text amendment to  
26 the Future Land Use Element and Transportation Element of the *2030*  
27 *Comprehensive Plan* as set forth in **Exhibit 1, attached hereto**, dated  
28 August 24, 2016, for transmittal to Florida's various required State  
29 Agencies for review. The amendments are regarding the compatibility of  
30 lands adjacent to public use/civilian airports and adding the

1 definition of "Civilian Influence Zone" and update Map L-22 of the  
2 Future Land Use Element, **attached hereto** as **Exhibit 2**, to include  
3 "Civilian Influence Zone".

4 **Section 2. Effective Date.** This ordinance shall become  
5 effective upon the signature by the Mayor or upon becoming effective  
6 without the Mayor's signature.

7  
8 Form Approved:

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11           /s/ Susan C. Grandin          

12 Office of General Counsel

13 Legislation Prepared By: Kristin Reed

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**Ordinance 2016-633**

**2016B Series Text Amendment**  
**City of Jacksonville 2030 Comprehensive Plan**

**Future Land Use Element (FLUE)**

**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 in accordance with the requirements of Section 163.3177, F.S.

**Policies 2.5.1**

Continue to regulate development in approach zones to airport runways in accordance with the Federal Aviation Authority (FAA), Florida Department of Transportation (FDOT), and United States Military Air Installation Compatible Use Zones (AICUZ) and local land development regulations in order to protect the safety and welfare of property owners, residents and businesses in the community.

**2.5.2**

Continue to participate in reviews of development plans for Jacksonville's airports (civilian and military) and support opportunities for the development of compatible adjacent agricultural, recreational, industrial and commercial uses.

**2.5.3**

Continue to review airport development plans to ensure that development is consistent with FAA and United States Military land use guidance noise levels in existing developed areas.

**2.5.4**

The Military AICUZ map, including noise and accident potential zones (APZ), is included in Map L-22. This map also includes the Lighting Regulation Zone referred to in Policy 2.5.7. Overall, Map L-22 is referred to as the Military and Civilian Influence Zones Map. Military Influence Zones are defined in the Transportation Element. The following sub-policies refer to the Navy Instruction Manual (OPNAV Instruction 11010.36.B), on file with the Planning and Development Department, excepting the density and intensity standards included in Table 3.

#### **2.5.4A**

Within the APZ 1 area depicted on Map L-22, the City will limit new residential development to the development number, density and intensity existing by right pursuant to the zoning code and comprehensive plan as of March 27, 2007, and allows only limited non-residential development consistent with the Instruction Manual, subject to conditions regarding disclosure and noise attenuation in construction. All building permit applications will be provided to the U.S. Navy. For new subdivisions located partially or wholly within APZ 1, clustering of residences will be required to eliminate or minimize development in APZ 1. As listed in the Instruction Manual, mobile home parks, hospitals, motels, churches, schools and similar uses are not allowed.

#### **2.5.4B**

Within the APZ 2 area depicted on Map L-22, the City does not permit single family residential density greater than 2 dwelling units per acre. Residential structures that are unable to achieve a 30 decibel (dB) noise level reduction are not permitted. Uses not allowed in APZ 1 may be allowed in APZ 2, however they too are subject to conditions regarding disclosure and noise attenuation in construction. As listed in the Instruction Manual, mobile home parks, hospitals, motels, churches, schools and similar uses are not allowed.

#### **2.5.4C**

Within the 75 Day-Night Sound Level (DNL) or higher area as depicted on Map L-22, the City will limit new single-family residential development to the development number, density and intensity existing by right pursuant to the zoning code and comprehensive plan as of March 27, 2007, with 35 A-weighted decibels (dBA) average minimum noise reduction level in construction throughout the facility or dwelling. For new subdivisions located partially or wholly within a greater than 75 DNL, clustering of residences will be required to eliminate or minimize development in the greater than 75 DNL noise zone. As listed in the Instruction Manual, non-residential uses are allowed, subject to conditions regarding disclosure and from 25 to 35 dB average minimum noise reduction level in construction in the habitable portion of the facility. All building permit applications will be provided to the U.S. Navy. Schools and churches are not allowed. Entertainment assembly may be allowed when scheduled with the U.S. Navy. All allowed development is subject to disclosure requirements.

#### **2.5.4D**

Within the 65 to 75 DNL noise zone as depicted on Map L-22, the City does not permit mobile home parks and single-family residential structures that are unable to achieve a 30dB noise level reduction. Again, as listed in the Instruction Manual, non-residential uses are allowed, subject to conditions regarding disclosure and noise attenuation in construction. Schools and most outdoor recreation uses are not allowed. All allowed development is subject to disclosure requirements.

#### **2.5.4E**

Within the 60DNL or higher area as depicted on Map L-22, entertainment assembly uses may be allowed when scheduled with the U.S. Navy. As listed in the Instruction Manual, all other uses are allowed subject to disclosure requirements.

#### **2.5.5**

The Civilian Airport Influence Zones, including civilian noise zones, are identified in Map L-22. Map L-22 is known as the Military and Civilian Influence Zones Map. Civilian Airport Influence Zones are identified in the Future Land Use Element. The following sub-policies refer to the City's Land Development Regulations.

#### **2.5.5A**

Within the 75 DNL or higher area as depicted on Map L-22, the City will limit new single-family residential development to the development number, density and intensity existing by right pursuant to the zoning code and comprehensive plan as of March 27, 2007, with 35 dBA average minimum noise reduction level in construction throughout the facility or dwelling. For new subdivisions located partially or wholly within a greater than 75 DNL, clustering of residences will be required to eliminate or minimize development in the greater than 75 DNL noise zone. Non-residential uses are allowed, subject to conditions regarding disclosure and from 25 to 35 dBA average minimum noise reduction level in construction in the habitable portion of the facility. Schools, churches and entertainment assembly uses are only permitted in PUD developments or pursuant to preliminary site development reviews in accordance with Section 656.1003 that were approved prior to March 27, 2007 or those uses meeting the nonconforming uses definition in Section 656.1008 of the City of Jacksonville Zoning Code. All allowed development is subject to disclosure requirements.

#### **2.5.5B**

Within the 65 to 74.99 DNL noise zone as depicted on Map L-22, the City does not permit mobile home parks and single-family residential structures that are unable to achieve a 30 dBA noise level reduction. Non-residential uses are allowed, subject to conditions regarding disclosure and noise attenuation in construction. Schools and most outdoor recreation uses are only permitted in PUD developments or pursuant to preliminary site development reviews in accordance with Section 656.1003 that were approved prior to March 27, 2007 or those uses meeting the nonconforming uses definition in Section 656.1008 of the City of Jacksonville Zoning Code. All allowed development is subject to disclosure requirements.



### **2.5.5C**

Within the 60DNL or higher area as depicted on Map L-22, entertainment assembly uses are only permitted in PUD developments or pursuant to preliminary site development reviews in accordance with Section 656.1003 that were approved prior to March 27, 2007 or those uses meeting the nonconforming uses definition in Section 656.1008 of the City of Jacksonville Zoning Code. All other uses are allowed subject to disclosure requirements.

### **2.5.56**

To ensure safety and education of citizens occupying properties that are located near military and civilian airports, the City requires disclosure of airport proximity to prospective owners or lessees in the Military and Civilian Influence Zones depicted on Map L-22.

### **2.5.67**

In cooperation with the US Military and to preserve the utility of the field for simulated night carrier landings or related missions, the City has designated, through the land development regulations, a lighting regulation zone around Outlying Field (OLF) Whitehouse, requiring that all artificial lighting equipment have positive optical control so that no light is emitted above the horizontal plane. The United States Military has requested this special designation for OLF Whitehouse because of its special fleet carrier landing practice mission.

### **2.5.78**

Airport Height and Hazard zones (HH) exist around all military and civilian airports within the city limits of Jacksonville. The horizontal limits of the zones and limitations on heights of obstructions within these zones are defined for each military airport in Naval Facilities Engineering Command (NAVFAC) P-80.3 01/82, on file with the Planning and Development Department, and for each civilian airport in Title 14, Code of Federal Regulations (CFR), Part 77 guidelines, on file with the Planning and Development Department. In order to assure that Title 14, CFR, Part 77 guidelines and NAVFAC P-80.3 01/82 guidelines are not exceeded and that no structure or obstruction is permitted that would raise a minimal obstruction clearance altitude, a minimum vectoring descent altitude or a decision height, all cell towers and any structure or obstruction that would extend into an Airport (HH) Height and Hazard Zone requires, in writing, comment from the U.S. Navy. Although written documentation from the U.S. Navy for military HH and from the FAA or JAA for civilian HH is not required for proposed structure heights below the listed height, United States Code (USC) Title 14, CFR Part 77 still applies.

## 2.5.89

The City of Jacksonville supports compatible uses within the Military and Civilian Influence Zones using the following approaches:

### Limiting incompatibility:

In instances where these policies result in limiting the ability of a landowner to utilize their land pursuant to its current land use and zoning designation, the City of Jacksonville will support land use map amendments and rezoning to a compatible use. If an incompatible non-residential use ceases for twelve consecutive months or more, it cannot be restarted under the land development regulations.

### Acquisition:

In 2006, the City of Jacksonville supported acquisition of 1651 acres containing the potential for over 4000 units of residential development for perpetual preservation by the State of Florida. All of these lands are in the Military Influence Zone of OLF Whitehouse. The City of Jacksonville will continue to review residential lands within the Zones for their potential for acquisition for preservation.

### Development Practices:

Within the noise zones, the City of Jacksonville will use the following techniques: such as

1. Planned Unit Development (PUD) zoning to cluster development away from accident potential zones and away from the 75 DNL or greater noise zone.
2. Disclosure of the potential impacts of airport activities on residential development within the 65 DNL and higher as outlined in the Land Development Regulations. Disclosure includes requirements for completion of an airport notice zone acknowledgement form, inclusion of a statement on the recorded plat regarding the potential impacts of airport activities, and publication of the airport noise zone maps at least three times a year in a newspaper of general circulation.
3. Design and construction standards to achieve average minimum noise level reductions of 25 to 35 dBA throughout residential dwellings in the 65 DNL and higher as outlined in the Land Development Regulations.

\* \* \*

**3.2.12**

The City shall designate areas inappropriate for less intense development due to conditions such as excessive noise levels and incompatible surrounding land uses for intense commercial and light industrial use. Require that these intense commercial uses are appropriately buffered from adjacent residential or retail commercial development. Uses in the airport noise/accident zones and other restricted use areas however, shall be guided by the provisions in the Land Development Regulations for such areas.

\* \* \*

**3.2.27**

The City shall update its land development regulations to ensure compatible land uses near airports. New incompatible uses such as residential use and places of public assembly shall be limited.

**3.2.28**

Where incompatible land use categories or zoning designations exist in proximity to airports, the City shall support changes to the Future Land Use Map or rezonings to replace incompatible land uses with compatible uses.

\* \* \*

**FUTURE LAND USE ELEMENT DEFINITION:**

Civilian Influence Zones – Known as Airport Notice Zones in the Land Development Regulations. They encompass all lands within the 60-64.99 DNL noise contour range as show on Map L-22. They apply to Jacksonville International Airport, Herlong Recreational Airport, Jacksonville Executive at Craig Airport and Cecil Airport.

Military Influence Zones - Known as Airport Notice Zones in the Land Development Regulations. They encompass all lands within accident potential zones, the lighting regulation zone (for OLF Whitehouse only), the 60-64.99 DNL noise contour, and the one hundred fifty (150) foot Height and Hazard Zone or inner horizontal and conical surface zones as shown on Map L-22 within the Future Land Use Element. They apply to NAS Jacksonville, NS Mayport and OLF Whitehouse.

## **Transportation Element (TE)**

**Objective 8.2** The City shall support the Jacksonville Airport Authority in the redevelopment of existing, and the siting of new aviation and aviation-related facilities that provide for the economic development of the community and are compatible with adjacent land uses.

### **Policies 8.2.1**

The City shall continue to participate in the review of development plans for Jacksonville International Airport and shall support, by issuing necessary permits, those development plans which provide opportunities for light industrial and commercial development, in addition to the existing aviation, military, recreational and environmental preservation land uses.

### **8.2.2**

The City, in conjunction with the Jacksonville Airport Authority and local military authorities shall continue to enforce Part 10 of the City of Jacksonville Zoning Code AIGUZ zoning ordinance which prevents the creation, establishment, or maintenance of hazards to aircraft and prevents the destruction or impairment of the utility of the airports to the City or the public investment therein.

### **8.2.3**

The City shall continue to review airport development plans to assure that development at the City's airports does not exceed Federal Aviation Administration (FAA) land use guidance decibel levels on existing developed land unless provisions are made to ameliorate the impacts.

**Objective 8.3** Military aviation facilities within the City of Jacksonville are of significant value to the community. Protecting these important facilities require that the development of aviation hazards and incompatible land uses be prevented. The City shall evaluate property development within the military airport environs to ensure compatibility and to protect such aviation facilities from encroachment of incompatible land uses.

### **Policies 8.3.1**

The City will utilize information provided by the United States Military, such as Air Installation Compatible Use Zones, when developing plans to control encroachment of incompatible development in the vicinity of Naval Air Station Jacksonville (NAS), Naval Station (NS) Mayport, and Outlying Field (OLF) Whitehouse to ensure protection of the missions of these aviation facilities.

### **8.3.2**

The United States Military will designate a representative for all military installations to function as an *ex officio* member of the Local Planning Agency/Planning Commission, for comments or recommendations for lands that fall within the Military Influence Zones. The military designee will review the development plans for compatibility with the military mission in relation to all aspects of the proposed development. All proposed Comprehensive Plan Amendments, Planned Unit Developments, and Rezoning which, if approved, would affect the density, intensity or use of land, that lie within Military Influence Zones shall be referred to the United States Navy for review prior to final action by the City.

### **8.3.3**

The City will utilize information provided by the Federal Aviation Authority (FAA) and the Jacksonville Aviation Authority (JAA) when developing plans to control encroachment of incompatible development in the vicinity of Jacksonville International Airport, Herlong Recreation Airport, Jacksonville Executive at Craig Airport and Cecil Airport to ensure compatibility of lands adjacent to these public use airports.

\* \* \*

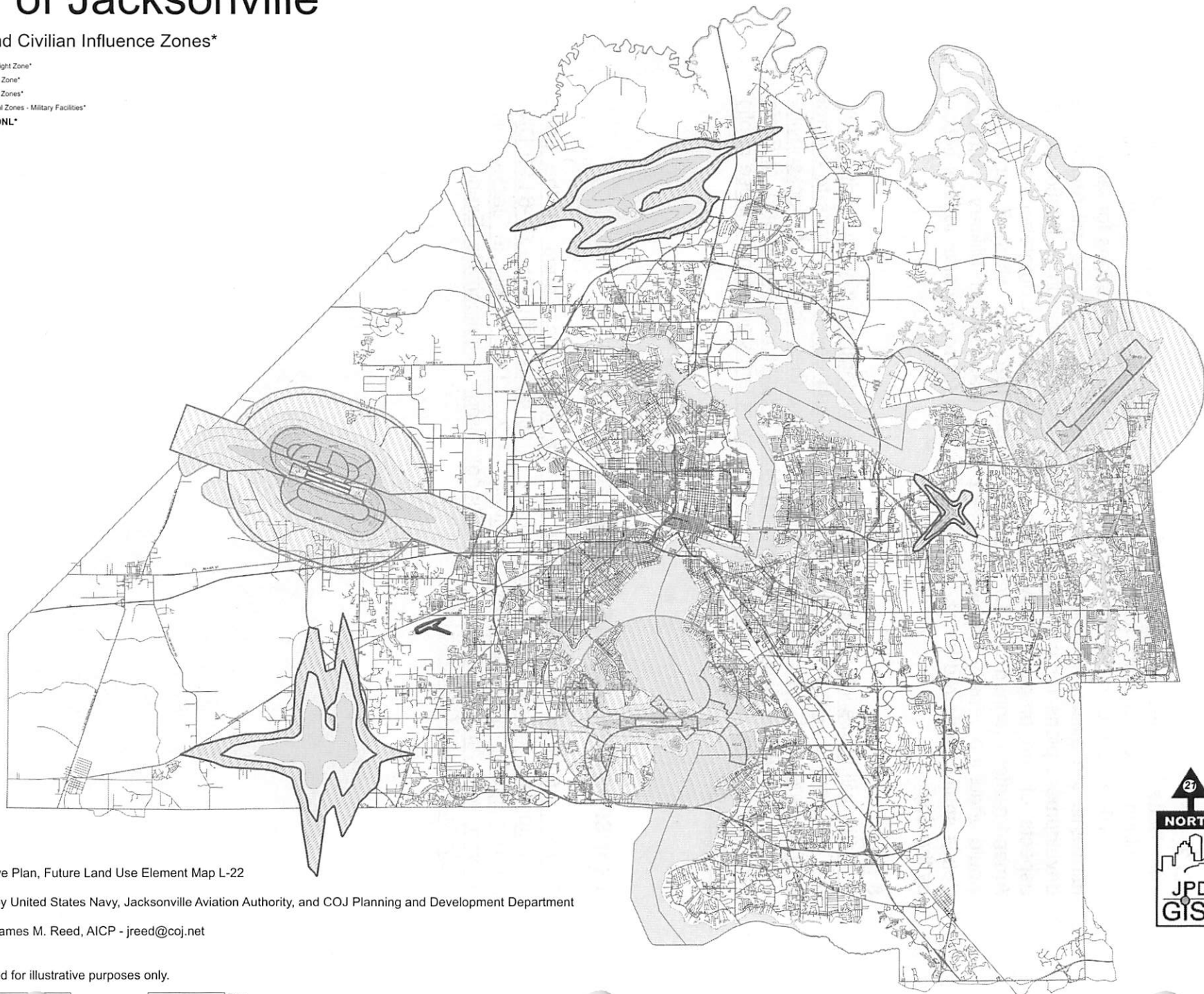
### **TRANSPORTATION ELEMENT DEFINITION:**

Civilian Influence Zones – Known as Airport Notice Zones in the Land Development Regulations. They encompass all lands within the 60-64.99 DNL noise contour range as show on Map L-22. They apply to Jacksonville International Airport, Herlong Recreational Airport, Jacksonville Executive at Craig Airport and Cecil Airport.

# City of Jacksonville

## Military and Civilian Influence Zones\*

- OLF Restricted Light Zone\*
  - ▨ Civilian Influence Zone\*
  - ▨ Military Influence Zones\*
  - ▨ Accident Potential Zones - Military Facilities\*
- Noise Contours DNL\***
- DB**
- 60
  - 65
  - 70
  - 75
  - 80
  - 85
- Major Highways
  - Roads 2016



\* Comprehensive Plan, Future Land Use Element Map L-22

Data provided by United States Navy, Jacksonville Aviation Authority, and COJ Planning and Development Department

Developed by James M. Reed, AICP - jreed@coj.net  
July 2016

Content intended for illustrative purposes only.

0 7,000 14,000 28,000 42,000 56,000 Feet

