

NEFRC

**June Monthly
PLANNING & GROWTH
MANAGEMENT POLICY
COMMITTEE
Meeting**

**June 4, 2009
9:00 a.m.**

**Northeast Florida Regional Council
6850 Belfort Oaks Place
Jacksonville, FL 32216**



Bringing Communities Together

Baker • Clay • Duval • Flagler • Nassau • Putnam • St. Johns

Date: June 4, 2009
To: NEFRC Planning and Growth Management Policy Committee
From: Ed Lehman, Director, Transportation & Community Development
Re: **July 2, 2009 Committee Meeting**

The next meeting of the NEFRC Planning and Growth Management Policy Committee will be held:

When: Thursday, July 2, 2009
Time: 9:00 a.m.
Place: Northeast Florida Regional Council
**Address: 6850 Belfort Oaks Place
Jacksonville, FL 32216**

**Northeast Florida Regional Council
Planning and Growth Management Policy Committee**

**Thursday, June 4, 2009
9:00 a.m.**

A G E N D A

TAB

1. Call to Order, Roll Call, Introductions - Chairman Griffis
2. *Approval of Minutes of May 7, 2009 meeting - Chairman Griffis 1
3. ***Comprehensive Plan Amendment Review - Ed Lehman 2**
 - A. *** Clay County Transmitted Amendment 09EAR-1 – Valerie Evans 3**
 - B. *** City of Jacksonville Transmitted Amendment 09EAR-1 – Guy Parola 4**
 - C. *City of Jacksonville Transmitted Amendment 09-2AR – Ed Lehman 5
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 - F. *City of St. Augustine Adopted Amendment 09CIE-1 – Guy Parola 8
 - G. *City of Atlantic Beach Adopted Amendment 09CIE-1 – Ameera Sayeed 9
4. 10-Year Utility Site Plans
 - A. *JEA 10-Year Utility Site Plan – Ameera Sayeed 10
 - B. *Seminole Electric 10-Year Utility Site Plan – Ameera Sayeed 11
5. Intergovernmental Coordination and Review (IC&R) Report - Ed Lehman 12
6. Development of Regional Impact (DRI) Report - Ed Lehman 13
7. Other
8. Public Comment - LIMITED TO 3 MINUTES PER SPEAKER
9. Next Meeting Date and Location: **Thursday, July 2, 2009
Northeast Florida Regional Council
6850 Belfort Oaks Place
Jacksonville, FL 32216**
10. Adjournment

*Denotes Action Item

Tab 1



NEFRC Planning and Growth Management Policy Committee

Thursday, May 7, 2009

MINUTES

The NEFRC Planning and Growth Management Policy Committee meeting was held on Thursday, May 7, 2009 at 8:30 a.m., at the Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida, 32216. Chairman Griffis called the meeting to order with the following members present representing a quorum:

PRESENT

Mr. Spaeth
Mr. Register
Mr. Thompson
Commissioner Davis
Mr. Smallwood
Ms. Vallencourt
Councilman Bishop
Ms. Brown
Mayor Graham
Commissioner Harris
Mr. Larson
Commissioner Bryan
Ms. Stern
Mr. Cole (Ex-Officio)
Mr. Parks (Ex-Officio)
Ms. Weatherford (for Mr. Strong – Ex-Officio)
President Boyle
Commissioner Griffis (Chair)

EXCUSED

Commissioner Parsons
Commissioner Holland
Mayor Robinson
Commissioner Crichlow

ABSENT

Vice-Mayor Lawson Brown

Others: Lynn Pappas, James Bennett, Mike Brown, Geoff Sample, Mike Kloehn, Holly Parrish, Staci Rewis, Mitch Montgomery, Zack Miller, Doug Miller, Beth Weatherford, Steve Fitzgibbons, Dan Chitwood, Ray Spofford, Don Smith, Michael Delcharo, Walter Fufidio, Ray Tyner, Jose Papa and other members of the public.

Staff: Brian Teeple, Ed Lehman, Guy Parola, Ameera Sayeed, Michael Calhoun, and Angela Giles.

Chairman Griffis welcomed new Council Member **Mr. CJ Thomas**, representing Baker County.

***Approval of Minutes - Ms. Stern moved approval of the April 2 and April 23, 2009 meeting minutes; seconded by Ms. Brown; motion carried unanimously.**

Governors Park Development of Regional Impact (DRI) Recommendation Report –

Mr. Lehman provided an overview of the Governors Park DRI. Mr. Lehman stated that several representatives from the Applicant were available to answer questions: Staci Rewis from Pappas Metcalf and Doug Miller from England-Thims and Miller and respective staff members. Also, Mike Kloehn and Holly Parrish from Clay County are available for questions. Governors Park is a multi-use project proposed for construction on 3,267 acres in southeastern Clay County. The amount of

development proposed for approval is 4,000 single-family dwelling units (du); 2,000 multi-family du; 840,000 s.f. of Commercial; 700,000 s.f. of Office; 400 Hotel Rooms; 2,000,000 s.f. of Light Industrial; and 18 holes of Golf Course. Mr. Lehman pointed out that a unique portion of the recommendation report that the Committee has not seen before is a land use exchange table. This allows for simultaneous increase and decrease of uses, but keeps the character of the project the same. The specific recommendation conditions of the project are as follows:

Vegetation and Wildlife – 1) This area is an active Silviculture operation; the wetlands shall be preserved; 2) Gopher Tortoise Habitat: applicant must meet requirements of Florida Fish & Wildlife Conservation Commission (FFWCC); 3) Wildlife Corridors: a wildlife underpass shall be installed for the Green Cove Springs By-Pass where it crosses Governors Creek, and wildlife crossing signs shall be posted. Wetlands - 4) Maintenance of Hydroperiods; 5) Protection of Wetlands: wetlands adjacent to Governors Creek shall be protected in perpetuity through conservation easements; 6) Upland Buffers: St. Johns River Water Management District (SJRWMD) requires a 25 ft buffer, but a 100-ft buffer shall be required for wetlands abutting Governors Creek; 7) Stormwater Pollution Prevention: a Stormwater Pollution Prevention Construction Operating Plan or its equivalent is to be implemented; 8) Water Quality Monitoring: 3 water quality monitoring stations shall be established; 9) Floodplains: all road crossings and finished floor areas within the 100-year flood plain will be constructed above the base flood elevation; 10) Water Supply: several recommendations for water conservation are noted – no use of potable water for irrigation purposes; no new Floridian aquifer wells; best mgmt practices for irrigation; water conservation devices; water wise landscaping; a model home will be available using these principles as a guide; DRI shall be developed in accordance with Water Star standards. Wastewater Management – 11) Central Sewer: Clay County Utility Authority will provide sewer service; development shall proceed concurrent with the provision of adequate sewer service meeting the adopted level of service (LOS); 12) Stormwater Management: a stormwater pollution prevention Best Management Practices will be submitted and used; 13) Solid Waste. Transportation - 14) Developer will execute an agreement with the Florida Department of Transportation (FDOT) for Right of Way Contribution for the First Coast Outer Beltway (FCOB); 15) Construction of Green Cove Springs Bypass and Interchange Ramps – no certificates of occupancy may be issued for Phases 2, 3 or 4 of development unless construction is completed on FCOB in the DRI property - the developer will convey the right of way and construct this portion of the Green Cove Springs By Pass; 16) Transportation Management Organization – requires the developer to work with the TPO on alternative transportation modes and if public transit is available, passenger shelters and transit bays will be required. Discussion followed regarding transportation issues. Air Quality – 17) Construction Dust; 18) Affordable Housing: The Developer shall construct a minimum of 294 affordable housing units within the DRI - at least 129 affordable housing units during Phase 2; at least 119 units shall be commenced during Phase 3; construction of the remaining affordable housing units shall be commenced not later than twelve (12) months after issuance of the first building permit for vertical construction for non-residential development in Phase 4. Discussion followed regarding affordable housing. Mr. Lehman stated that the established policy of this Committee and Council is 5% for affordable housing. It is anticipated that there may be more due to multi-family housing. Fire and Police Protection – 19) On-site Fire and Police Station; 3 acres shall be conveyed for police and fire protection – the County is still negotiating with the developer; Recreation and Open Space – 20) Provision of On-site Recreation – bicycle and pedestrian pathways shall be provided throughout the project; Education - 21) Provision of School Sites – the developer is providing 2 elementary and one high school site to the School Board; the language is pursuant to an interlocal agreement between the developer and the School Board and is concurrent with what the School Board has agreed to. Discussion was held regarding the amount of land for Fire and Police protection, which was addressed by Mr. Kloehn of Clay County. Historical and Archaeological Sites – 22) A survey of the property has been completed and there are no significant historical or archaeological resources located upon the property.

The final staff recommendation is that the Committee approve the recommendation report on the Governors Park DRI for transmittal to the Full Board and to Clay County for their consideration when adopting the Development Order for this project. Discussion followed. **Commissioner Davis** stated that the Clay County Commission has been favorable toward this development and would appreciate the Council's support of Staff's Recommendation. **Mr. Register moved approval of the Governors Park DRI Recommendation Report; seconded by Ms. Vallencourt; motion carried unanimously.**

April Comprehensive Plan Amendment Review - Mr. Lehman stated that there is a typo on the memo. There are actually ten (10) Comprehensive Plan Amendments that were reviewed during the month of April, as the Baker County Small Scale Amendment was not included in the total. Three (3) transmitted amendments and six (6) adopted amendments are brought before the Committee and Board for review. The Small Scale amendment has been reviewed by staff.

*Nassau County Transmitted Amendment 09-1 - Mr. Lehman stated that Mr. Walter Fufidio, Nassau County Planning Director, is in the audience to respond to any questions and proceeded to provide an overview of the amendment. The first amendment is a proposal to change 151.8 acres from Agricultural to Medium Density Residential, 36.2 acres from Agriculture to High Density Residential, and 15.58 acres to Agriculture and Conservation I. He stated that the current future land use map (FLUM) development is 278 single family units, with a potential development of 748 dwelling units. In addition to the FLUM amendment, the County is proposing to amend text to add a 26-year phasing schedule for development to occur. The Nassau County staff report recognizes that long term transportation studies submitted by the applicant are not sufficient to assess the transportation impacts from the comp plan amendment and this will need to be addressed if the County is to adopt the Amendment. Nassau County staff report recognized that a 5 year financially feasible facilities plan to address the impacts of development will likely be required prior to adoption. There were multiple deficiencies within the analysis and a lack of a clear connection between existing and proposed impacts along with the financially feasible plan to compensate for additional impacts of development needs. Staff agrees with Nassau County Staff's recommendation that additional data and analysis are needed to adequately assess the transportation impacts from the proposed land use change. Result in increase in potential peak hour traffic by 470 peak hour trips. The amendment should not be adopted unless adequate data and analysis are included that support any necessary change to the five-year capital improvements Element for infrastructure needs. The second amendment is a proposal to change 445.71 acres from Agricultural and Conservation I to Industrial and 41.48 acres from Agriculture and Conservation to Commercial – an employment center base being proposed for this area of the region. The potential amount of development is being limited by a new text amendment. Again, Nassau County staff acknowledges that additional transportation data and analysis is necessary prior to adoption and that the County will work with FDOT on a plan to mitigate impacts of the proposed change to U.S. 90, I-10 and other impacted roadways. Staff recommends that the County should not adopt this amendment unless there is a traffic study approved by FDOT that includes a mitigation plan to address impacts to the external roadway network, particularly the regional facilities of I-10 and U.S. 90. No FLUM amendments should be approved without accompanying Schedule of Capital Improvements amendments, as necessary, to address any deficiencies identified in the traffic study. The other concern that Staff has is Central Water and Wastewater is proposed to be provided by the Town of Baldwin and no data and analysis has been provided within the amendment to indicate the Town's intent to serve the site, only acknowledging that an agreement will be necessary. Staff recommendation is that the County should not adopt this amendment unless an agreement is reached for the provision of water and wastewater. The County has provided no evidence of Baldwin's commitment or ability to provide such service. **Mr. Register** requested that the Baker County Planning Department and the City of Macclenny be included in any discussions and provided with information from the Traffic Studies, as this project has the capability of having a major impact on downtown Macclenny. Mr. Fufidio made

the commitment to work with both Baker County and Duval County. **Ms. Vallencourt moved approval of transmitting the Nassau County Transmitted Amendment 09-1 report to DCA; seconded by Ms. Brown; motion carried unanimously.**

*City of Palm Coast Transmitted Amendment 09-1 - Mr. Lehman stated there are 2 changes to the FLUM in this amendment. The first one changes 6.11 acres from Conservation to Mixed Use and 21.53 acres from Greenbelt to Conservation. Potential development amounts decrease by 148,200 sf of non-residential development or increase by 52 dwelling units. The City of Palm Coast Planning Staff only recommended approval of the 20 acre parcel, and not the 1.53 acre parcel due to concerns about the size of the parcel. Council Staff does not anticipate an increase in regional impacts from the amendment and does not have any concerns. The second change is 22.78 acres from Conservation to Residential. This 22-acre parcel is part of a larger 27-acre parcel that was subject to a FLUM amendment in 2006. The Council had no concerns about the larger amendment in 2006, and DCA did not have any objections to the amendment in their review. The amendment for the 27-acre parcel was not adopted by the City. The purpose of this amendment is part of a settlement to end litigation regarding the subject property. The five acres removed from this amendment will remain as Greenbelt and will be donated to the City for a nature park if the amendment and subsequent rezoning are approved. Staff has no concerns, and recommends transmittal to DCA. **Mr. Register moved approval of transmitting the City of Palm Coast Transmitted Amendment 09-1 to DCA; seconded by Ms. Brown; motion carried unanimously.**

*City of Palm Coast Transmitted Amendment 09D-1 - Mr. Lehman stated that the amendment addresses land within the Old Brick Township DRI, which is a DRI presently under review. The land is presently being annexed into the City, with the City transmitting this amendment so that review of the amendment and the DRI can occur simultaneously. The Old Brick Township DRI is a proposed mixed-use development of approximately 5,273 acres. The City is proposing to change the land use for the 5,273 acres from County Agriculture and Timberlands and County Conservation to City Development of Regional Impact-Mixed Use. Staff believes that this area of Palm Coast is appropriate for this type and intensity of development. The project is presently undergoing DRI review. The Council will have the opportunity to review regional impacts from the project and determine whether to deny, approve, or approve with conditions in the final review of the project through the adoption of a recommendation report. Potential impacts to roads, potable water, solid waste, affordable housing, etc., will be addressed through the DRI process. Staff and the Council will determine through the DRI process the necessary mitigation from this development. **Ms. Brown moved approval of transmitting the City of Palm Coast Transmitted Amendment 09D-1 to DCA; seconded by Ms. Vallencourt; motion carried unanimously.**

St. Johns County Adopted Amendment 09D-1 – Mr. Lehman stated that this adoption package addresses changes to that correspond to the Nocatee DRI. The transmitted amendment packet was reviewed at the November, 2008 meeting of the Council, at which time the Committee and Council approved staff's recommendations and expressed no concerns or comments. The amendment contains a proposed change to the FLUM for 559 acres that are being added to the existing Nocatee DRI. The amendment proposes to change the parcels from Rural/Silviculture to New Town. While potential development on the subject parcels will increase as a result of this amendment, overall development within the DRI will not increase as a result of this proposed change. The applicant is proposing to spread existing development rights within the Nocatee DRI to the entire 559 acres being added. Approximately 388 of the 544.46 acres are wetlands and will remain undeveloped. Staff has no comments or concerns and respectfully recommends that the Committee and the Council find St. Johns County Adopted Amendment 09-D1 consistent with the Northeast Florida Strategic Regional Policy Plan (SRPP). **Ms. Stern moved approval of St. Johns County 09D-1 as consistent with the SRPP; seconded by Ms. Brown; motion carried unanimously.**

*Baker County Adopted Amendment 09-1 – Mr. Lehman stated that Baker County Adopted Amendment 09-1 contains three amendments to the FLUM. One of the amendments that was reviewed as part of the transmitted amendment packet has not been adopted by the County and is not included in this review. The first proposed amendment changes 72.02 acres from Agricultural Zone B to Residential Zone E. The Council expressed concern about the continued progression of residential development in this part of Baker County without central water and sewer service. However, the County points out that the proposed project is consistent with their approved Future Urban Development Area Overlay. While staff continues to have concerns about these types of development in Baker County, staff also acknowledges that the County will continue to investigate the potential of the future provision of water and sewer service to these types of development that are located within their Urban Service Boundary. Staff does not believe that this change will result in any regional impacts. The next change is 750 acres; 710 acres are going from Agricultural Zone A to Light Industrial and 40 acres are being changed to commercial. Potential development with the current land use is 36 dwelling units, with potential development limited by new Policy A.1.9.3.11, which limits the site to a total of 6,000,000 square feet of industrial space, 300,000 square feet of commercial space, and 190 hotel rooms. The policy specifically limits Phase 1 (through 2014) to no more than 2.5 million square feet of industrial uses. Any remaining development may not proceed until the developer obtains approval for a new interchange at I-10, or a feasible alternative resulting from an Interchange Justification Report. The County has provided a letter from the City of Macclenny of its interest in negotiating a utility agreement with the developer. This commitment by the City, and the County's commitment that Phase 2 development will not commence without adequate public water and wastewater capacity, addresses staff's concerns with the availability of water and wastewater for the site. The last proposed amendment changes 1,483.6 acres from Agriculture Zone A and Agriculture Zone B to Industrial and Conservation. The subject property is located within the Olustee Interstate Development Node. The County adopted new Policy A.1.9.12 that specifically identifies 1,483.6 acres that are assigned a future land use designation of Industrial and Conservation. The maximum square footage of industrial development shall not exceed 10,000,000 square feet. A minimum of 116 acres are placed in the Conservation land use category. The policy specifically requires all development to connect to a central water and wastewater facilitation as a condition of occupancy. The policy also establishes a minimum of 10 percent of the parcel will remain as open space, and a minimum 30 foot buffer will be established adjacent to all wetlands and the boundary of the Osceola National Forest. The provision of new Policy A.1.9.12 that specifically requires the potential Industrial Park to connect to central water and wastewater addresses staff's concerns. In addressing the DCA ORC report and the comments received from the Council, the County provided data and analysis from the developer, which includes the information that the widening of U.S. 90 to 4-lanes has been included in the 5-Year Baker County CIP, which addresses the impacts to U.S. 90. In addition, it is noted that Baker County and the FDOT have executed an agreement that lowers the adopted LOS on I-10 from LOS B to LOS C. As a condition of this agreement, the County has adopted a Long-Term Concurrency Management System and a 10-year schedule of transportation improvements, which address planning for long-term alternatives to I-10, through adoption of the County's Thoroughfare Master Plan. Staff respectfully recommends that the Committee and the Council find Baker County Adopted Amendment 09-1 consistent with the SRPP. **Mr. Larson** requested more information regarding transportation impacts, which were addressed by **Mr. Parks**. Discussion followed. **Mr. Register moved approval of Baker County Adopted Amendment 09-1 as consistent with the SRPP; seconded by Ms. Vallencourt; motion carried unanimously.**

*City of Atlantic Beach Adopted Amendment 09PEFE-1 – Mr. Parola provided an overview of the Adopted Amendment, which was reviewed and approved in its transmitted form in 2007. Staff believes that the City has adequately addressed the Council's and DCA's comments. Therefore, staff respectfully recommends that the Committee finds the City of Atlantic Beach Adopted Amendment

09PEFE-1 consistent with the SRPP. **Commissioner Bryan moved approval of the City of Atlantic Beach Adopted Amendment 09PEFE-1 as consistent with the SRPP; seconded by Ms. Brown; motion carried unanimously.**

*Town of Orange Park Adopted Amendment 09CIE-1 – Ms. Sayeed provided an overview of the Amendment, stating that based on Florida Statute, Capital Improvement Elements (CIE) require only one adoption hearing and therefore this will be the only time it is reviewed by the Committee and Council. The only comment staff had is that the “strike through” was not included for the text amendments. Staff finds that it is a financially feasible plan and respectfully recommends that the Committee find the Town of Orange Park Adopted Amendment 09CIE-1 consistent with the SRPP. **Ms. Brown moved approval of the Town of Orange Park Adopted Amendment 09CIE-1; seconded by Mr. Smallwood; motion carried unanimously.**

*City of Macclenny Adopted Amendment 09CIE-1 - Mr. Parola provided an overview of the Amendment, stating that based on Florida Statute, Capital Improvement Elements (CIE) require only one adoption hearing and therefore this will be the only time it is reviewed by the Committee and Council. Staff finds that it is a financially feasible plan and respectfully recommends that the P&G Committee and Council find the City of Macclenny Adopted Amendment 09CIE-1 consistent with the SRPP. **Mr. Register moved approval of Baker County Adopted Amendment 09CIE-1; seconded by Ms. Brown; motion carried unanimously.**

*City of Jacksonville Beach Adopted Amendment 09CIE-1 - Mr. Parola provided an overview of the Amendment, reiterating that this will be the only time it is reviewed by the Committee and Council. Staff finds that it is a financially feasible plan and respectfully recommends that the Committee and Council find the City of Macclenny Adopted Amendment 09CIE-1 consistent with the SRPP. **Ms. Brown moved approval of the City of Jacksonville Beach Adopted Amendment 09CIE-1; seconded by Commissioner Harris; motion carried unanimously.**

*Town of Glen St. Mary Evaluation and Appraisal Report (EAR) – Mr. Parola provided an overview of the EAR, reminding Committee members that pursuant to FS 163.3191 “...each local government shall adopt an EAR once every seven years assessing the progress in implementing the local government’s comprehensive plan.” The EAR assesses the successes and shortcomings of the Comprehensive Plan (the Plan) and provides recommendations for changes. The EAR-based amendments will be adopted 12 to 18 months after adoption of the EAR. Mr. Parola pointed out a few of the issues: to promote industrial growth; to preserve character of the Town; to plan for annexations; to participate in regional collaboration and visioning. Staff recommendation is that the EAR is sufficient. **Mr. Register moved approval of the Town of Glen St. Mary EAR as sufficient; seconded by Commissioner Harris; motion carried unanimously.**

*City of Macclenny Evaluation and Appraisal Report – Ms. Sayeed provided an overview of the City of Macclenny EAR, and reviewed some of the issues: assuring future water supply; sufficient public space, parks and recreation; high quality master planning and neighborhood development; better intergovernmental coordination regarding transportation. Ms. Sayeed highlighted one of the special topics, Greenhouse Gas Emissions, regarding assessing energy policies and requirements. Staff recommends that the City of Macclenny EAR is sufficient. **Ms. Vallencourt moved approval of the City of Macclenny EAR as sufficient; seconded by Commissioner Davis; motion carried unanimously.**

Intergovernmental Coordination and Review (ICR) – Mr. Lehman stated that during the month of April there were 35 applications for environmental permits and 5 applications for grant requests. This is for information only and does not require an action.

Development of Regional Impact (DRI) Report - Mr. Lehman stated that the DRI report is for information only and does not require an action. Two items that Mr. Lehman mentioned are: the pre-application follow-up meeting for the Hunters Ridge DRI substantial deviation and a pre-application conference for the Three Lakes DRI in Palm Coast.

Public Comments – None.

Next Meeting Date

The next meeting will be held Thursday, June 4, 2009, at 9:00 am at the Northeast Florida Regional Council.

There being no further business to discuss, the meeting adjourned at 9:55 a.m.

Tab 2



Bringing Communities Together

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MEMORANDUM

DATE: June 1, 2009
TO: Northeast Florida Regional Council
THRU: Planning and Growth Management Policy Committee
FROM: Edward Lehman, Director of Transportation and Community Development
RE: Comprehensive Plan Amendment Review: May, 2009

During the month of May, 2009, Regional Council staff reviewed twenty four (24) comprehensive plan amendments. Four (4) transmitted amendments and three (3) adopted amendments are brought before the Committee and Board for review.

Transmitted Amendment:

Clay County	Transmitted Amendment 09EAR-1
City of Jacksonville	Transmitted Amendment 09EAR-1
City of Jacksonville	Transmitted Amendment 09AR-2
City of Bunnell	Transmitted Amendment 09-1

Adopted Amendments:

City of Jacksonville	Adopted Amendment 09PTFAR-1
City of St. Augustine	Adopted Amendment 09CIE-1
City of Atlantic Beach	Adopted Amendment 09CIE-1

Small-Scale Amendments*:

City of St. Augustine	Ordinance 2008-25
• <i>Changes .089 of an acre from Industrial to Commercial Medium Intensity</i>	
City of St. Augustine	Ordinance 2008-16
• <i>Changes 2,200 square feet (.05 acre) from Residential Low Density to Commercial Low Intensity</i>	

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- City of St. Augustine Ordinance 2009-03
- *Changes 2.31 acres from County land use to City Commercial Medium Intensity*
- City of Palatka Ordinance 09-11
- *Changes 7.73 acres from Industrial to Public Buildings and Grounds*
- City of Palatka Ordinance 09-10
- *Changes 1.65 acres from Industrial to Medium Density Residential*
- City of Jacksonville Ordinance 2008-1032-E
- *Changes 1.2 acres from Medium Density Residential to Light Industrial*
- City of Jacksonville Ordinance 2008-1026-E
- *Changes 0.27 acres from Medium Density Residential to Business Park*
- City of Jacksonville Ordinance 2008-1028-E
- *Changes 2.5 acres from Medium Density Residential to Community/General Commercial*
- City of Jacksonville Ordinance 2008-1030-E
- *Changes 0.4 acres from Water Dependent-Water Related to Low Density Residential*
- City of Jacksonville Ordinance 2009-25-E
- *Changes 2.09 acres from Residential-Professional-Institutional to Community/General Commercial*
- City of Jacksonville Ordinance 2009-23-E
- *Changes 1.95 acres from Medium Density Residential to Neighborhood Commercial*
- City of Jacksonville Ordinance 2009-21-E
- *Changes 0.12 acres from Medium Density Residential to Light Industrial*
- City of Jacksonville Ordinance 2008-1024-E
- *Changes 2.04 acres from Low Density Residential to Light Industrial*
- City of Jacksonville Ordinance 2009-27-E
- *Changes 9.95 acres from Low Density Residential to Light Industrial*
- City of Palatka Ordinance 09-15
- *Changes 0.23 acres from County Urban Service to City Low Density Residential*

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City of Palatka

Ordinance 09-19

- *Changes 0.75 acres from County Commercial to City Commercial*

City of Palatka

Ordinance 09-17

- *Changes 0.31 acres from County Urban Service to City Low Density Residential*

*The Small Scale Amendments are generally consistent with the Goals and Policies of the Northeast Florida Strategic Regional Policy Plan, and will not be brought to the Council for review. Staff reviews of the Transmitted and Adopted Amendments are attached.

Tab 3

MEMORANDUM

DATE: June 2, 2009

TO: Northeast Florida Regional Council

THRU: Planning and Growth Management Policy Committee

FROM: Valerie F. Evans, AICP, Principal Regional Planner

RE: Clay County Transmitted 09EAR-1

Scope of Review

The Regional Council received the Clay County EAR-Based Amendments on May 7, 2009. The Comprehensive Plan EAR-Based Amendments were prepared pursuant to the requirements of S. 163.3191, Florida Statutes, (F.S.). Pursuant to Section 163.3191(6), F.S., and the contract between the Department of Community Affairs (DCA) and the Regional Council, staff has reviewed the adopted amendment to determine whether it sufficiently addresses the Goals, Objectives, and Policies of the Northeast Florida Strategic Regional Policy Plan, as well the requirements of S. 163.3191(2), F.S. Staff has prepared this report to forward to the Department of Community Affairs upon approval by the Council.

EAR History

The Evaluation and Appraisal Report (EAR) of the Clay County Comprehensive Plan was adopted by Clay County on February 27, 2007. Local governments are required to adopt an EAR once every seven years as stipulated in S. 163.3191, F.S. The EAR assesses the progress in implementing the local government's comprehensive plan and reviews the successes and shortcomings of the plan. During this process, recommendations for changes to the Comprehensive Plan are outlined. The local government then has 12 to 24 months, after adoption of the EAR, to adopt EAR-Based Amendments.

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EAR-Based Amendment Summary

The County prepared an update of the Comprehensive Plan based on the findings in the EAR. During the EAR process a number of major issues were developed for the County and these were used to evaluate the Goals, Objectives and Policies of the Comprehensive Plan (see attached Memo for reference). The EAR-Based Amendment extends the planning period to the year 2025.

The County conducted 13 Planning Commission workshops to obtain public input on the EAR-Based Amendments. These occurred between July 2008 and March 2009. Clay County Board of County Commissioners approved the transmittal of the EAR-Based Amendments at their meeting on April 28, 2009.

Based on the findings in the EAR, the EAR-Based Amendments include updated policies based on current data; modified policies to better address local issues; deleted policies that are no longer relevant; and new policies that articulate recommendations in the EAR and that respond to changes in legislative requirements. Globally, the plan updated references to resources, documents and agencies as appropriate. All of the maps required have been updated based on new and relevant data and correlates with the Goals, Objectives and Policies.

The following summary highlights the substantive changes to the Comprehensive Plan by Element:

Future Land Use Element

- Strengthened policies to ensure public facilities and services are available to serve development.
- Incorporated future land use categories.
- Defined densities and intensities for future land use categories.
- Added stronger and more detailed policies regarding vested properties.
- Added policies to address 163.3177(6)(a), F.S. to establish green house gas reduction strategies.
- Created a new Mixed-Use land use category, with development parameters

Housing Element

- Modified a policy regarding mobile and manufactured homes to insure that infrastructure and public facilities are available.
- Added a policy to address energy efficiency in design and construction of new structures.

Comment

- *Policy 1.4.3 uses the concept of Urban Service Area. This was replaced with Centralized Water and Sewer Service Area in the Future Land Use Element.*

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Community Facilities Element

- Added additional permitting requirements for new and re-development relative to requirements in Chapter 40C-4 FAC and 40C-4o FAC dealing with surface water runoff.
- Added a policy to comply with the St. Johns River Water Management District (SJRWMD) 2008 Water Supply Assessment and the water supply planning requirements of Chapter 163 F.S. (s.163.3177 F.S.)
- Modified a policy regarding potable water resources and aquifer recharge areas consistent with 9J-5.011(2) (b) (2)(b) 4 and 5.
- Added an objective to address regulation of stormwater runoff and protect natural resources.

Conservation Element

- Strengthened policies to promote reduction of pollution generated from automobiles.
- Added a policy to address Best Management Practices for golf courses, agricultural and silvicultural operations to include water protection and water conservation.
- Added policies to encourage additional water conservation and referenced Florida Water Star and Leadership in Energy and Environmental Design (LEED) programs.
- Added policies to support the increase and protection of natural resource and conservation areas.
- Included open space requirements for new development.
- Added policies to address energy conservation and greenhouse gas emissions consistent with 163.3177(d) F.S.

Intergovernmental Coordination Element

- Included additional agencies in interlocal cooperation efforts and included provision for school concurrency requirements.

Capital Improvements Element

- Incorporated a Five-Year Educational Facilities Plan.
- Changed Level of Service (LOS) standard for solid waste from 3.43 to 3.99 pounds per capita per day.
- Changed definitions of roadway facilities and included Strategic Intermodal System (SIS) and Florida Intrastate Highway System (FIHS).
- Added policies to address improvement of constrained roadway facilities.
- Changed LOS standard for community parks from 1 acre per 2,000 persons to 1 acre per 500 persons.
- Changed LOS standard for boat ramps from 1 lane per 785 boats to 1 lane per 18,000 persons.

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Transportation Element

- Incorporated new maps to include: a 10-Year Transportation Plan/Future Traffic Circulation Map, a Bicycle/Pedestrian Facilities Map, a Public Transit Systems Map and a Ports, Aviation and Rail Map.
- Changed definitions of roadway facilities and included SIS and FIHS.
- Added policies to address improvement of constrained roadway facilities.
- Added policies to include criteria for vacating existing right-of ways.
- Changed reference from Urban Service Area to Centralized Water and Sewer Service Area.
- Added policies to address energy conservation and greenhouse gas emissions consistent with 163.3177(d) F.S.

Historical Element

No significant changes.

Recreation and Open Space Element

- Changed LOS standard for neighborhood parks from 1 acre per 1,500 persons to 1 acre per 2,100 persons.
- Changed LOS standard for community parks from 1 acre per 2,000 persons to 1 acre per 700 persons.
- Changed LOS standard for boat ramps from 1 lane per 785 boats to 1 lane per 25,000 persons.

Comment

- *The above changes to LOS standards are not consistent with the changes proposed in the Capital Improvements Element Policy 4.2. The references to LOS throughout the Comprehensive Plan should be modified for consistency.*
- Changed LOS standards for baseball, softball fields and basketball and tennis courts.
- Added reference to Clay County Manatee Protection Plan.
- Added provisions to develop a Parks and Recreation Master Plan to guide acquisition and development of a coordinated system.

Economic Development Element

No significant changes.

School Element

No significant changes.

In addition, the Clay County Comprehensive Plan includes the **Branan Field Master Plan** and the **Lake Asbury Master Plan**. Both of these plans were established to specifically address and guide development unique to these geographic areas within the County. Each provides detailed Goals, Objectives

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and Policies relative to implementation of the Master Plan; implements a long-range, strategic approach to natural resource protection and transportation planning; defines the desirable development pattern and standards; and provides for the availability of infrastructure.

County Initiated Future Land Use EAR Based Amendments

There were two large-scale, County initiated FLUM amendments that are included as part of the EAR based amendments. The first change involves the Branan Field Mixed Use project, which textually changes the designation from BF-MPC to the newly created Mixed-use category designation. Additionally, the long-term planning horizon has been extended through 2025.

The second County-initiated FLUM amendment submitted as part of this EAR based amendment involves 1,558 acres of what is currently designated as Agriculture near US 301, known within the EAR as the *301 Corridor Industrial Park Designation*. The Industrial Park designation is a newly created land use category, and seemingly lacks development standards (i.e., FARs). However, the proposed use of the development is as follows: 790 acres Industrial/Warehouse; 25 acres Commercial; and 10 acres of Commercial/Office. In addition to the aforementioned categories, 458 acres will be put into Conservation.

The development is proposed to occur in three phases: Phase 1: 2010-2015; Phase 2: 2015-2020; and Phase 3: 2020-2025. The phasing schedule, along with the required improvements identified in the supporting data and analysis (e.g., widening of CR 218 by Phase 2, potable water and sanitary sewer infrastructure, etc) are proposed to be enforced through an asterisk on the Future Land Use Map. It is important to note that, although the Clay County Utility Authority has agreed to service the area, they are requiring an executed Development Agreement to “underwrite the costs of the necessary facilities.”

Staff comments: The data and analysis that accompany the 301 Corridor Industrial Park development references the future creation of a “master plan.” The reference of a master plan contemplates a common development plan that, when combined with the phasing of the development, and the number of acres involved, implies development at a Development of Regional Impact threshold. Additionally, staff is not supportive of implementing the phasing of development through the use of asterisks as adequate analysis and mitigation of long-term impacts are not accounted for.

Staff recommendations: Staff recommends that the County not include in the adoption of the EAR based amendments all of the entitlements sought by the 301 Corridor Industrial Park until an adopted master plan, along with an enforceable development agreement that adequately mitigates for the total impacts of the development, are in place. Additionally, staff

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recommends that the County enter discussions with the Department of Community Affairs concerning the development and DRI thresholds.

Individual Initiated Future Land Use EAR Based Amendments

The EAR-Based Amendments include four (4) changes to the Future Land Use Map (FLUM) and one (1) text amendment. The following summary is provided for the transmitted large scale amendments as provided by the County.

EAR-01: The proposed land use changes 75 acres from Agriculture to AG/Residential. The subject property is located approximately 3 miles South of SR 16 – South of CR 226 and East of CR 209 – in the Green Cove Springs.

EAR-02: The proposed land use changes 1,018.83 acres from Agriculture (1 du/20 acre) to Industrial (An average 0.25 and a maximum of 0.5 FAR, total 525.31-acre) and Conservation (493.53-acre) with a maximum industrial cap of 1,144,125 square feet by year 2013, a total industrial developments of 5,720,517 square feet at build out, and a condition of providing Central Water and Sewer System by the Clay County Utility Authority. The subject property is located West of US 17 and North of Clay/Putnam County line in the Green Cove Springs.

The proposed change is consistent with the findings of Clay County EAR which concludes that additional employment generating land use should be added to the FLUM. The proposed development will utilize the existing CSX rail line and water and wastewater services will be provided incrementally by private investment. The development is intended to implement a planned and phased approach to the development.

There will be a cumulative increase in PM peak trips based on development phasing. Associated trip increase by the year 2013 is 923 additional trips on U.S. 17. U.S. 17 currently functions at LOS B and has available capacity of 1,750 trips and will not fail with the 5-year planning horizon.

Staff comments: According to s. 380.0651(3)(c)1, industrial plants, parks, and distribution facilities under common ownership, or which deal with the general public onsite, that are greater than 320 acres, constitute a Development of Regional Impact. Staff recognizes that a land use amendment in and of itself does not require submittal of a companion DRI. Additionally, staff recognizes that an asterisk has been proposed to limit industrial development to 1,114,125 square feet by 2013, along with a provision that Central Water and Sewer be provided by the Clay County Utility Authority.

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Staff Recommendations: Staff recommends that the County change only the amount of land to Industrial that is needed to accommodate the development proposed through 2013. The remainder of the lands should be entitled during the same short-term planning horizon that they are anticipated for commencement. The County should not phase development by use of an asterisk, as by doing so the impacts are not adequately planned for.

Staff recommends that the mitigation of impacts and infrastructure needed to maintain LOS standards are incorporated into a financially feasible Capital Improvements Program when additional entitlements are sought through the Comprehensive Plan amendment process.

EAR-03: The proposed land use changes 5.98 acres from Urban Core to Mixed-Use. The subject property is located south of Kingsley Avenue near Foxwood Drive. Current use of the property is an 80 unit, 9 building multi-family development constructed in 1971. The use proposed is 64,577 SF of non-residential with 89 residential units located above the non-residential units. The site will be served by central water and wastewater by existing facilities in the Orange Park Grid that have available capacity. Traffic generated by the site will increase by 429 PM peak trips meeting the definition of concurrency infill area.

EAR-05: The proposed land use changes 4,380 acres from *Agriculture, Rural Residential, Mining, and Conservation* to *Rural Fringe, Rural Reserve, Rural Residential, Ag/Residential, Agriculture, Conservation, Commercial, and Industrial*. The property is part of a larger 7,990 acre site located west of US 17 and is contiguous to the southern boundary of the Governors Park Development of Regional Impact.

Total current land use by acreage:

Agriculture	6,077
Conservation	401
Rural Residential	710
Mining	802

Total proposed land use by acreage:

Rural Fringe	1,089
Rural Residential	1,001
Rural Reserve	947
Ag/Residential	375
Commercial	50
Industrial	173
Agriculture	3,364
Conservation	991

Development of property is proposed to occur in two phases, which will be enforced through an asterisk on the Future Land Use Map. Total phase 1 development is approximately 1,000 single-family units; total maximum development in both phases is 5,932 residential units, 375,000 square feet of commercial, and 1,297,500 square feet of industrial.

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It has been demonstrated that US 17 will not be failing within the 5-year planning horizon. As proposed, and that, due to phasing of the development, there will only be an increase of 865 PM peak hour trips by 2015. By 2025, however, total PM peak hour trips increase by 7,820 trips. A parallel road to US 17 within the development will connect to the Governors Park US 17 bypass, and eventually connect to US 17 as well. This roadway is not being adopted into the 5-year CIP, but is shown on the Clay County 10 Year Transportation Plan / Future Traffic Circulation Map within the Transportation Element of the Comprehensive Plan.

The amendment will result in an increase in elementary school demand greater than can be accommodated. The County staff has recommended that school concurrency be satisfied through the collection of impact fees.

Staff comments: Staff acknowledges that the County transmitted the land use change with development potential limitations through 2013 that are below the DRI threshold limits for Clay County. However, the long-term effect of the amendment will entitle the lands to a maximum development potential that exceeds the Development of Regional Impact (DRI) threshold for single-family residences. Staff understands that a land use amendment in and of itself has not been deemed to be a development order, nor does it necessarily constitute a common plan of development.

The amendment will result in an increase in elementary school demand greater than can be accommodated. The County staff has recommended that school concurrency be satisfied through the collection of impact fees. NEFRC staff recognizes that, pursuant to the County's Public School Facilities Element (PSFE) Policy 3.1, school concurrency is measured at time of rezoning, preliminary plat review and site plan review; however, County staff's recommendation that school concurrency be satisfied through impact fee collection is seemingly inconsistent with PSFE Policy 3.4, which sets out provisions for proportionate fair share. However, based upon NEFRC staff conversations with County planning staff, the school board and the applicant are working towards satisfying school concurrency through proportionate fair share.

Staff supports the County's proposed requirement of a 6,000 foot radius notification from the center line of the Haller Airpark runway on the site for non-transactional notice.

Staff Recommendations: Staff recommends that the County change only the amount of land that is needed to accommodate the development proposed through 2013. The remainder of the lands should be entitled during the same short-term planning horizon that they are anticipated for commencement. The County should not phase development by use of an asterisk, as by doing so the impacts are not adequately planned for.

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Staff recommends that the mitigation of impacts and infrastructure needed to maintain LOS standards are incorporated into a financially feasible Capital Improvements Program when additional entitlements are sought through the Comprehensive Plan amendment process.

Text Amendment

EAR-04: A text amendment that proposes changes to Policy 1.7 of the Capital Improvement Element. This policy deals with construction of roadway segments that were identified as a condition of a stipulated settlement agreement between Clay County, DCA, and the Reinhold Corporation in 2005.

Background

The Reinhold Corporation filed an application of approximately 615-acre Business Park Land Use (Peters Creek) and it was adopted on June 24, 2003. The DCA found the amendment Not-In-Compliance because it was not supported by adequate public facilities.

A revised traffic study dated May 5, 2005 was submitted to DCA for comment: At the direction of County Staff, the analyses reflected a planned road network based on pending Lake Asbury Master Plan. (LAMP was adopted on July 26, 2005 and the following Remedial Plan for issued Stipulated Settlement Agreement was adopted on November 14, 2005).

Clay County has proposed to remove three of the roadway segments from the and amended the construction date from 2015 to as development occurs. Construction of these segments remains the developer/owner's responsibility. The table below indicates the proposed changes.

Roadway Segment

E-W Connector from the western Peters Creek property line to CR 315 Connector

Construction Date

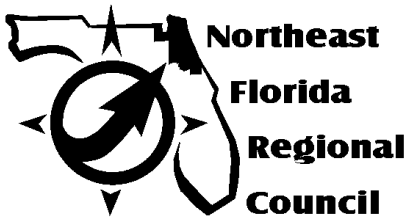
As development occurs

Peters Creek Internal Road from the property line to CR 218 Extension

As development occurs

Recommendation:

Staff respectfully recommends that the Planning and Growth Management Policy Committee and the Council approve this report for transmittal to the Department of Community Affairs.



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MEMORANDUM

DATE: April 2, 2007

TO: Northeast Florida Regional Council

THRU: Planning and Growth Management Policy Committee

FROM: Edward Lehman, Director of Planning and Development

RE: Clay County Evaluation and Appraisal Report

Scope of Review

The Regional Council received the Clay County Evaluation and Appraisal Report (EAR) on March 26, 2007. The EAR was prepared pursuant to the requirements of S. 163.3191, Florida Statutes, (F.S.). Pursuant to Section 163.3191(6), F.S., and the contract between the Department of Community Affairs and the Regional Council, staff has reviewed the adopted amendment to determine whether it sufficiently addresses the Goals, Objectives, and Policies of the Northeast Florida Strategic Regional Policy Plan, as well the requirements of S. 163.3191(2), F.S. Staff has prepared this report to forward to the Department of Community Affairs upon approval by the Council.

EAR History

S. 163.3191, F.S., requires that "each local government shall adopt an EAR once every seven years assessing the progress in implementing the local government's comprehensive plan." The EAR assesses the successes and shortcomings of the plan and provides recommendations for changes. The EAR-based amendments will be adopted 12 to 24 months after adoption of the EAR. The Clay County EAR was due on January 1, 2007, and was adopted by Clay County on February 27, 2007.

EAR Summary

The County and its consultant held four public workshops to obtain citizen input on the success and shortcomings of the Plan, which could be used for developing the EAR. The four public workshops were held on September 21, September 28, October 2, and October 5. As a result of the process, the County developed a list of issues to be addressed in the EAR. The list of issues was transmitted to DCA, and DCA issued a letter of agreement on the list of issues on November 17, 2006. The summary of the list of issues and the discussion in the EAR corresponding to the list of issues is summarized below.

As part of the EAR process, the County also evaluated each objective from the Comprehensive Plan to determine whether the County has successfully meeting the objectives and where the underlying policies are being adhered to.

List of Issues and Issue Statements

- 1) **Continuity and enhancement of long-range transportation efforts.**
The County adopted the following recommendations to address this issue.
 - (a) Continued coordination with JTA, MPO, and other local agencies to identify potential public transportation corridors and establish policies that support transit-oriented development,
 - (b) continued support and involvement in JTA long-range transit activities and amendment T.E. Objective 4.2 and supportive policies that will specifically direct revenues to fund mass transit and other alternative transportation improvements,
 - (c) create an additional package of incentives such as an expanded transportation concurrency exception area or some other concurrency benefit to encourage mixed-use, transit oriented developments that are outside present concurrency infill areas;
 - (d) develop a long-range Bicycle/Pedestrian Master Plan for the entire County; and
 - (e) implement a formal set of measurable TDM policies and programs (including a system of evaluation) to reduce peak hour travel demand and vehicle miles traveled.

2) Evaluate methods for determining transportation concurrency. Specifically, different standards for job-generating uses and wider impact areas for residential uses should be considered. The County adopted the following recommendations to address this issue.

- (a) The need to include additional constrained facilities;
- (b) continue to direct fair-share contributions to the most critical transportation needs;
- (c) conduct a formal analysis to determine stricter concurrency standards for single-use residential projects;
- (d) provide an incentive package for employment-generating uses;
- (e) look into various forms of bonding and other revenue sources as a means to increase funds to finance needed improvements;
- (f) continued support and involvement in JTA long-range transit activities and amending T.E. Objective 4.2 and supportive policies that will specifically direct revenues to fund mass transit and other alternative transportation improvements; and
- (g) commit to following the infrastructure improvement program outlined in the Comprehensive Plan.

3) Specific incentives and policies for economic development. The County adopted the following recommendations to address this issue.

- (a) Develop an Economic Development Element within the Comprehensive Plan with goals, objectives and policies to guide countywide economic development efforts to improve the size and quality of the local economy;
- (b) develop a greater level of coordination and collaboration for countywide economic development efforts between public and private entities. This should be accomplished, in part by the addition of the option Economic Development Element allowed by Florida State Statutes into the Comprehensive Plan.
- (c) develop formal economic incentive policies and programs.

4) **Inadequate land designated for job generating land uses.** The County adopted the following recommendations to address this issue.

- (a) Develop an industrial land and business park designation strategy;
- (b) undertake additional Area Plans for the U.S. 301, S.R. 16, and the proposed Outer Beltway corridor with a focus on, but not limited, land use and infrastructure planning for industrial and business park sites;
- (c) maintain and expand the County's industrial land use designation as shown on the FLUM, and evaluating the feasibility of developing requirements for DRIs to maintain minimum industrial, business park or employment generating land use acres.
- (d) develop strategic policies, plans, studies, and administrative procedures to address fast-track entitlement process and streamlining efforts for permitting industrial and business park sites; and
- (e) formulate the County's economic development vision.

5) **Preservation of rural character in traditionally rural areas.** The County adopted the following recommendations to address this issue.

- (a) Expand clustering and open space by requiring residential development in rural areas to meet mandatory clustering and open space provisions;
- (b) increase minimum buffer requirements between incompatible uses in rural areas;
- (c) create development edge and scenic buffer standards along roadway corridors and between adjacent developments;
- (d) develop a system that measures the appropriateness of conversion of agriculture and rural lands to other land uses;
- (e) purchase of agriculture lands for preservation purposes; and
- (f) use of transfer of development rights;

6) **Preservation of environmentally sensitive lands.** The County adopted the following recommendations to address this issue.

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- (a) Adopt Land Development Regulations as required by the County's Comprehensive Plan;
- (b) develop a long-range financially feasible plan for the identification and acquisition of environmentally sensitive lands;
- (c) further clarify the definition of environmentally sensitive lands;
- (d) assemble and maintain an accurate inventory of public and private conservation lands; and
- (e) utilize best available information to aid in the review of development submittals and public planning studies.

7) **Continue large-scale master planning.** The County adopted the following recommendations to address this issue.

- (a) Incorporate objectives and policies relating to long-term master planning into the Future Land Use Element;
- (b) identify future areas for long-term planning;
- (c) after approval, incorporate Lake Asbury Master Plan into 2025 Comprehensive Plan Update; and
- (d) incorporate future master plans into the Comprehensive Plan as they are completed and approved.

8) **Diversity of housing types and costs.** The County adopted the following recommendations to address this issue.

- (a) Consider inclusionary measures such as requiring a specified proportion of affordable units in new residential developments, or establishing a fee in lieu of actual units that would go into a fund dedicated to affordable housing programs;
- (b) review allowable residential densities and consider establishing a greater variety of allowable residential density;

- (c) reconsider acreage limitations on maximum densities for affordable housing development; and
- (d) establish additional incentives for provision of affordable housing.

9) **Improved health of the St. Johns River.** The County adopted the following recommendations to address this issue.

- (a) Continue to implement objectives and policies contained in the 2015 Comprehensive Plan;
- (b) consider adding policies that recognize the County's successes with wastewater reuse and encourage continued expansion of reuse potential; and
- (c) consider adding a policy regarding coordination with appropriate agencies in order to maintain the health of the Lower St. Johns River.

Special Topics

- 1) Compatibility with Military Installations – pursuant to S. 163.3191(2)(n), F.S., the County has developed policies to be incorporated into the Comprehensive Plan that address land use compatibility with the Camp Blanding Joint Training Facility. Proposed Objective 1 and its related policies ensure that future development within the Camp Blanding Military Zone will not negatively impact the current and long-term viable use of the facility. Proposed Objective 2 and its related policies address the need for intergovernmental coordination and communication to promote the continued existence of Camp Blanding Joint Training Center and avoid incompatible land use activities.
- 2) School Location and Concurrency – Clay County is required to adopt a public school facilities element by May 1, 2008. As a first step, the County has adopted, with Orange Park, Keystone Heights, and Green Cove Springs, an interlocal agreement that addresses coordinated planning efforts. The County addresses the need to adopt a number of amendments prior to May 1, 2008, which will address school concurrency, the adoption of a Public School Facilities Element, school LOS standards, public school Concurrency Service Areas, and a financially feasible Public School Capital Facilities Program.

- 3) Water Supply Planning – the County is not within a Priority Water Resource Caution Area, and is therefore not required to prepare a 10-Year Water Supply Facilities Work Plan. However, a number of amendments will be necessary to satisfy requirements related to water supply planning, including an update of the Community Facilities Element to address water needs and sources, reuse, multi-jurisdictional water supply facilities, etc. In addition, the Conservation Element will need to include an assessment of current and projected water needs, and the Intergovernmental Coordination Element will need to address cooperative efforts with regard to potable and reuse water service delivery. Finally, the Water Management District's 2005 District Water Supply Plan will need to be reflected in the Comprehensive Plan.

- 4) Financial Feasibility – in order to meet the 2005 amendments to Chapter 163, F.S. concerning financial feasibility, the County will be required to adopt amendments that address the need to define financial feasible in the Capital Improvements Element, and include a policy that the Comprehensive Plan will be financially feasible. In addition, the CIE schedule must meet the requirements regarding developer funding and planned revenue sources requiring referenda or other actions and must be amended to require coordination of the schedule with the MPO TIP. Finally, the CIE must be amended to state the requirements for the annual update, with the data and analysis needing to be updated to be consistent with the requirement of SB 360.

Other Changes

In addition to evaluating issue statements and proposing amendments to address these issue statements, the County did a general study of the Comprehensive Plan to determine whether there were changes that were necessary to address shortcomings of the plan, or implementation policies necessary to further the plan that were not carried forward. The County identified those existing policies that were not successful or not implemented, and in many instances the changes to address the issue statement will address those shortcomings. However, in other instances the County acknowledged the limited success on achieving certain objectives, but did not lay out a clear strategy for meeting those objectives.

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Recommendation:

Staff respectfully recommends that the Committee and the Council recommend to the Department of Community Affairs that the Clay County Evaluation and Appraisal Report is sufficient.

Tab 4

MEMORANDUM

DATE: June 1, 2009

TO: Northeast Florida Regional Council

THRU: Planning and Growth Management Policy Committee

FROM: Guy Parola, AICP, Senior Regional Planner

RE: City of Jacksonville Transmitted Amendment 09EAR-1

Scope of Review

The Regional Council received City of Jacksonville Transmitted Amendment 09EAR-1 on May 7, 2009. The City of Jacksonville requested formal review by the Department of Community Affairs. Therefore, pursuant to Florida Statute Chapter 163 and the contract between the Department of Community Affairs and the Regional Planning Council, staff reviewed the Transmitted Amendment for adverse impacts to Regional Resources and extra-jurisdictional impacts. Staff has prepared this Objections, Recommendations, and Comments report to send to the Department of Community Affairs upon approval by the Council.

Amendment Summary

City of Jacksonville Transmitted Amendment 09EAR-1 contains text changes to the Comprehensive Plan relating to the Evaluation and Appraisal Report (EAR) completed in 2007. The amendment is based on those changes recommended within the EAR as identified in the individual element, local major issues, special issues, and statutory changes sections of the EAR.

Generally, changes identified in the individual element, special issues, and statutory changes sections of the EAR are contained in this amendment. A review of the amendments in response to those issues identified in the local major issues section was done as well.

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Not all of the proposed changes to the Comprehensive Plan are identified. Only those changes that are of regional significance, or involve issues of regional concern (e.g., water conservation, wetlands, transportation) have been identified.

Staff acknowledges that City has not extended their short-term nor long-range planning horizons as typically required. However, this is not without forethought. Policy 4.5.1 of the Future Land Use Element states that the EAR based amendments, and, consequently, the short-term and long-range planning horizons will be extended upon completion the three remaining vision plans. Once the vision plans are completed, the planning timeframe of the Comprehensive Plan will be extended through 2030.

Local Major Issues

Regarding the local major issues, staff has the following comments:

1. Proactive Comprehensive Plan

Generally, the changes to the Comprehensive Plan identified in this transmitted amendment are consistent with the recommendations within the EAR. The City has retained policies for funding transportation, planning for schools, corridor redevelopment, and industrial land protection and preservation. Policies have been added that address revitalization of the St. Johns River, such as limiting point and nonpoint pollution discharge into the St. Johns River, are included as well.

2. Alternatives to Individual Car Use

Generally, the changes to the Comprehensive Plan identified in this transmitted amendment are consistent with the recommendations within the EAR. However, the amendment does not contain changes that would strengthen the effectiveness of the Comprehensive Plan in reducing single-occupancy vehicle usage, as recommended in the EAR. Transit Oriented Design (TOD) developments are encouraged within the Community/General Commercial (CGC) category through a density bonus system, allowing residential development up to the High Density Residential (HDR) density when within proximity to a JTA mass transit system. The Future Land Use Element contains goals, objectives and policies to establish a "Land Use, Utility, and Transportation" (LUUTRAN) working group for the purposes of, among other things, developing strategies for coordinating land use decisions with JTA's Rapid Transit System and Commuter Rail plans.

3. Affordable and Disabled Housing Needs

Generally, the amendment does not strengthen existing objectives and policies within the Comprehensive Plan in relationship to affordable housing need calculations within Developments of Regional Impact, density bonuses, transferable development rights, or inclusionary efforts. However, the Future Land Use Element does contain a policy that enables a density bonus system to be incorporated into the Zoning Code. Densities

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within the individual land use categories within the Comprehensive Plan do not contain density bonuses for affordable housing.

4. The St. Johns River

The amendment contains specific changes that strengthen regulation of stormwater and pollution discharge into the St. Johns River. The amendment contains objectives and policies that include provisions that specifically address the Basin Management Action Plan, drainage Best Management Practices, prohibition of septic tanks within suburban / urban areas, and promoting green building practices for City funded projects. Future Land Use Element Goal 7, Objective 7.1 and 7.2, and Policies 7.1.1 through 7.2.1 have been proposed in order to state that the St. Johns River and its tributaries will be considerations for land use and development decisions.

5. Mixed-use Projects and Neighborhoods

Generally, the changes to the Comprehensive Plan identified in this transmitted amendment are consistent with the recommendations within the EAR. Within the Future Land Use Element there are specific objectives and policies that address urban “centers”, where housing and jobs are located within proximity to each other.

6. Redevelopment in Older Neighborhoods

Generally, the changes to the Comprehensive Plan identified in this transmitted amendment do not substantially augment or strengthen existing policies addressing redevelopment.

7. Revitalizing Downtown

Generally, the changes to the Comprehensive Plan identified in this transmitted amendment are consistent with the recommendations within the EAR.

8. Coastal High Hazard Policies

Generally, there are few substantive changes to the Comprehensive Plan identified in this transmitted amendment that implement the recommendations within the EAR relating to the CHHA. Conservation and Coastal Management Element Policy 7.1.12 was added to coordinate the City’s Emergency Preparedness Division, FDOT, and JTA for the purpose of identifying additional roads for inclusion in the City’s evacuation system. Additionally, the requirement that certain public buildings (e.g., schools, civic centers) when located outside of Evacuation Zones shall be evaluated for shelter space.

Several of the recommendations made within the EAR relating to the CHHA did not translate into new or amended objectives and policies. The EAR recommends that all new residential development located in Evacuation Zones 1 and 2 contribute to the cost of shelter space. The EAR also recommends that new development within the CHHA to

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designate non-permitted jurisdictional wetlands or other environmentally sensitive lands as Conservation. However, the EAR based amendments are silent on these issues.

9. Neighborhood Plans for the North, Northwest and Southwest Planning Districts

Generally, the amendment contains language that strengthens the relationship of land use amendment reviews and neighborhood plans.

10. Cecil Field Redevelopment

Generally, the amendment contains language that continues to promote the Cecil Field redevelopment plan.

11. Urban Sprawl

Generally, the amendment retains language within the Comprehensive Plan that discourages urban sprawl. New language offers incentives such as density bonuses for TOD developments that promote infill in urbanized and suburbanized areas, which, in effect, helps to discourage urban sprawl. Additionally, policies have been added that promote mixed urban “centers.”

12. Butler Boulevard / Baymeadows Road Mobility Goals

Generally, requirements for the “9A/Butler/Baymeadows TMA” are maintained. New language has been proposed to address intergovernmental coordination with the Florida Department of Transportation if a portion of a Strategic Intermodal System (SIS) facility is located within a Traffic Concurrency Management Area.

13. Retention of Industrial Lands

Generally, the amendment contains objectives and policies that preserve and protect industrial lands. Specific policies have been added that promote and protect working water fronts by making it more difficult to change land uses along working water fronts when the proposed land use does not allow for water dependent industrial and commercial activities.

14. Preservation of Recreational and Commercial Waterfronts

Generally, the changes to the Comprehensive Plan identified in this transmitted amendment are consistent with the recommendations within the EAR.

Individual Element Assessment

Regarding changes to the individual elements, staff has the following comments:

Future Land Use Element

Policy 1.2.12, which encouraged developments to participate in recovered water reuse programs, has been stricken and replaced with language that references Ordinance 752 of the Ordinance Code.

New **Policy 1.5.13** addresses methods to support low impact development.

New **Policy 1.5.14** encourages environmentally sensitive areas to be placed in a Conservation land use category, zoning district, or easement.

New **Policy 2.2.2** addresses infrastructure needs and improvements in blighted areas.

Policy 2.2.3 has been stricken and replaced with a policy that states the City will amend Section 656 of the Ordinance Code to allow affordable housing units through density bonuses, additional units on an existing lot, and/or consortium owned land.

Policies 2.6.3, 2.6.4, and 2.6.5 have been deleted. These policies referred to rail transit.

Policy 3.1.15 has been rewritten to provide that sites within ¼ mile walking distance from JTA's planned Rapid Transit System or commuter rail lines are presumed to be suitable locations for Transit Oriented Developments.

New **Policy 3.2.24** states that the City shall review the need for new industrial land use areas in the western portion of the City, in lieu of expanding the urban residential development pattern in the area.

Policy 4.1.1 acknowledges that revisions to the Land Development Regulations will be necessary to implement a revised Future Land Use Element. Prior to those revisions, mechanisms such as form-based zoning will be considered by the City to encourage mixed-uses.

New **Sub-policies 4.1.8A, 4.1.8B, and 4.1.8C** relate to the City's vision plans which have been completed or an on-going.

New **Objective 4.5 and Policy 4.5.1** tie the update of the Future Land Use Element consistent with the EAR requirements with the remaining vision plans. The City acknowledges that this update may not conform to the recommendations of the 2007 EAR. If the City determines after completion of the vision plans that an update is necessary, it will be completed within one year.

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Recommendation: Objective 4.5 states that the City will update the FLUM and the Future Land Use Element consistent with the recommendations of the Sept. 2007 EAR. Staff recognizes the City's desire to update the FLUM after completion of the remaining three planning district plans. However, the City has an obligation to update the FLUM consistent with the recommendations of the EAR. In under no circumstance should an update to the FLUM be determined "to not be necessary or feasible" as stated in Policy 4.5.1. The City should rewrite Policy 4.5.1 to state a definitive obligation and time frame to complete the update of the FLUM and Future Land Use Element.

New **Goal 5** addresses the implementation of an education campaign geared for citizens to understand the City's planning process. New **Objective 5.1** and **Policies 5.1.1 and 5.2.2** address the development of an educational brochure and education course that will be presented to neighborhood and community groups, as well as the need to educate stakeholders the land use policy, design techniques and best development practices incorporated in the vision and neighborhood plans.

New **Goal 6** addresses increased coordination between land use, transportation, and utility infrastructure. **Objective 6.1** and its associated policies created the Land Use, Utility, and Transportation working group, which shall address issues such as coordination between JTA's plans and the FLUM, promotion of transit-oriented design, linkages between land use and transportation, densities at station areas, and coordination between utility infrastructure and land planning.

New **Objective 6.2** and its policies address Corridor Mobility Plans, corridor mobility areas, and objectives for increased transportation funding.

New **Objective 6.3** and its policies address infill development. Issues such as infrastructure needs, density bonuses, affordable housing, historic preservation, pedestrian mobility, etc., are addressed in the policies.

New **Goal 7** addresses impacts of development to the St. Johns River. New **Objective 7.1** and its policies address land use designations and land development regulations for parcels along the river and its tributaries. New **Objective 7.2** states that City shall implement strategies to encourage the preservation of environmentally sensitive lands. New **Policy 7.2.1** allows for residential density transfers in accordance with standards that address density levels and preservation area recordation. New **Policy 7.2.2** addresses tax assessment issues for wetlands

Transportation Element

Policy 1.3.1 has been added that identifies the designation of Transportation Concurrency Management Areas as a tool to be used by the City in addressing transportation congestion issues. The policy provides that the LOS for state roadways located within the TCMA shall be negotiated with FDOT.

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New **Policies 1.4.1 and 1.4.2** establish the credits to be given for Cecil Field roadway improvements, and requires a Chapter 163, F.S., agreement prior to implementation of a specialized concurrency management system to address Cecil Field redevelopment.

Objective 1.5 and its related policies address the need to maintain the Transportation Concurrency Exception Area within the downtown area.

Policy 2.4.2 has been revised to delete reference to the City as staff to the MPO, in reference to updates of the long range transportation plan for the Jacksonville Urbanized Area.

Comment: This policy misstates the City's role in the long range update for the Urbanized Area, which includes a larger portion of the region than just City of Jacksonville. The policy should be reworded to state the City's role as a participant in the update, but not the main party responsible.

Policies 2.4.3, 2.4.4, and 2.4.5 are new and they address responsibilities of the Land Use, Utility, and Transportation working group.

New **Objective 2.5** provides that once the FLUM revisions are complete, the City should work with community leaders to support advocacy efforts to address the City's transportation needs. Associated policies deal with the need for equitable distribution of funding.

Housing Element

The majority of the changes to the objectives and policies were updates reflecting current best available data. Additional policies were added supporting and encouraging adequate affordable housing units, various dwelling unit types and preserving existing low-income housing units. Policies were added to address the need to inform the public of housing and rehabilitation programs and promoting the plans for capital long range funding.

Policy 1.4.12 has been added to give priority for redevelopment programming dollars when those dollars are spent in areas within a Neighborhood Action Plan.

Policy 1.7.8 has been added to address the issues of homelessness through forging partnerships with Emergency Services and the Homeless Coalition of Jacksonville.

Objective 1.12 addresses Energy efficiency and renewable energy sources in the design, new construction and rehabilitation of affordable housing initiated by the Housing and Neighborhoods Department. Corresponding **Policies 1.12.1 through 1.12.6** have been added to promote the use of indigenous landscaping to eliminate the need for additional irrigation and chemical treatments, implement sustainability in the design, construction and rehabilitation of workforce and affordable housing units. Encourage Leadership in Energy and Environmental Design (LEED) standards and also when feasible to orient structures to optimize solar and breeze access.

Definitions

The following definitions were revised or updated.

1. Adult Congregate Living Facility (ACLF)
2. Community Development Block Grant (CDBG)
3. Jacksonville Housing Finance Authority (JHFA)
4. Manufactured Home

Staff has no comments regarding the proposed changes within the Housing Element.

Conservation / Coastal Management Element

New language was added to **Goal 2** stating that “The City shall require that all water conservation options be fully explored and employed for new development.” However, objectives and policies to achieve this goal have not been adequately strengthened. **Objective 2.2** states that “The City shall require the proper disposal and reuse of wastewater for all non-sanitary purposes where connections are available.” To achieve this objective for reuse, the City amended **Policy 2.2.5**, which now references Chapter 752 of the Jacksonville Ordinance Code (Jacksonville Reuse of Reclaimed Water Program). However, Chapter 752 does not require the instillation of reuse lines in new development unless reuse is already available. A more proactive approach requiring instillation of “dry” reuse lines would build a system ready for connection when JEA has mass reuse capabilities.

In an effort to reduce pollutant discharge, the City is proposing **Policies 2.3.6 and 2.3.7**, which collectively address point and nonpoint pollution through requiring the reduction of nitrogen discharge for urban retrofit projects; promoting new projects achieving no net increase in nutrient runoff from pre-existing conditions; and the use of “River Friendly” Best Management Practices.

Policy 3.3.9 was added to establish coordination between the Planning Department, the Environmental Quality Division, and the Recreation and Community Services Department for the annual update of prioritized Special Management Areas and Environmentally Sensitive Lands.

Policy 4.1.1 was stripped down from being a lengthy policy addressing wetlands, stormwater quality, silviculture, agriculture, floodplain protection, dredge and fill, etc, to a much shorter policy that, in essence, states that wetlands will be protected through permitting functions.

Policies 4.1.9 through 4.1.13 collectively strengthen the Environmentally Sensitive Lands acquisition program and Preservation Project Jacksonville.

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Objective 4.4 has been added to enable consideration of incentives for high functional wetland protection. **Policies 4.4.1 through 4.4.4** collectively incentivize the protection of these wetlands and environmentally sensitive lands.

Objective 6.6 and **Policies 6.6.1 through 6.6.5** implement the goals of the Tributary Assessment Team (TAT) and the Basin Management Action Plan of the Florida Department of Environmental Protection (FDEP). The objective and policies also address Total Maximum Daily Loads (TMDL) program, the St. Johns River Comprehensive Restoration Plan / St. Johns River Accord, and other river protection measures.

Objective 6.7 and Objective 6.8 and their respective policies further protection of the St. Johns River and its tributaries through requiring that impacts to these waters be a review criteria in the land development process; and by requiring that the City continue to financially support research and planning efforts to ensure water quality health.

Policy 6.8.3 has been added, stating that “The City does not support surface water withdrawals as identified in the DWSP 2005.”

*Staff comments: Generally, water conservation measures within the Element were not enhanced. The City should consider requiring reuse lines be installed for new development, even if the lines will be dry at time of instillation. The City should reconsider the striking of **Policy 4.1.1** to the extent that it has the net effect of reducing wetland protection to essentially a matter of permitting by the St. Johns River Water Management District.*

Infrastructure Element

Several of the objectives and policies were amended so as to include GIS coverages as resources for groundwater resource management and general planning purposes.

Policy 1.2.6 (Natural Groundwater Aquifer Recharge Sub-element) was amended to include the following language: “JEA shall continue to study existing sources of wastewater discharge suitable for reuse, sources of potable water, conservation and other integrated water management strategies to meet future demand, conserve water, and remove nitrogen loading to the Lower St. Johns River.”

Policy 1.3.10B (Natural Groundwater Aquifer Recharge Sub-element) was added, and includes language stating that the City shall “cooperate” with the SJRWMD during “declared water shortage emergencies by conserving water resources...”

Objective 2.2 (Natural Groundwater Aquifer Recharge Sub-element) was amended to include language stating that the “JEA shall continue and expand the City’s water conservation and demand reduction program in order to reduce per capita consumption of potable water by up to 10% by 2013.”

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Staff comments: Generally, the changes made to the Infrastructure Element were for readability, or to address name changes (e.g., “Resource Management Plan” was changed to “Total Water Management Plan”). Staff has two primary concerns: first, the new and modified language for water reuse does not require lines to be installed for new development (i.e., subdivisions) unless reuse is already within proximity. Staff recommends that the language be revised to require instillation of “dry lines” so that when reuse does become available, the infrastructure is in place. Staff’s second concern involves Objective 2.2 of the Natural Groundwater Aquifer Recharge Sub-element, which states that “up to” 10% reduction in per capita water consumption will be achieved by 2013. As it reads, the Objective is meaningless, as, if there is no reduction, or even an increase, in per capita consumption, the Objective has been met.

Recreation and Open Space Element

The references to resources, documents and agencies were updated as appropriate. Issues statements were removed in order to streamline the Element. The maps have been updated based on new and relevant data, and correlate with the (as revised) goals, objectives and policies.

Policy 1.1.1 redefines LOS standard for active/passive parks from 1.73 acres per thousand persons to 1.93 acres.

Policy 1.1.1 added LOS standard for regional parks as 2.5 acres per thousand persons.

Policy 1.1.2 changed LOS standard from one athletic field per 2,000 persons to one athletic field per 2,400 persons.

Policy 1.2.5 was modified to include a reference to guidelines for the development of neighborhood and regional parks that incorporate standardized designs and siting criteria.

Policy 1.5.2 was added to incorporate coordination of school facility planning and land use planning to address joint use of facilities.

Policy 2.1.1 was modified to incorporate reference to “established guidelines” for the development and maintenance of all its future recreational lands and facilities.

Policies 2.2.2 through 2.2.5 are new policies that require all new single family (SF) and multi-family (MF) residential developments to provide open space and active recreation areas or pay a recreation and open space fee. The space allocation for recreation and open space are based on type of development and number of lots or units.

Policies 4.1.4, 4.1.5, 4.1.6, 4.2.5, 4.2.6 and 4.2.6 have been added to increase protection of water resources and provide appropriate public access to water resources including the St. Johns River.

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Policies 3.1.5, 3.1.6, 3.2.1 and 3.2.2 have been added to increase protection of natural resources and provide appropriate public access to natural resources.

*Staff comments: Generally, the word “court” needs to be defined in policy or definitions otherwise it is unclear what recreationally amenity is to be provided. **Policy 2.1.1** should include specific guidelines and where they can be found (i.e., document reference). **Policy 2.2.2** indicates that land for active recreation parks be dedicated in developments or a monetary contribution be made. It is unclear in **Policies 2.2.3 and 2.2.5** if a monetary contribution is an option in place of dedicating the land.*

Intergovernmental Coordination Element

Generally, the Element was amended to strengthen coordination with the school board, other educational facilities, and the Florida Department of Transportation.

Policy 1.2.5 was added to include mediation process or the NEFRC to resolve comprehensive planning issues with government units in the same regional planning council jurisdiction.

Policy 1.2.7 was amended to incorporate the Campus Master Plan for the University of North Florida as the basis for campus development within Duval County.

Policy 1.3.6 was amended to include that capital improvement projects are to be financially feasible.

Policy 1.3.7 was added to encourage interagency cooperation when planning infrastructure improvements.

Policy 3.1.1 was added to strengthen relationship between transportation agencies to ensure planned transportation investment that support land use objectives.

Staff has no comments regarding this element.

Capital Improvements Element

The element adequately addressed identifying additional roads to be included in the City's Capital Improvements Program. The inclusion of the additional roads was one of the major issues listed in the Evaluation and Appraisal Report (EAR).

Policy 1.1.4 addresses *financial feasibility* and ensures that the Comprehensive Plan is financially feasible throughout the planning period.

New definitions for Frequency and Policy Headways (Minutes) – which are used as level of service standard gauges, have been added to the Mass transit section of the goals, objective and policies.

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Policy 1.3.4 includes coordination efforts between Florida Department of Transportation (FDOT) and the City to mitigate concurrency impacts to Strategic Intermodal System (SIS) facilities as well as to include FDOT on fair share contract as applicable to SIS facility impacts.

Staff comments: No substantive changes to this element were noted which require comment. However, in order to meet the 2005 amendments to Chapter 163, F.S. concerning financial feasibility, the City has adequately adopted amendments that address the need to define financial feasibility in the Capital Improvements Element. In addition, the CIE schedule meets the requirements regarding developer funding and planned revenue sources requiring referenda or other actions amended to require coordination of the schedule with the MPO TIP.

Recommendation

Staff respectfully recommends that the Planning and Growth Management Policy Committee and the Council approve this report for transmittal to the Department of Community Affairs.


Tab 5

MEMORANDUM

DATE: May 26, 2009

TO: Northeast Florida Regional Council

THRU: Planning and Growth Management Policy Committee

FROM: 
Edward Lehman, Director of Transportation and Community
Development

RE: City of Jacksonville Transmitted Amendment 09-2AR

Scope of Review

The Regional Council received City of Jacksonville Transmitted Amendment 09-2AR on May 7, 2009. This amendment was submitted in accordance with the provisions of the Pilot Project established in HB 7203 for review of comprehensive plans in the City of Jacksonville. S. 163.32465, F.S., establishes that the City of Jacksonville will be one of the cities that will follow an alternative state review process for comprehensive plan amendments. Pursuant to S.163.3184(4), Florida Statutes, as specified in the contract between the Department of Community Affairs (DCA) and the Regional Council, staff reviewed the Transmitted Amendment. The review of this amendment was based on effects on regional resources and facilities identified in the Strategic Regional Policy Plan and any extra-jurisdictional impacts inconsistent with the Comprehensive Plan of the affected local government. Staff has prepared this and recommendation report to be transmitted to the City of Jacksonville upon approval by the Council.

Amendment Summary

The City of Jacksonville Transmitted Amendment 09-2AR contains ten proposed changes to the Future Land Use Map (FLUM) and one set of text amendments. The amendments included in the transmitted packet are summarized below.

Future Land Use Map Amendments

1. Proposal to change 187.18 acres from Agriculture(iii) to Low Density Residential and 23.72 acres from Agriculture(iii) to Neighborhood Commercial. (Resolution 2009-235)

The amendment proposes to change 187.18 acres from Agriculture(iii) to Low Density Residential and 23.72 acres from Agriculture(iii) to Neighborhood Commercial. The property is located along the west side of Old Kings Road north of Plummer Road in North Jacksonville near the Airport. The subject property is located adjacent to the Northwood Town Center Regional Activity Center. The current future land use map development potential is 21 single family dwelling units, and the proposed FLUM development potential is 935 single family units and 349,896 square feet of commercial. According to the staff report, "the proposed amendment does not maintain roadway level of service (LOS) on two segments of Old Kings Road....The City is working with the applicant to resolve the LOS issues prior to the adoption round of public hearings..."

Comment: Staff agrees with the City's planning staff report that the LOS issue on Old Kings Road should be addressed. This amendment should not be adopted unless that issue is adequately addressed.

2. Proposal to change 159.16 acres from Business Park, Residential-Professional-Institutional, Community/General Commercial, Light Industrial, and Low Density Residential to Public Buildings and Facilities. (Resolution 2009-236)

The amendment proposes to change 159.16 acres from Business Park, Residential-Professional-Institutional, Community/General Commercial, Light Industrial, and Low Density Residential to Public Buildings and Facilities. The property is located on the east side of Philips Highway north of St. Augustine Road. The purpose of this amendment is to facilitate the construction of a new JEA power generating facility. The site is presently vacant, and is surrounded by land in a number of various land use categories. To the north and east is vacant land in Business Park and Light Industrial land use, with some industrial development bordering the subject parcel to the west. The project is bordered to the south by some single-family residential development and a tree farm. The current future land use map development potential is 1,650,531 square feet of business park, 815,007 square feet of office, 8,537 square feet of commercial, 206,474 square feet of light industrial, and 5 single family dwelling units, and the proposed FLUM development potential is 2,079,900 square feet of institutional uses. This amendment was reviewed in 2008 but was never adopted by the City

Comment: Sec. 403.507(2)(a)5., F.S. states that each regional planning council shall prepare a report containing recommendations that address the impact upon the public of the proposed electrical power plant, based on the degree to which the electrical power plant is consistent with the applicable provisions of the strategic regional policy plan adopted pursuant to chapter 186 and other matters within its jurisdiction. The JEA power plant proposed pursuant to this land use change will undergo the regional review as required by Sec. 403.507(2)(a)5., F.S.

3. Proposal to change 53.32 acres from Agriculture(iii) to Light Industrial. (Resolution 2009-237)

The amendment proposes to change 53.32 acres from Agriculture(iii) to Light Industrial. This parcel is part of a larger parcel that extends into Nassau County. The property is located along I-10 and borders Nassau County. The property is bordered by a variety of industrial and commercial uses. The property is presently undeveloped. The current future land use map development potential is 5 single family dwelling units, and the proposed FLUM development potential is 929,047 square feet of industrial uses.

The City has also placed an asterisk on the map and is transmitting a corresponding text amendment to the Future Land Use Element. The asterisk limits development by text amendments in Policy 4.4.3 of the Element, and relates to cumulative impacts in Duval and Nassau counties. The policy limits development to less than 320 acres and a maximum of 264 external p.m. peak hour trips; development in excess of that which produces 264 trips will require a traffic study.

Recommendation: The County should not adopt this amendment unless there is a traffic study approved by FDOT that includes a mitigation plan to address the cumulative impacts of development to the external roadway network, particularly I-10 and U.S. 90. No FLUM amendment should be approved without accompanying Schedule of Capital Improvements amendments, as necessary, to address any deficiencies identified in the traffic study.

Comment: Staff questions whether Duval County can adopt a Policy that limits development of property within Nassau County.

Recommendation: The Nassau County portion of this site indicated that Baldwin was to provide water and wastewater. No such information is provided in this document. Addition information on the provision of water and wastewater and the commitment by Baldwin, or some other commitment, must be included within the adoption document.

4. Proposal to change 157.41 acres from Agriculture(ii), Low Density Residential, and Agriculture(iv) to Light Industrial. (Resolution 2009-239)

The amendment proposes to change 157.41 acres from Agriculture(ii), Low Density Residential, and Agriculture(iv) to Light Industrial. The property is located along the northwest quadrant of the Pecan Park Road/U.S. 17 intersection. The property presently occupied by timberland and vacant land, and is bordered by the proposed Pecan Park Regional Activity Center to the west and north, vacant industrial land to the south, and residential developments across U.S. 17 to the east. The CSX railroad line provides the eastern boundary of the property. The current future land use map development potential is 107 single family dwelling units and the proposed FLUM development potential is 2,742,711 square feet of industrial development.

Comment: The City's planning staff report notes that several roadway segments are negatively impacted by potential traffic, and "the applicant has agreed to work with the Planning and Development Department to resolve this issue." The amendment should not be adopted unless there is an adequate resolution to this issue.

5. Proposal to change 33.95 acres from Light Industrial to Community/General Commercial. (Resolution 2009-40)

The amendment proposes to change 33.95 acres from Light Industrial to Community/General Commercial. The property is located at the southwest quadrant of the Pecan Park/I-95 interchange. The purpose of this change is to allow for an expansion of the existing commercial use to the east. The property is presently partially occupied by an RV park, with the remainder vacant. JIA property borders the subject parcel to the west. The current future land use map development potential is 648,869 square feet of industrial use, and the proposed FLUM development potential is 567,761 square feet of commercial uses.

Comment: Issues of the impacts of potential traffic from this project, coupled with traffic from the preceding land use amendment, on the level of service of U.S. 17, a regional roadway, need to be resolved if this amendment is to be adopted.

6. Proposal to change 21.43 acres from Medium Density Residential to Light Industrial and 2.34 acres from Medium Density Residential to Business Park. (Resolution 2009-241)

The amendment proposes to change 21.43 acres from Medium Density Residential to Light Industrial, and 2.34 acres from Medium Density Residential to Business Park. The property is located along the north side of Eastport Road along Palm Lake Drive. The property is an extension of existing industrial land that borders the property to the west and north, with multi-family dwelling units bordering to the south and single family dwelling units bordering to the east. The property is presently vacant. The current future land use map development potential is 356 multi-family dwelling units, and the proposed FLUM development potential is 373,396 square feet of light industrial uses and 35,676 square feet of business park.

7. Proposal to change 38.38 acres from Low Density Residential to Residential-Professional-Institutional. (Resolution 2009-242)

The amendment proposes to change 38.38 acres from Low Density Residential to Residential-Professional-Institutional. The property is located west of I-95 and north of Broward Road. The proposed land use change will act as a transition between the existing commercial lands to the east, and the surrounding residential development. Single-family residential dwelling units border the property to the west and north. The property is presently vacant. The current future land use map development potential is 190 single family dwelling units, and the proposed FLUM development potential is 835,915 square feet of office/retail uses. The City is adding an asterisk to the FLUM to state that no residential uses are permitted on the site.

8. Proposal to change 69.67 acres from Medium Density Residential, Agriculture(iii) and Agriculture(iv) to Multi-Use. (Resolution 2009-244)

The amendment proposes to change 69.67 acres from Medium Density Residential, Agriculture(iii) and Agriculture(iv) to Multi-Use. The purpose of this amendment is so that the property can be annexed into the existing Northwood Regional Activity Center. The property is located along the west side of New Kings Road south of Dinsmore Tower Road. The property is presently vacant land. In addition to this land that is being added to the Regional Activity Center, the City has transmitted an amendment that removes land from the Regional Activity Center, which is evaluated below.

Policy 4.3.11 enumerates land use categories and development amounts within the Northwood Regional Activity Center. The current future land use map development potential on 1507.96 acres as approved in 2005 and as enumerated in the Policy is 1,499 dwelling units, 750,000 square feet of retail and/or hotel, 300,000 square feet of office, 30 acres of light industrial, an elementary school site, and some recreational and conservation areas. Policy 4.3.11 is being amended to allow 200,000 square feet of commercial and 125 hotel rooms, 50,000 square feet of commercial/office uses,

4,159,500 square feet of light industrial uses, 100 single family uses, and 600 multi-family uses.

9. Proposal to change 754.26 acres from Multi-Use to Light Industrial. (Resolution 2009-245)

The amendment proposes to change 754.26 acres from Multi-Use to Light Industrial. This property is being removed from the approved Northwood Regional Activity Center. The property is located along the Georgia Southern and Florida Railroad south of Acree Road. The property is presently vacant land and timberland. According to the City, because it is adjacent to the railroad, it is best suited as industrial land rather than as a multi-use activity center. The City is also proposing to add an asterisk to the Future Land Use map to limit development to 4,775,000 square feet of light industrial and supporting uses and less than 320 acres of industrial uses. The City notes that the level of service of several roads is not maintained. Staff agrees with the City that these issues need to be resolved prior to adoption.

Comment: Staff agrees with the City's planning staff report that the LOS issue on Old Kings Road should be addressed. This amendment should not be adopted unless that issue is adequately addressed. In addition, the cumulative impacts of this land use change with the one above should be used for the traffic analysis. It is not clear from the table provided on how the City accounted for potential traffic from the approved Regional Activity Center in the analysis of this project's impacts.

10. Proposal to change 3.74 acres from Public Buildings and Facilities to High Density Residential. (Resolution 2009-246)

The amendment proposes to change 3.74 acres from Public Buildings and Facilities to High Density Residential. The purpose of this amendment is to allow for the redevelopment of the former John Gorrie Middle School with multi-family residential uses. The property is located at the northwest corner of College Street and Stockton Street. The property is bordered on three sides with residential land uses, with commercial properties bordering to the east. The current future land use map development potential is 1 single family dwelling unit and 47,175 square feet of office/institutional uses, and the proposed FLUM development potential is 167 residential dwelling units.

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Text Amendment

The City is proposing to amend the Future Land Use Element to amend the L-23 Industrial Preservation Map. The proposed text amendment deletes several designated parcels from the Industrial Sanctuary designation. As a result, these parcels will return to the original Low Density Residential land use designation. All parcels subject to this text amendment change are located along the south bank of the Broward River.

Recommendation

Staff respectfully recommends that the Committee and the Council approve this report for transmittal to the City of Jacksonville.

Tab 6

MEMORANDUM

DATE: June 1, 2009

TO: Northeast Florida Regional Council

THRU: Planning and Growth Management Policy Committee

FROM: Guy Parola, Planning Manager

RE: City of Bunnell Transmitted Amendment 09-1

Scope of Review

The Regional Council received the City of Bunnell Transmitted Amendment 09-1 on May 26, 2009. The City of Bunnell requested no formal review by the Department of Community Affairs. Therefore, pursuant to Florida Statute Chapter 163 and the contract between the Department of Community Affairs and the Regional Council, staff reviewed the Transmitted Amendment for adverse impacts to Regional Resources and extra-jurisdictional impacts. Staff has prepared this Objections, Recommendations, and Comments report to send to the Department of Community Affairs upon approval by the Council.

Amendment Summary

The City of Bunnell Transmitted Amendment 09-1 contains one proposed change to the Future Land Use Map (FLUM).

Future Land Use Map Amendment

The proposed amendment change 9.21 acres within the existing Flagler Central Commerce Park. In 2007, the City approved Ordinance 2007-21 which increased the allowable multi-family units within the Flagler Commerce Park to 300 units. In 2008, a small-scale land use amendment was filed to place the multi-family entitlements onto

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the 9.21 acre parcel. The Department of Community Affairs (DCA) informed the City that the small-scale amendment needed to be transmitted and adopted as a large-scale amendment. Accordingly, this amendment 09-1 is being transmitted pursuant to the direction of DCA.

Staff has no comments regarding this amendment.

Recommendation:

Staff respectfully recommends that the Committee and the Council approve this report for transmittal to the Department of Community Affairs, and recommend that the Department review the amendment.

Tab 7

MEMORANDUM

DATE: May 19, 2009

TO: Northeast Florida Regional Council

THRU: Planning and Growth Management Policy Committee

FROM: Guy Parola, AICP, Planning Manager

RE: City of Jacksonville Adopted Amendment 09PTFAR-1

Scope of Review

The Regional Council received City of Jacksonville Adopted Amendment 09PTFAR-1 on May 11, 2009. Pursuant to Florida Statute Chapter 163 and the contract between the Department of Community Affairs (DCA) and the Regional Council, staff has reviewed the adopted amendment to determine whether it is consistent with the Goals, Objectives, and Policies of the Northeast Florida Strategic Regional Policy Plan. Staff has prepared this report to forward to the City of Jacksonville upon approval by the Council.

Amendment History

The City of Jacksonville Transmitted Amendment 09PTFAR-1 was reviewed by the Council at the April, 2006 meeting. The Amendment involves the JaxPort Master Plan and contains text changes to other portions of the Comprehensive Plan as well. The Council's recommendation was transmitted to the DCA for their consideration in the review of the amendment package (see attached memo). The Department of Community Affairs issued their Objections, Recommendations, and Comments letter on May 26, 2006, and had several objections and comments. The Council did not have any objections or comments at time of transmittal. A summary of DCA's objections and the City's corresponding responses are addressed in the *Amendment Summary* section of this report.

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Amendment Summary

The actions taken by the City are 1) to update and re-adopt Goals, Objectives, and Policies of the JaxPort Master Plan; 2) to update and re-adopt definitions of the JaxPort Master Plan; and 3) to adopt the JaxPort Master Plan into the Conservation/Coastal Management Element.

In its ORC report, DCA had concerns regarding conflict resolution between JaxPort and the City. JaxPort and the City responded by adopting JaxPort Policy 1.4.1, which addresses conflict resolution pursuant to Chapters 164 and 186, Florida Statutes. In its ORC report, DCA had concerns regarding long-term capacity projects necessary to serve JaxPort. JaxPort and the City responded by adopting JaxPort Policy 3.1.2, which requires coordination with FDOT, the City, and other entities for addressing JaxPort impacts in the long-range planning horizon. Additionally, JaxPort adopted Policies 4.1.3, which adopts the JaxPort Capital Improvements Program into the City's Capital Improvements Element.

In its ORC report, DCA expressed concerns regarding environmental and historic protection related to port expansion. JaxPort and the City adopted JaxPort Objective 5.1, and Policies 5.1.1 through 5.1.6. Objective 5.1 reads: *Operation and expansion of JaxPort facilities shall be planned and conducted to protect and conserve coastal resources, to the extent feasible.* Policies 5.1.1 through 5.1.6 address specific measures such as: requiring Port development to be consistent with the Historic Preservation Element; requiring JaxPort development and operations to be subject to an evacuation plan, hurricane manual, or emergency response plan; minimizing Port development in the Coastal High Hazard Area; and by adopting the JaxPort Master Plan as part of the Conservation / Coastal Management Element.

Staff has no objections or comments regarding this amendment.

Recommendation:

Staff respectfully recommends that the Committee and the Council find City of Jacksonville Adopted Amendment 09PTFAR-1 consistent with the Northeast Florida Strategic Regional Policy Plan.

Transmitted

Amendment

MEMORANDUM

DATE: March 31, 2006

TO: Northeast Florida Regional Council

THRU: Planning and Growth Management Policy Committee

FROM: Edward Lehman, Director of Planning and Development

RE: City of Jacksonville Transmitted Amendment 06-PTF1

Scope of Review

The Regional Council received City of Jacksonville Transmitted Amendment 06-PTF1 on March 27, 2006. The City of Jacksonville requested no review by the Department of Community Affairs. Therefore, pursuant to Florida Statute Chapter 163 and the contract between the Department of Community Affairs and the Regional Planning Council, staff reviewed the Transmitted Amendment for adverse impacts to Regional Resources and extra-jurisdictional impacts to determine if a review recommendation was necessary. Staff has prepared this Objections, Recommendations, and Comments report to send to the Department of Community Affairs upon approval by the Council.

Amendment Summary

Section 163.3178, Florida Statutes, and Rule 9J-5, Florida Administrative Code, require deepwater ports such as Jaxport to prepare a port master plan and to incorporate it into the Conservation/Coastal Management Element. The City recognized that they have not adequately addressed this requirement and are doing so with this amendment. A current Port Master Plan is required to exempt large scale port development projects from DRI review.

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The actions taken by the City are 1) to update and re-adopt Goals, Objectives, and Policies of the Jaxport Master Plan; 2) to update and re-adopt definitions of the Jaxport Master Plan; and 3) to adopt the Jaxport Master Plan into the Conservation/Coastal Management Element.

Staff respectfully recommends that the Comprehensive and Project Planning Committee and the Council approve this report for transmittal to the Department of Community Affairs, and recommend that the Department not review this amendment.

Tab 8



Bringing Communities Together

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MEMORANDUM

DATE: May 19, 2009

TO: Northeast Florida Regional Council

THRU: Planning and Growth Management Policy Committee

FROM: Guy Parola, AICP, Planning Manager

RE: City of St. Augustine Adopted Amendment 09CIE-1

Scope of Review

The Regional Council received the City of St. Augustine's Adopted Amendment 09CIE-1 on May 7, 2009. Pursuant to Florida Statute Chapter 163 and the contract the Department of Community Affairs (DCA) and the Regional Council, staff has reviewed the adopted amendment to determine whether it is consistent with the Goals, Objectives, and Policies of the Northeast Florida Strategic Regional Policy Plan. Staff has prepared this report to forward to DCA upon approval by the Council.

Amendment History

Comprehensive Plan Amendment 09CIE-1 contains text amendments to the Capital Improvements Element of the City of St. Augustine's Comprehensive Plan. Pursuant to s. 163.3177(3)(b)(2), Florida Statutes, amendments to the Capital Improvements Element require only one adoption hearing by the local government. Therefore, this is the first and only time the Regional Council will review this amendment. The City of St. Augustine adopted Amendment 09CIE-1 on April 27, 2009.

Board Memorandum

May 19, 2009

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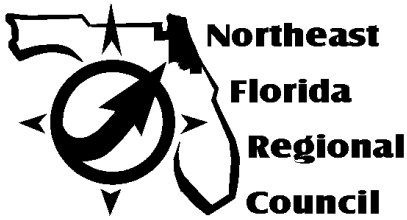
Amendment Summary

The amendment adopts a 5-year update of the Capital Improvements Element as required by State Statue.

Recommendation:

Staff respectfully recommends that the Committee and the Council find City of St. Augustine Adopted Amendment 09CIE-1 consistent with the Northeast Florida Strategic Regional Policy Plan.

Tab 9



Bringing Communities Together

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MEMORANDUM

DATE: May 26, 2009

TO: Northeast Florida Regional Council

THRU: Planning and Growth Management Policy Committee

FROM: Ameera F. Sayeed, ^{AS} Senior Regional Planner

RE: City of Atlantic Beach Adopted Amendment 09CIE-1

Scope of Review

The Regional Council received the City of Atlantic Beach's Adopted Amendment 09CIE-1 on May 21, 2009. Pursuant to Florida Statute Chapter 163 and the contract the Department of Community Affairs (DCA) and the Regional Council, staff has reviewed the adopted amendment to determine whether it is consistent with the Goals, Objectives, and Policies of the Northeast Florida Strategic Regional Policy Plan. Staff has prepared this report to forward to DCA upon approval by the Council.

Amendment History

Comprehensive Plan Amendment 09CIE-1 contains text amendments to the Capital Improvements Element of the City of Atlantic Beach's Comprehensive Plan. Pursuant to s. 163.3177(3)(b)(2), Florida Statutes, amendments to the Capital Improvements Element require only one adoption hearing by the local government. Therefore, this is the first and only time the Regional Council will review this amendment. The City of Atlantic Beach adopted Amendment 09CIE-1 on May 11, 2009.

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Amendment Summary

The Data and Analysis for this update was not included since the City is preparing the 2008 EAR and EAR based amendments in 2009. The data and analysis would include water and sewer, drainage, public recreation and open space, solid waste, public schools and transportation. There was no reference to de minimis records, advertising information nor was the signed ordinance included in the package. The amendment adopts a 5-year update of the Capital Improvements Element as required by State Statute.

Recommendation:

Staff respectfully recommends that the Committee and the Council find City of Atlantic Beach Adopted Amendment 09CIE-1 consistent with the Northeast Florida Strategic Regional Policy Plan.

Tab 10



Bringing Communities Together

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MEMORANDUM

DATE: May 26, 2009

TO: Northeast Florida Regional Council

THRU: Planning and Growth Management Policy Committee

FROM: Ameera Sayeed, Senior Regional Planner ^{AS}

RE: Review of JEA Ten-Year Power Plant Site Plan 2009-2018

INTRODUCTION

Each year every electric utility in the State of Florida produces a ten-year site plan that includes an estimate of future electric power generating needs. The purpose of the ten year site plan is to disclose the general location of proposed power plant sites and facilitate coordinated planning efforts. Pursuant to Section 186, Florida Statutes, Council staff reviewed the most recent ten-year site plan prepared by the Jacksonville Electric Authority (JEA). The purpose of this report is to summarize JEA's plans for future power generation and provide comments for transmittal to the Florida Public Service Commission (Commission).

STATUTORY AUTHORITY

Section 186.801, Florida Statutes, requires that all major generating electric utilities in Florida submit a *Ten-Year Site Plan* to the Commission for review. Each *Ten-Year Site Plan* contains projections of the utility's electric power needs for the next ten years and the general location of proposed power plant sites and major transmission facilities. In accordance with the statute, the Commission performs a preliminary study of each *Ten-Year Site Plan* and must determine whether it is "suitable" or "unsuitable." In conducting its review, the Commission considers the views of appropriate local and state agencies. The Northeast Florida Regional Council reviews electric utility Ten-Year Site Plans within the region and submits comments to the Commission for review. The

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Page 2

Commission forwards the *Ten-Year Site Plan* review, upon completion, to the Florida Department of Environmental Protection (DEP) for use in subsequent power plant siting proceedings. To fulfill the requirements of Section 186.801, Florida Statutes, the Commission has adopted Rules 25-22.070 through 25-22.072, Florida Administrative Code. Electric utilities must file the *Ten-Year Site Plan* by April 1st.

PURPOSE

The intent of the *Ten-Year Site Plans* is to give state, regional, and local agencies advance notice of proposed power plants and transmission facilities. However, the *Ten-Year Site Plans* are not a binding plan of action on electric utilities. As such, the Commission's classification of a *Ten-Year Site Plan* as suitable or unsuitable has no binding effect on the utility. Such a classification does not constitute a finding or determination in docketed matters before the Commission. The Commission may address any concerns raised by a utility's *Ten-Year Site Plan* at a public hearing. Because the *Ten-Year Site Plans* are planning documents containing tentative data, they may not contain sufficient information to allow regional planning councils, water management districts, and other review agencies to evaluate site-specific issues within their jurisdictions. Each utility is responsible for providing detailed data, based on in-depth environmental assessments, during Power Plant Siting Act or Transmission Line Siting Act certification proceedings.

Summary of the Plan

The evaluation has revealed that JEA included in their ten-year plan the necessary analysis to determine the current plan. The existing JEA electric supply resources, forecasts of customer energy requirements and peak demands, forecasts of fuel process and availability, and an analysis of alternative for resources that would meet JEA's future capacity and energy needs were reported in the ten-year plan. JEA forecasts accounted for the system peak demand growth and energy consumption resource plan, in addition to cost considerations, environmental and land use considerations were amply factored into the ten-year plan. JEA implements SAS and Excel to forecast population estimates based on a linear regression. JEA may consider incorporating other methodologies for forecasting population and more accurately represent the region's population forecast trends.

JEA consists of three separate entities: The JEA Electric system, the St. Johns River Power Park and the Robert W. Scherer system. The JEA Electric System consists of generating facilities located on three plant sites within the City; the J. Dillon Kennedy generating station, the Northside generating station and the Brandy Branch generating

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station. These are two dual fired plants, meaning petroleum and coke or coal burning. The St. Johns River Power Park is jointly owned by JEA (80 percent and FP&L (20 percent). These are coal fired units. Although JEA is the majority owner of SJRPP, both owners are entitled to 50 percent of the output of SJRPP. The Robert Scherer Unit 4 is a coal fired generating unit with a net output of 846 MW located in Monroe County, Georgia. JEA has a 23.6 percent ownership interest in Unit 4 and proportionate ownership interest in associated common facilities and coal stock pile.

JEA also pursues purchasing power from Southern Company, which is also coal powered and will provide capacity and energy per contract through May 31, 2010. Constellation Energy Commodities Group has been added from the previous year site plan. Constellation and JEA entered into an agreement in October 2006. The Energy Authority (TEA) is generally able to acquire capacity when any of JEA's members require additional resources. Co-generation facilities reduce the demand from JEA's facilities and JEA has customers having Qualifying Facilities located with the JEA service area/territory. Four of these "co-generators" are Anheiser Busch, Baptist Hospital, Ring Power Landfill and St. Vincent's Hospital.

JEA continues to establish a Clean Power Capacity goal of 7.5 percent clean power capacity by 2015. To support these goals, the JEA has solar photovoltaic panels on high schools and other community buildings. JEA also has the Solar Incentive Program to promote solar energy. Another measure taken by JEA is the Residential Net Metering Policy; to encourage the use of customer sited solar photovoltaic systems. JEA also has programs that offer indoor and outdoor lighting services to help in designing efficient light systems and retrofits.

Nuclear Generation

In 2008, JEA approved to pursue nuclear energy partnerships with the goal of providing 10 percent of JEA's power from nuclear sources. That same year JEA entered in to a purchase power agreement with the Municipal Electric Authority of Georgia. Under this agreement JEA is anticipating in receiving 200 MW of net firm capacity.

Clean Power and Renewable Energy

JEA has pursued several clean power initiatives and is in the process of evaluating potential new renewable energy resources. JEA has worked with the Sierra Club if northeast Florida and the American Lung Association and local environmental groups to establish a process to maintain an action plan entitled "Clean Power Action Plan". This Plan is an advisory Panel which is comprised of community representatives. Also, JEA has included installation of solar photovoltaics, solar thermal, landfill and wastewater treatment biogas capacity and wind capacity.

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Greenland Energy Center

JEA is in the process of permitting the installation of Greenland Units 1 and 2. The Center will consist of converting the two simple cycle combustions turbines planned for operation at the Center site. This site will be dual fueled with natural gas as the primary fuel and oil as a backup fuel. The Air Quality and Water use are subject to the review of the FDEP and St. Johns River Water Management District guidelines.

Staff Evaluation

Council staff supports JEA and the State of Florida's efforts to continue to develop new programs to: 1) reduce the reliance on coal and oil as future energy sources; 2) increase conservation activities to offset the need to construct new power plants; and 3) plan to develop an environmentally sound power supply strategy that may provide reliable electric service at the lowest practical cost.

The St. Johns River Water Management District is currently reviewing the draft Water Supply Assessment (WSA) which identified where current and anticipated sources of water and conservation efforts will not be adequate to meet projected needs and sustain the water resources and related natural systems. These areas are called the Priority Water Resources Caution Areas (PWRCAs). PWRCAs focus the District's planning effort for the 2010 water supply planning process. Approximately 97 percent of the District's 18-county region has been identified in the draft WSA as PWRCAs. It should be noted this includes the Northeast Florida's 7-county region.

Recommendation

Staff recommends that the Committee and Council approve the draft report and authorize its transmittal to the Florida Public Service Commission.

Tab 11



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MEMORANDUM

DATE: May 26, 2009

TO: Northeast Florida Regional Planning Council

THRU: Planning and Growth Management Policy Committee

FROM: Ameer^{AS}a Sayeed, Senior Regional Planner

RE: Review of Seminole Electric Cooperative, Inc. Ten-Year Power Plant Site Plan 2009-2018

INTRODUCTION

Each year every electric utility in the State of Florida produces a ten-year site plan that includes an estimate of future electric power generating needs. The purpose of the ten-year site plan is to disclose the general location of proposed power plant sites and facilitate coordinated planning efforts. Pursuant to Section 186, Florida Statutes, Council staff reviewed the most recent ten-year site plan prepared by Seminole Electric Cooperative, Inc. (Seminole). The purpose of this report is to summarize Seminole's plans for future power generation and provide comments for transmittal to the Florida Public Service Commission (Commission).

STATUTORY AUTHORITY

Section 186.801, Florida Statutes, requires that all major generating electric utilities in Florida submit a *Ten-Year Site Plan* to the Commission for review. Each *Ten-Year Site Plan* contains projections of the utility's electric power needs for the next ten years and the general location of proposed power plant sites and major transmission facilities. In accordance with the statute, the Commission performs a preliminary study of each *Ten-Year Site Plan* and must determine whether it is "suitable" or "unsuitable." In conducting its review, the Commission considers the views of appropriate local and state agencies. The Northeast Florida Regional Council reviews electric utility Ten-Year

Site Plans within the region and submits comments to the Commission for review. The Commission forwards the *Ten-Year Site Plan* review, upon completion, to the Florida Department of Environmental Protection (DEP) for use in subsequent power plant siting proceedings. To fulfill the requirements of Section 186.801, Florida Statutes, the Commission has adopted Rules 25-22.070 through 25-22.072, Florida Administrative Code. Electric utilities must file the *Ten-Year Site Plan* by April 1st.

PURPOSE

The intent of the *Ten-Year Site Plans* is to give state, regional, and local agencies advance notice of proposed power plants and transmission facilities. However, the *Ten-Year Site Plans* are not a binding plan of action on electric utilities. As such, the Commission's classification of a *Ten-Year Site Plan* as suitable or unsuitable has no binding effect on the utility. Such a classification does not constitute a finding or determination in docketed matters before the Commission. The Commission may address any concerns raised by a utility's *Ten-Year Site Plan* at a public hearing. Because the *Ten-Year Site Plans* are planning documents containing tentative data, they may not contain sufficient information to allow regional planning councils, water management districts, and other review agencies to evaluate site-specific issues within their jurisdictions. Each utility is responsible for providing detailed data, based on in-depth environmental assessments, during Power Plant Siting Act or Transmission Line Siting Act certification proceedings.

Summary of the Plan

The evaluation has revealed that Seminole included in their ten-year plan the necessary analysis to determine the current plan. Existing Seminole electric supply resources, forecasts of customer energy requirements and peak demands, forecasts of fuel process and availability, and an analysis of alternative for resources that would meet Seminole's future capacity and energy needs were reported in the ten-year plan. The Seminole forecasts accounted for the system peak demand growth and energy consumption resource plan, in addition to cost considerations, environmental and land use considerations were amply factored into the ten-year plan.

Seminole is a corporation organized and existing with members. Each of the members is engaged primarily in the distribution of retail power. Seminole serves its members' load primarily in three transmission areas. Seminole is considered a rural electric cooperative and does not serve end-use customers. Seminole did include in their plan the firms purchased and the power agreements that were made previous to the site plan.

The predominant method of forecasting the usage appears to be population growth. This site plan discusses in detail the methods other than population to forecast Seminole's usage. The assumptions used to forecast were intensive and thorough. Seminole's methodology utilized four major sources. These sources were BEBR, Moody's Economy, Survey data from the residential appliance surveys and the Financial and Statistical Reports provided by the cooperative members. Several other sub-models were identified within the forecast.

The report covered the Seminole Generating Station Putnam County, located approximately 5 miles north of the City of Palatka. The site is bordered by U.S 17 on the west and is on primarily undeveloped lands on either side. The site already has Unit 1 and 2 approved in 1979 and in operation since 1984. In 2006 Seminole submitted a supplemental site known as Unit 3. The primary use for this Unit will be for cooling service of the water. Water will be pumped from the St. Johns River and groundwater supplied from on-site wells, will be for steam makeup and potable use. The site is not located currently in a designated Priority Water caution Areas by the St. Johns River Water Management District.

Staff Evaluation

The site has not been listed as a natural resource of regional significance however; mitigation impacts for the wetlands with the new pipeline supplying water from the river will be in accordance with the requirements of FDEP. The Site Application for this Unit has been submitted to FDEP for evaluation. The details of withdrawal and discharge are included in the Site Application. The projection numbers vary from the previous ten year site plan and in assessing the new projections it is difficult to derive the reasoning for the variation in numbers for 2018 residential (1.4 percent) and 2018 commercial use (1.5 percent).

The St. Johns River Water Management District is currently reviewing the draft Water Supply Assessment (WSA) which identified where current and anticipated sources of water and conservation efforts will not be adequate to meet projected needs and sustain the water resources and related natural systems. These areas are called the Priority Water Resources Caution Areas (PWRCA's). PWRCA's focus the District's planning effort for the 2010 water supply planning process. Approximately 97 percent of the District's 18-county region has been identified in the draft WSA as PWRCA's. It should be noted this includes the Northeast Florida's 7-county region.

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Council staff supports the State of Florida in their efforts to continue to develop new programs for the rural and urban communities and to: 1) reduce the reliance on coal and oil as future energy sources; 2) increase conservation activities to offset the need to construct new power plants; and 3) increase the reliance of clean alternative energy systems to produce electricity.

Recommendation

Staff recommends that the Committee and Council approve the draft report and authorize its transmittal to the Florida Public Service Commission.

Tab 12



Bringing Communities Together

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MEMORANDUM

DATE: May 27, 2009

TO: Northeast Florida Regional Council

THRU: Planning and Growth Management Policy Committee Chairman

FROM: Valerie F. Evans, Principal Regional Planner

RE: Intergovernmental Coordination and Review (IC&R) Status Log and Report Activity for the Month of May 2009.

Applications received for review through the IC& R process totaled 45. Below is a summary of IC&R activity for the month of May 2009 by category.

Environmental Permits: 44 Applications

Grant Requests: 1 Application

Application fund sources are broken down as follows:

	Current Month	Year to Date
Federal	111,507.00	\$15,726,020.80
State	\$0.00	\$6,726,279.60
Applicant	\$0.00	\$27,397,299.00
Other/Local	\$111,507.00	\$11,204,392.96
Totals	\$223,014.00	\$61,053,992.36

All applications were reviewed internally and have been processed accordingly. Each active and completed application is reported in the: **MONTHLY IC&R REVIEW DATA BASE – MAY 1-27, 2008**

May-09

BAKER						
NEFRC #	SAI#	Activity	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<i>Funding Summary</i>			<i>Due Date</i>		<i>Status</i>	
<i>Federal</i>	<i>Applicant</i>	<i>State</i>	<i>Other/Local</i>	<i>Regional Council</i>	<i>Clearing House</i>	
CLAY						
NEFRC #	SAI#	Activity	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<i>Funding Summary</i>			<i>Due Date</i>		<i>Status</i>	
<i>Federal</i>	<i>Applicant</i>	<i>State</i>	<i>Other/Local</i>	<i>Regional Council</i>	<i>Clearing House</i>	
DUVAL						
NEFRC #	SAI#	Activity	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<i>Funding Summary</i>			<i>Due Date</i>		<i>Status</i>	
<i>Federal</i>	<i>Applicant</i>	<i>State</i>	<i>Other/Local</i>	<i>Regional Council</i>	<i>Clearing House</i>	
NASSAU						
NEFRC #	SAI#	Activity	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<i>Funding Summary</i>			<i>Due Date</i>		<i>Status</i>	
<i>Federal</i>	<i>Applicant</i>	<i>State</i>	<i>Other/Local</i>	<i>Regional Council</i>	<i>Clearing House</i>	
PUTNAM						
NEFRC #	SAI#	Activity	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<i>Funding Summary</i>			<i>Due Date</i>		<i>Status</i>	
<i>Federal</i>	<i>Applicant</i>	<i>State</i>	<i>Other/Local</i>	<i>Regional Council</i>	<i>Clearing House</i>	
ST. JOHNS						
NEFRC #	SAI#	Activity	Application/Project Title	Applicant	Cost Sorc.	Total Cost
SJ09-0004	EXEMPT	Grant	FDOT Section 5316 - Operating	SJC COA		\$223,014.00
<i>Funding Summary</i>			<i>Due Date</i>		<i>Status</i>	
<i>Federal</i>	<i>Applicant</i>	<i>State</i>	<i>Other/Local</i>	<i>Regional Council</i>	<i>Clearing House</i>	
\$111,507.00			\$111,507.00			

	Current Month	Year to Date
Federal	\$111,507.00	\$15,726,020.80
State		\$6,726,279.60
Applicant		\$27,397,299.00
Other/Local	\$111,507.00	\$11,204,392.96
Totals	\$223,014.00	\$61,053,992.36


Tab 13

MEMORANDUM

DATE: May 26, 2009

TO: Northeast Florida Regional Council

THRU: Planning and Growth Management Policy Committee

FROM:  Edward Lehman, Director of Transportation and Community Development

RE: May Development of Regional Impact Report

The following report summarizes current DRI activity for the above-cited month. All additions and updates are *italicized*.

Cordova Palms

The ADA for Cordova Palms was submitted on April 19, 2006. Cordova Palms was formerly known as Lemberg North. The pre-application conference for the DRI was held on October 25th. The project is located along the western side of U.S. 1 just west of the St. Augustine Airport. The master development plan calls for 1700 residential dwelling units, 600,000 square feet of retail, and 100,000 square feet of office development. First sufficiency review was transmitted to the applicant on May 22, 2006. The first sufficiency response was received on September 11, 2006. Second sufficiency review comments were transmitted to the applicant on October 11, 2006. The applicant recently requested and received a 90-day extension to the 120-day period to respond to the first sufficiency review. The applicant submitted the second sufficiency response on July 13, 2007. The County has been notified to set the public hearing for the D.O. The applicant has requested a waiver from the 90-day period to have the hearing to allow for the Comprehensive Plan amendment to be processed.

Durbin

The pre-application conference for the Durbin DRI was held on December 6, 2006. The Durbin DRI is located along I-95 at Racetrack Road in northern St. Johns County, along the Duval County line. The master development plan calls for 4,500 dwelling units,

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1,700,000 square feet of office development, 3,000,000 square feet of retail development and 800 hotel rooms. The ADA for Durbin has been submitted. A sufficiency response was transmitted to the applicant on February 9. The applicant has requested an additional extension until August in order to work with FDOT on alignments of roadway improvements.

Elkton

The Elkton DRI is a proposed multi-use DRI located in St. Johns County along S.R. 207 west of I-95. The pre-application conference was held on January 27th. The proposed development plan consists of a three-phase development, with 3600 dwelling units, 40,000 square feet of office, 140,000 square feet of retail, 40,000 square feet of medical, and 70,000 square feet of industrial. The sufficiency review for Elkton was transmitted to the applicant on Sept 13 – transportation comments were transmitted on Sept 27. The applicant has submitted the first sufficiency response. Second sufficiency review comments were transmitted to the applicant on February 2. The applicant has submitted the second sufficiency response, and the Council staff has notified St. Johns County to set the public hearing.

Navona Creek

The Navona Creek DRI is a proposed multi-use DRI located in Baker County just to the east of the proposed Cedar Creek DRI. The pre-application conference was held on August 10th. The proposed development plan consists of 5,913 single-family dwelling units, 4087 multi-family dwelling units, 1,500,000 square feet of business park development, 330,000 square feet of village center development, and a 120-bed hospital. Because the ADA has not been submitted within one year, this project will have to conduct another pre-application conference prior to ADA submittal.

Old Brick Township

The Old Brick Township DRI is a proposed multi-use DRI located in Flagler County in the northern portion of the County along the St. Johns County line. The property is located west of U.S. 1 and east of C.R. 13 (Old Brick Road). The pre-application conference was held on December 14th. The proposed development plan calls for three five-year phases and consists of 5,000 dwelling units, 1,000,000 square feet of industrial development, 50,000 square feet of office development, and 100,000 square feet of commercial development. The ADA was submitted for review, with the sufficiency response transmitted to the applicant on June 26. *Staff participated in a May 27th meeting with City of Palm Coast staff at DCA to discuss this project as well as Three Lakes.*

Hunter's Ridge Substantial Deviation

Hunter's Ridge is an approved DRI in Flagler County and Ormond Beach. As part of the settlement of an appeal of the D.O., in 1992 an area of Hunter's Ridge was determined to be a "Substantial Deviation Area." No development can occur until this area of the project goes through substantial deviation review. The pre-application conference was held on January 18 in Flagler County. The applicant has indicated they intend to submit the ADA soon. Because no ADA was submitted within one year, a follow up pre-application meeting was held on April 14th. Agencies that participated were provided an overview of the changes to the plan that was reviewed in January, 2008, and provided comments on those changes and other proposed methodology changes. The amount of development proposed within the Substantial Deviation Area in the pre-application document consists of 849 single-family dwelling units, 69,900 square feet of office space, 52,580 square feet of retail space, and 58,520 square feet of light industrial space, however the applicant has indicated an intent to increase residential development in the ADA.

Old Kings Park

The pre-application conference for Old Kings Park, a proposed DRI in St. Johns County, was held on January 16th. The proposed DRI is located in the southwest quadrant of the S.R. 206/I-95 interchange. The proposed amount of development consists of 3,630 residential dwelling units, 210,000 square feet of retail, 50,000 square feet of office, and 1,950,000 square feet of industrial development in three five-year phases.

Watermark

The pre-application conference for Watermark, a proposed DRI in St. Johns County, was held on January 23rd. The proposed DRI is located in the northwest quadrant of the S.R. 206/I-95 interchange, and is consistent with the County's FLUM. The proposed amount of development consists of 4,900 residential dwelling units, 325,000 square feet of retail, 150,000 square feet of office, and 1,000,000 square feet of industrial development in three five-year phases.

Three Lakes

The pre-application conference for Watermark, a proposed DRI in the City of Palm Coast, is scheduled for April 3rd. The proposed DRI is located west of U.S. 1 just north of the Espanola area, just south of the proposed Old Kings Park DRI. The proposed amount of development consists of 7,000 residential dwelling units, 369,000 square feet of retail, 100,000 square feet of civic/office, and 1,870,000 square feet of industrial/office development in three six-year phases. The City of Palm Coast is scheduling a series of

meetings to address need for coordination of this project and the Old Brick Township bordering to the north; in particular, the City wants to address concerns expressed by DCA over the location and need for these two DRIs. Staff will be participating in many of these meetings.

The following is a rough estimate of the date for presentation of DRI projects to the NEFRC for consideration of the staff recommendation:

<u>Project</u>	<u>Date</u>
Durbin	January 2010
Cordova Palms	September 2009
Elkton	March 2010
Navona Creek	Unknown
Old Brick Township	November 2009
Hunter's Ridge Substantial Deviation	February 2010
Watermark	January 2010
Three Lakes	May 2010
Old Kings Park	January 2010