



NEFRC Planning and Growth Management Policy Committee

Thursday, June 7, 2007

MINUTES

The NEFRC Planning and Growth Management Policy Committee meeting was held on Thursday, June 7, 2007 at 9:00 a.m., at Northeast Florida Regional Council, Jacksonville, Florida. Chairman Rutledge called the meeting to order with the following members:

PRESENT

Ms. Barber
Comm. Boyle
Mayor Bue
Comm. Fletcher
Comm. Harris
Comm. Holland
Mayor King
Mr. Register
Comm. Stevenson
Ms. Granlund for Ms. Burnette (ex-officio)
Mr. Bennett for Mr. Parks (ex-officio)
Ms. Auger for Mr. Strong (ex-officio)
Comm. Rutledge-Chair
President Laibl

ABSENT

Vice-Mayor Lawson-Brown

EXCUSED

Councilman Clark
Vice Mayor Crichlow
Ms. Dungey
Ms. Franklin
Mayor Leeper
Comm. Manuel
Mr. Maxwell
Mr. Spaeth
Ms. Vallencourt

Others: Mary Billotti, Kathleen Brown, Margo Moerhing, Al Rizer, Daniel Chitwood, Jane Bailey, Andrew Miller and others.

Staff Present: Ed Lehman, Jeff Alexander, Michael Hill, Sheron Forde, and others.

*Approval of Minutes

Chairman Rutledge called for a motion to approve the May 3, 2007, meeting minutes; Commissioner Harris made the motion, it was seconded by Mayor King; motion carried.

Old Business

There was no old business to discuss.

New Business

Comprehensive Plan Amendment Review

Mr. Lehman stated there were nine (9) comprehensive plan amendments reviewed during the month of April. Three (3) transmitted amendments and five (5) adopted amendments are brought before the Committee and Board for review.

City of Bunnell Transmitted Amendment (07-1) – Mr. Lehman provided a summary of the transmitted amendment, which consists of two proposed FLUM changes and one text amendment. Staff's concern regarding the proposed change to the 50-acre parcel is the apparent contradiction in the City's request for no review from DCA, yet they indicate they are willing to work with DCA to address issues identified in

DCA's 2004 ORC report for this parcel. Mr. Lehman stated that DCA should be requested to review this amendment in order to better assist the City with their concerns on project densities and intensities. The second proposed change is to change 115 acres from Flagler County Agriculture and Timberlands to City Agriculture. Staff's comments have been modified from what appeared in the Committee's mailed packages to state, "While staff has concerns about the increase in development densities without the provision of central water and sewer, staff also notes that the residential densities allowed in the City's Agriculture land use are the lowest densities allowed. Staff encourages the City to continue working with Council staff and DCA in addressing the issue of residential densities." Mr. Lehman provided the Committee with staff's additional concerns regarding the City's Agriculture land use category; the lack of data analysis regarding the impact on school facilities; and the elimination of policy 5.4. As a result, staff's recommendation is that the Planning and Growth Management Policy Committee transmit this to the full Council for their review and transmittal to the DCA.

Discussion followed in which an inquiry arose regarding how the City is handling the issue with the School Board. Mayor King indicated that the City is currently working with the School Board to address outstanding issues. Commissioner Fletcher noted that the issues were not clearly identified in 2004, and inquired as to why this Committee would recommend transmittal to the full board and on to DCA again. Mr. Lehman stated that staff's concern is not so much the proposal, but that DCA be allowed the chance to review the amendments.

Chairman Rutledge called for a motion to approve the City of Bunnell's Transmitted Amendment 07-1, Mr. Register made the motion, it was seconded by Mayor Bue; motion carried.

City of Green Cove Springs Transmitted Amendment (07-1) – Mr. Lehman provided a summary of the transmitted amendment stating that it contained a number of land use changes to land annexed into the City in 2006, FLUM changes to purchased property, and text and map amendments to annexed properties. Mr. Lehman stated that staff had concerns with three of the amendments; the first is in regards to the City's proposal to add a Recreation/Conservation land use category in FLUE Policy 1.6.1. The map utilized for the land use category states that Recreation/Conversation is added to the legend; however, the legend only references the Conservation. The second concern is regarding the revision of Policy 1.5.4 as it is unclear that adequate protection is included in the plan within the 200 feet of buffer. The third concern is in reference to proposed revision of Policy 5.1.1 as it could potentially change the land use on a site without a Comprehensive Plan Amendment. Staff has no concerns regarding the annexation amendments. Staff recommends the Planning and Growth Management Policy Committee transmit this to the full Council for their transmittal to the DCA.

Commissioner Stevenson arrived and was added to the quorum.

Chairman Rutledge inquired about the City's response to staff's concerns regarding the revision of Policy 5.1.1. Mr. Lehman stated that staff's comments were sent to the City, but have received no response as yet. He also stated that the issue with the self amending policy previously occurred in Nassau County and made it through the State; however, the State now has concerns about it. Therefore, staff believes the state will work on developing a more reasonable policy.

President Laibl inquired of Mr. Bennett regarding the future of the Shands Bridge in this area? Mr. Bennett stated that they are looking at the selected alignment in the Pink Corridor, which is a new facility immediately adjacent to the location of the existing Shands Bridge and immediately to the south. Unfortunately there is no funding presently for the design or building of the final product, which is about a \$1.8 billion project. Mr. Bennett further stated that FDOT held a transportation forum to seek out private investors worldwide to determine interest. FDOT has approximately two years to establish the right-of-way needs and the mitigation for permitting before moving forward. However, it would not be impacting this particular area. The existing section of S.R. 16 would remain in place. The proposal is for the existing Shands Bridge to be removed.

Commissioner Stevenson commented on her concerns regarding the effect of traffic in this area prior to improved connections at 210 and I-95. Chairman Rutledge reiterated Mr. Lehman's comment, that this project will not cause any transportation impacts in the area of Commissioner Stevenson's concerns. Mr. Lehman added that from a sheer trip generation standpoint, there would be no impact. Mr. Bennett added that there is a portion of US 17 that will have to be rebuilt and re-routed to move the interchange further west and will be a full blown system-to-system type of interchange, US 17 to the new Pink Corridor/River Crossing Corridor and not a standard signalized intersection type of interchange.

Chairman Rutledge called for a motion to approve the City of Green Cove Springs Transmitted Amendment 07-1, President Laibl made the motion, it was seconded by Commissioner Boyle; motion carried.

Clay County Transmitted Amendment (07-2) – Mr. Lehman provided an overview of the transmitted amendment, which consists of two proposed changes to the FLUM, two text amendments, and adoption of a special Camp Blanding Land Use Compatibility Plan. Staff has no concerns regarding this amendment. Staff recommends the Planning and Growth Management Policy Committee transmit this to the full Council for their transmittal to the DCA.

Chairman Rutledge called for a motion to approve the Clay County Transmitted Amendment 07-2, Commissioner Fletcher made the motion, it was seconded by Commissioner Harris; motion carried.

Crescent City Adopted Amendment (07-1) – Mr. Lehman stated this Adopted Amendment was reviewed at the February 2007 meeting of the Council, at which time the Council had no concerns. He further stated that DCA had several comments, but no objections in their ORC report. As staff had no concerns at its transmitted stage, it is recommended that the Planning and Growth Management Policy Committee find it consistent with the SRPP.

Chairman Rutledge called for a motion to approve the Crescent City Adopted Amendment 07-1, Commissioner Harris made the motion, it was seconded by Mayor Bue; motion carried.

City of Jacksonville Beach Adopted Amendment (07-1) – Mr. Lehman stated this Adopted Amendment was reviewed at the February 2007 meeting of the Council, at which time the Council approved the recommendation of no review to DCA and DCA did not review the amendment. Mr. Lehman stated there are no changes to the amendment and provided a brief overview of the amendment. Staff recommends that it is recommended with the SRPP.

Chairman Rutledge called for a motion to approve the City of Jacksonville Beach Adopted Amendment 07-1, Mr. Register made the motion, it was seconded by Commissioner Fletcher; motion carried.

Clay County Adopted Amendment (07-1) – Mr. Lehman stated the Transmitted Amendment was reviewed at the January 2007 meeting of the Council, and that staff had no concerns. DCA issued their ORC report with no objections or comments on the proposed amendments. Therefore, staff recommends that the Planning and Growth Management Policy Committee find it consistent with the SRPP.

Chairman Rutledge called for a motion to approve the Clay County Adopted Amendment 07-1, Commissioner Boyle made the motion, it was seconded by Mayor Bue; motion carried.

City of Jacksonville Adopted Amendment (07-1) – Mr. Lehman stated that the Transmitted Amendment was reviewed by the Council at the February 2007 meeting, at which time the Council changed staff's recommendations for the first three amendments and recommended that the City of Jacksonville not adopt these amendments. One of these amendments was adopted by the City Council on May 8, 2007 and signed by the Mayor on May 14, 2007. The City did not include the second and third amendments in

the adoption package; therefore, those will not be addressed in Council's review. Mr. Lehman stated that the Board recommended that the City not adopt the amendment to change 77.2 acres from water dependent-water related & agriculture (iv) to Community/General Commercial. Mr. Lehman stated that the data analysis is divided into two sections; one is if the majority of the subject site is not in the coastal high hazard area, the second section is if the subject site is in the CHHA. Council staff has consistently maintained that it was in the CHHA as it is in our maps. Also, DCA Secretary, Tom Pelham, sent a letter, dated May 7, 2007, stating, "...Our conclusion that the subject property is located in the CHHA is based on the Northeast Florida Regional Council 1998 Storm Surge Atlas." Mr. Lehman stated that it is clear that DCA agrees that it is within the CHHA, staff has said it's within the CHHA and, therefore, staff's recommendation is that it is in the CHHA. After reviewing the remainder of this amendment, Mr. Lehman stated that staff agrees with the City that no residential development should be allowed unless an accepted mitigation program is approved. However, this amendment is premature and should not have been approved until the City finalized its mitigation policies in the Conservation/Coastal Management Element, to be reviewed by this Council and DCA. Staff believes this amendment is not consistent with the Council's interpretation of the criteria and standards for increasing residential development in the CHHA, pursuant to the direction of HB 1359, and is not consistent with the Northeast Florida Regional Policy Plan. Staff respectfully recommends that the Planning & Growth Management Policy Committee find this adopted amendment consistent with the Northeast Florida SRPP, with the exception of the proposal to change 77.2 acres from water dependent-water related to community/general commercial.

Commissioner Holland arrived and was added to the quorum.

Public Comment

Ms. Mary Billotti – 469 Pablo Point Dr., Jacksonville, FL 32225 – Spoke in opposition to the City of Jacksonville' Adopted Amendment 07-1 as it relates to the CHHA.

Ms. Kathleen Brown – 365 Pablo Point Dr., Jacksonville, FL 32225 – Spoke in opposition to the City of Jacksonville' Adopted Amendment 07-1 as it relates to the CHHA.

Discussion followed regarding the mitigation process as it relates to CHHA. Mr. Lehman explained that HB 1359 redefined the CHHA to the category one storm surge area and not the evacuation zones. It also stated that development would be prohibited unless it is mitigated through payment of money, building of evacuation shelters, or improving the capacity of the evacuation routes. Therefore, the State legislature said building in the CHHA would be allowed through mitigation. That's the direction that was provided and will be utilized when reviewing all amendments.

Commissioner Fletcher stated that Atlantic Boulevard is the central evacuation route for the City of Atlantic Beach. The site is located at the foot of the City of Atlantic Beach's evacuation bridge and, therefore, it would block hurricane evacuation and create a serious public safety hazard. He agreed with Council staff and Secretary Pelham that the subject property is in the CHHA property. Commissioner Fletcher further states that he strongly recommends that the Committee agree with staff's recommendation to find this portion of the Adopted Amendment not consistent.

Chairman Rutledge called for a motion, Commissioner Fletcher made the motion that the Planning and Growth Management Policy Committee finds the City of Jacksonville's Adopted Amendment 07-1 consistent with the Northeast Florida Strategic Regional Policy Plan with the exception of the proposal to change 77.2 acres located along Atlantic Boulevard, just west of the Intercoastal Waterway, from water dependent-water related to community/general commercial, which Council staff recommends that the Committee and Council find not consistent with the Northeast Florida Strategic Policy Plan in particular, regional goal 3.2 and regional policy 3.2.2; it was seconded by Commissioner Stevenson; motion carried.

City of Jacksonville Adopted Amendment (07D-1) – Mr. Lehman stated this Adopted Amendment concerns the Westlake DRI and was reviewed in its transmitted phase at the March 2007 meeting of the Council, at which time the Council had no concerns or comments. The DCA issued an ORC report, which has been addressed through the NOPC process. Staff recommends that the Planning and Growth Management Policy Committee find this adopted amendment consistent with the SRPP.

Chairman Rutledge called for a motion to approve the City of Jacksonville Adopted Amendment 07D-1, Commissioner Boyle made the motion, it was seconded by Mr. Register; motion carried.

Intergovernmental Coordination and Review Report (IC&R) Report

Mr. Lehman stated that this item is for information only, no action required.

Development of Regional Impact (DRI)

Mr. Lehman stated that this item is for information only, no action required.

Public Comment

There were no public comments at this time.

Next Meeting Date

The next meeting will be held Thursday, July 12, 2007, at 9:00 a.m. at Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

Adjournment

The meeting adjourned at 10:00 a.m.