



## NEFRC Planning and Growth Management Policy Committee

Thursday, April 2, 2009

### MINUTES

The NEFRC Planning and Growth Management Policy Committee meeting was held on Thursday, April 2, 2009 at 9:00 a.m., at the Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida, 32216. President Boyle called the meeting to order with the following members present representing a quorum:

#### PRESENT

Councilman Bishop  
President Boyle  
Mr. Cole (Ex-Officio)  
Commissioner Crichlow  
Mayor Graham  
Vice-Mayor Lawson-Brown  
Mr. Larson (Ex-Officio)  
Commissioner Parsons  
Mr. Parks (Ex-officio)  
Mr. Spaeth  
Ms. Stern

#### EXCUSED

Commissioner Harris  
Mr. Register  
Mayor Robinson  
Ms. Vallencourt  
Commissioner Griffis (Chair)

#### ABSENT

Mr. Strong (Ex-officio)

Others: Steve Fitzgibbons, Dan Chitwood, Geoff Sample, Ray Spofford, Bob Johnson, Staci Rewis, Mitch Montgomery, Zack Miller, Doug Miller, Valerie Britt, Beth Weatherford, Tom Jones and other members of the public.

Staff Present: Brian Teeple, Ed Lehman, Margo Moehring, Guy Parola, Ameera Sayeed, Valerie Evans, Michael Calhoun, Angela Giles and Sheron Forde.

#### \*Approval of Minutes

**Vice Mayor Lawson-Brown moved approval of the February 2, 2009 meeting minutes; seconded by Commissioner Parsons; motion carried unanimously.**

#### February Comprehensive Plan Amendment Review

Mr. Lehman provided an overview of amendments received in February that were reviewed by the Chair on behalf of the Committee, according to Council Standing Rules (2002) that gives the Committee Chair the authority to delegate final recommendation to staff. Mr. Lehman stated that staff recommendation memos were included for members to review and that the amendments were minor in nature: City of Crescent City Adopted Amendment 09-1, Town of Interlachen Adopted Amendment 09CIE-1 and Town of Penney Farms Evaluation and Appraisal Report (EAR). Chair Griffis reviewed these items and delegated final recommendation to staff; staff recommendations were transmitted to DCA. No action is required by the Committee, these amendments are included for informational purposes only.

## March Comprehensive Plan Amendment Review

Mr. Lehman stated that there were eight (8) Comprehensive Plan Amendments reviewed during the month of March. Five (5) adopted amendments are brought before the Committee and Board for review; the other three were small scale and have been reviewed by staff.

Town of Orange Park Adopted Amendment 09PEFE-1 – Mr. Parola provided an overview of the Adopted Amendment, which was reviewed and approved in its transmitted form at the Committee's February 2008 meeting. Staff believes that the Town has adequately addressed the Council's comments. Therefore, staff respectfully recommends that the Planning and Growth Management Policy (P&G) Committee and Council find the Town of Orange Park Adopted Amendment 09PEFE-1 consistent with the Northeast Florida Strategic Regional Policy Plan (SRPP). **Commissioner Parsons moved approval of the Town of Orange Park Adopted Amendment 09PEFE-1 as consistent with the SRPP; seconded by Ms. Stern; motion carried unanimously.**

Baker County 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 P&G Committee and Council. Staff finds that it is a financially feasible plan and respectfully recommends that the P&G Committee and Council find the Baker County Adopted Amendment 09CIE-1 consistent with the SRPP. **Ms. Stern moved approval of Baker County Adopted Amendment 09CIE-1; seconded by Commissioner Crichlow; motion carried unanimously.**

Putnam County Adopted Amendment 09-1 – Mr. Lehman provided an overview of the Adopted Amendment, which was reviewed and approved in its transmitted form at the Council's December, 2008 meeting. After review of the transmitted amendment package, DCA issued an Objections, Recommendations, and Comments (ORC) report by letter dated January 23, 2009, and raised two objections based on lack of meaningful and predictable standards and the lack of data and analysis. To address the objections, Putnam County removed two provisions from the Adopted Amendment. The Amendment consists of six (6) changes to the Future Land Use Map (FLUM), and two (2) text amendments. Staff has no further comments or concerns and, therefore, recommends that the Committee and Council find Putnam County Adopted Amendment 09-1 consistent with the SRPP. **Vice-Mayor Lawson-Brown moved approval of Putnam County Adopted Amendment 09-1 as consistent with the SRPP; seconded by Commissioner Parsons; motion carried unanimously.**

Baker County Adopted Amendment 09SSA-1 – Mr. Parola stated that SSA stands for Stipulated Settlement Agreement. Mr. Parola provided a brief history of the Amendment. At the October, 2007 meeting, the Council found Baker County Adopted Amendment 07-1 consistent with the SRPP, which amended mixed-use development for Interstate development nodes. The nodes do not change the underlying land use category. DCA issued a statement finding the Amendment not in compliance. The Division of Administrative Hearings and Baker County entered into a SSA, adding text amendments limiting development potential inside the nodes, as well as adding a general text amendment for Baker County to more accurately define wetlands. Staff finds these changes consistent with the SRPP and recommends that the Committee and Council find the Amendment consistent with the SRPP. **Commissioner Crichlow moved approval of Baker County Adopted Amendment 09SSA-1 as consistent with the SRPP; seconded by Mayor Graham; motion carried unanimously.**

City of Jacksonville Adopted Amendment 09-1AR – Mr. Teeple informed the members that this Amendment had been received the day before the meeting. AR stands for alternative review process under Chapter 163, F.S. This Amendment is approximately 750 pages in length. This was reviewed

in the transmittal phase at the December, 2008, meeting. The Council had serious concerns over a number of the amendments, including a regional activity center, a number of large scale comprehensive plan amendments which could be calculated to be DRI size, and several transportation issues. Due to the serious nature of the concerns brought up at the December 2008 meeting, Mr. Teeple recommends that, for this body to discharge its statutory responsibilities, Staff needs time to review this amendment, and would suggest that this Committee continue its meeting to a time and date and place certain. Mr. Teeple believes the issues are important and significant enough that Staff would not be doing due diligence under Florida Statutes if they were to give a recommendation without review. Discussion followed. Questions arose regarding the timeliness of the City of Jacksonville's submission. Mr. Teeple informed Committee members that Regional Council review time is a Legislative level issue. Discussion followed. Mr. Teeple introduced Mr. Mitch Montgomery, an applicant for the proposed change. Mr. Montgomery stated that the additional time offered would give the applicants time to work with Staff to avoid any administrative appeals. Discussion followed.

Public Comment - Ms. Valerie Britt, PO Box 4920, and a property owner at 378 Tilefish Court. Ms. Britt sees many problems with this series of amendments, and hopes that the Florida Department of Transportation will have a representative at the continuance, as there are a lot of transportation issues of concern. Ms. Britt commented that in the Alternate Review process, it appears that the City is using 2 different timelines. She noted that the citizen challenge time frame starts when the City Council votes upon the issues, whereas the Mayor can hold legislation until he signs it, and the Planning Department uses the timeline beginning when the Mayor signs the legislation to send to the Regional Council. Therefore, it could be weeks longer. Ms. Britt has brought this issue up before the Jacksonville City Council and the DCA, and as yet, there has been no resolution to this issue. She stated that if the citizen challenge date begins when adopted by City Council, then it is a reasonable expectation for the Jacksonville Planning Department to get the information to the Regional Council in a timely manner. The Alternate Review process has discrepancies and is incongruent. Ms. Britt stated her support that this item will have additional review time, and appreciates it.

**Mr. Spaeth moved that this meeting be continued until April 23, 2009, at 9:00 am, at the NEFRC office; Ms. Stern seconded; motion carried unanimously.**

Intergovernmental Coordination and Review (ICR) – Mr. Lehman stated that during the month of March there were 22 applications for environmental permits and 6 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 Governor's Park DRI will be coming before the Council in May, and there will be an overview at the Full Board meeting; and a new DRI is included, the Three Lakes DRI, which is included in the City of Palm Coast.

Public Comments – None.

#### Next Meeting Date

The next meeting will be held Thursday, May 7, 2009, at 8:30 a.m. at the Northeast Florida Regional Council.

There being no further business to discuss, the meeting recessed at 9:51 a.m.

04-23-09

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Continuance Meeting Minutes



## NEFRC Planning and Growth Management Policy Committee

Thursday, April 23, 2009

### MINUTES

An NEFRC Planning and Growth Management Policy Committee continuance meeting was held on Thursday, April 23, 2009 at 9:00 a.m., at the Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida, 32216. President Boyle called the meeting to order with the following members present representing a quorum:

#### PRESENT

Councilman Bishop  
Commissioner Crichlow  
President Boyle  
Commissioner Parsons  
Mr. Spaeth  
Mr. Cole (Ex-Officio)  
Mr. Bennett (Ex Officio)

#### EXCUSED

Mayor Graham  
Commissioner Harris  
Mr. Larson  
Vice-Mayor Lawson-Brown  
Mr. Register  
Mayor Robinson  
Ms. Stern  
Ms. Vallencourt  
Mr. Strong (Ex-Officio)

Others: Austin Chapman, Susan McDonald, Bill Killingsworth, Mike Herzberg and other members of the public.

Staff Present: Brian Teeple, Mario Taylor, Ed Lehman, Margo Moehring, Guy Parola, Michael Hadden, Michael Calhoun and Angela Giles.

#### Call to Order/Special Appointments

**President Boyle called the meeting continuance to order, stating that the Committee would act with full power today, April 23, 2009, pursuant to a vote of the Full Council on April 2, 2009.**

**President Boyle stated that pursuant to the authority granted to the President of the Board by the Interlocal Agreement creating the Council to appoint and remove Committee members, the following additional appointments will be made to the Planning & Growth Management Policy Committee for the duration of this meeting:**

- **Commissioner Davis**
- **Councilman Page**
- **Mr. Smallwood**
- **Councilman Art Graham**
- **Commissioner Ken Bryan**

St. Johns County EAR - Mr. Parola provided an overview of the purpose of the EAR along with the list of major issues, which were derived from a scoping meeting and several public workshops. He indicated that the list of issues will be instrumental in assessing the progress

the County has had in implementing their comprehensive plan over the last seven years. Mr. Parola also highlighted the issues that will be of regional concern such as affordable housing, economic development, emergency preparedness, natural resources of and transportation. Staff has no comments and recommends that the Committee find the St. Johns County Adopted EAR consistent with the Northeast Florida Strategic Regional Policy Plan. **Commissioner Crichlow moved approval of the St. Johns County EAR as consistent with the SRPP; seconded by Commissioner Stevenson; motion carried unanimously.**

City of Jacksonville Adopted Amendment 09-1AR – Mr. Lehman stated that this amendment falls under the Alternate Review process through the City of Jacksonville, therefore the Council's comments will be sent to the City. Mr. Lehman informed the Committee that he is only providing review and analysis on those amendments for which there were comments and concerns adopted by the Council in the review of the transmitted packet. Discussion followed by Committee members, DOT representative James Bennett, City of Jacksonville Interim Planning Director Bill Killingsworth, and other interested parties concerning traffic volume data and analysis. Councilman Graham stated that items 3a and 3b resulted in no net increase of traffic; therefore the Committee should approve them. The Committee decided to vote upon the items in the Amendment separately. **Councilman Graham moved that items 3a and b, Ordinance 2009-136E, are consistent with the SRPP; seconded by Councilman Bishop; motion carried unanimously. Commissioner Parsons moved that item 3c, Ordinance 2009-142 is consistent with the SRPP; seconded by Mr. Smallwood; motion failed – 6 nays (Crichlow, Spaeth, Page, Stevenson, Bryan, Boyle) to 5 ayes (Bishop, Parsons, Davis, Smallwood, Graham). Councilman Graham moved approval of Ordinances 2009-148E, 152E and 154E moved to approve as consistent with the SRPP based on commitment from the City of Jacksonville Planning & Development Department; seconded by Commissioner Parsons; motion carried unanimously.**

**The Committee, acting with full powers of the Council for the review of this amendment, finds the following amendment that has been adopted by the City of Jacksonville Adopted Amendment 09-1AR not consistent with the Northeast Florida Strategic Regional Policy Plan: Ordinance 2009-142-E: Changes 153.78 acres from Low Density Residential to Light Industrial. The Committee finds this amendment to be not consistent with the Northeast Florida Strategic Policy Plan, in particular Regional Goal 5.2 and Regional Policy 5.2.1.**

**The Committee also recommends that all other amendments included in Jacksonville Adopted Amendment 09-1AR not noted above be found consistent with the Northeast Florida Strategic Regional Policy Plan, and recommends that the City of Jacksonville recognize its obligation to procure adequate funding to timely construct the completion of the road through the Timucuan parcels from the westernmost point of parcels subject to these FLUM amendments to Lem Turner Road.**

#### Next Meeting Date

The next meeting will be held Thursday, May 7, 2009, at 8:30 a.m. at the Northeast Florida Regional Council.

There being no further business to discuss, the meeting adjourned at 11:15 a.m.