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# NEFRC

## Planning & Growth Management Policy Committee

**September 4, 2008  
9:00 a.m.**

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

**NEFRC Planning and  
Growth Management Policy Committee**

**Thursday, September 4, 2008**  
9:00 a.m.

**A G E N D A**  
(ADDED / MODIFIED ITEMS IN BOLD)

**TAB**

1. Call to Order, Roll Call, Introductions – Chairman Boyle
2. \*Approval of Minutes of August 7, 2008, Meeting – Chairman Boyle ----- 1
3. Comprehensive Plan Amendment Review – Ed Lehman ----- 2
  - \*a. Flagler County Transmitted Amendment 08-2 – Ed Lehman ----- 3
  - \*b. Clay County Transmitted Amendment 08-D2 – Ed Lehman ----- 4
  - \*c. Town of Baldwin Transmitted Amendment 08-1 – Ed Lehman ----- 5
  - \*d. St. Augustine Beach Adopted Amendment 08PEFE-1 – Guy Parola----- 6
  - \*e. St. Johns County Adopted Amendment 08PEFE-1 – Guy Parola ----- 7
  - \*f. Town of Interlachen Adopted Amendment 08PEFE-1 – Guy Parola ----- 8
  - \*g. Clay County Adopted Amendment 08PEFE-1 – Ameera Sayeed ----- 9
  - \*h. Nassau County Adopted Amendment 08-1 – Ed Lehman ----- 10
4. Evaluation and Appraisal Report (E.A.R.)
  - \*a. Nassau County Adopted EAR ----- 11
  - \*b. Baker County Adopted EAR ----- 12
5. Intergovernmental Coordination and Review (IC&R) Report – Ed Lehman ----- 13
6. Development of Regional Impact (DRI) Report – Ed Lehman ----- 14
7. Other
  - a. DCA Notice of Intent - City of Jacksonville 08-1B – Ed Lehman ----- 15
8. Public Comment – **LIMITED TO 3 MINUTES PER SPEAKER**
9. Next Meeting Date and Location: **Thursday, October 2, 2008**  
**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, August 7, 2008

### MINUTES

The NEFRC Planning and Growth Management Policy Committee meeting was held on Thursday, August 7, 2008 at 9:00 a.m., at the Northeast Florida Regional Council, Jacksonville, Florida. Chairman Boyle called the meeting to order with the following members:

#### PRESENT

Councilman Bishop  
Commissioner Boyle (Chair)  
Councilman Bue  
Mr. Cole (Ex-officio)  
Vice Mayor Crichlow  
Mr. Larson (Ex-Officio)  
Vice-Mayor Lawson-Brown  
Mr. Parks (Ex-officio)  
Mr. Register  
Mr. Spaeth  
Ms. Vallencourt  
Mr. Williams

#### EXCUSED

Ms. Dungey  
Commissioner Harris  
Commissioner Stevenson

#### ABSENT

Mr. Maxwell  
Mr. Strong (Ex-officio)

Others: Lonnie Weets, Jasper Burr, Mike Saylor, Tom Ingraham, Anna Shea, Duncan Ross, Beth Weatherford, Travis Minch and others.

Staff Present: Ed Lehman, Guy Parola, Valerie Evans, Jonathan Goyings, Sheron Forde, and others.

#### \*Approval of Minutes

**Chairman Boyle called for a motion on the July 3, 2008, meeting minutes. Councilman Bue made a motion to approve, it was seconded by Mr. Register; Motion carried.**

#### Comprehensive Plan Amendment Review

Mr. Lehman stated there were 16 Comprehensive Plan Amendments reviewed during the month of July. Two transmitted amendments and eleven adopted amendments are brought before the Committee and Board for review; the other three are small scale and have been reviewed by staff.

City of Jacksonville Transmitted Amendment (08-2AR) – Mr. Lehman mentioned that the AR stands for Alternative Review and that this amendment falls under the new pilot program in which comments are forwarded to the City of Jacksonville instead of DCA. He then provided the Committee with an overview of the transmitted amendment. While Council staff had no

comments on most of the proposed changes, they did have concerns regarding the following proposed FLUM changes, 1) change 319 acres from Agriculture(ii), Agriculture(iii) and Agriculture(iv) to Light Industrial – staff notes that there is no mention of an improvement plan for U.S. 90 included in the data and analysis. Therefore, there is concern about the impacts of traffic from the potential development of over 5.5 million square feet of industrial development; 2) change 317.54 acres from Low Density Residential to Light Industrial – staff notes that the parcel is not within the boundaries of either the Industrial Sanctuary or Industrial Situational Compatibility Zone, additionally, staff notes that the trip generation rate used in this calculation was for high-cube warehouse, and not light industrial. If the rate for light industrial is used, there will be a potential increase of 1,015 trips. Therefore, if the City adopts this amendment, adequate data and analysis should be provided to indicate that transportation infrastructure is sufficient to serve the potential development; and 3) change 1,093.53 acres from Low Density Residential, Community/General Commercial, and Neighborhood Commercial to Multi-use – staff’s believes the land use mix provided in the regional activity center is not consistent with the rule that establishes a regional activity center. Additionally, the City proposes four text amendments. Council staff’s only comment is regarding policy 2.5.5, which would replace sub policies that refer to the Navy Instruction Manual, and specifically addresses the need for the City to work with the Military in developing appropriate measures relating to density, intensity, and use of land in proximity to Jax NAS, NAS Mayport, and Whitehouse that are to be adopted as part of the City’s LDRs – staff suggests that policy 2.5.5 be amended to provide a time frame in which the City is to amend its LDRs. Staff recommends that the Growth Management Policy Committee approve this report for transmittal to the City of Jacksonville. A brief discussion ensued.

**Chairman Boyle called for a motion on the City of Jacksonville’s Transmitted Amendment 08-2AR. Councilman Bue made a motion to approve, it was seconded by Ms. Vallencourt; Motion carried.**

#### Public Comments

Mr. Mike Saylor, representing the residents of Flamingo Lakes RV Park, spoke regarding the City of Jacksonville 08-2AR amendment. He stated they agree with council staff comments regarding traffic impacts. While they were initially against the proposed changes, they have since resolved their issues with the City concerning this amendment.

Clay County Transmitted Amendment 08-2 – Mr. Lehman provided an overview of the Amendment, which contained five proposed FLUM changes, 1) change 9.59 acres from Rural Residential to Institutional, 2) change 8.79 acres from Rural Residential to Institutional, 3) change 62.98 acres from Mining to Institutional, 4) change 1,446 acres from Agriculture to Agriculture/Residential and 5) modify FLUM to reflect location of Outer Beltway. The amendment also contains five proposed text amendments via Policy 2.9, which adds language stating that regulations for access management controls shall be applied to all development consistent with the Land Development Code; Lake Asbury (LA) Policy 1.3, which addresses conflicts due to the recently adopted impact fee ordinance; LA Policy 3.1, which adds language that provides that the purpose and operation of a fund dedicated to public facilities acquisition and construction will be further detailed in the Lake Asbury Land Development Regulations; LA Policy 3.3, which is being amended to specifically refer to the adequate public facilities credit in maintaining consistency with the proposed amendments to LA Policy 1.3 and 3.1; and CIE Policy 5.7, which addresses cash fair share payment credits

allocated for road construction as specified in the transportation impact fee ordinance's Designated Road List. Staff concurs with the proposed changes and recommends that the Growth Management Policy Committee approve this report for transmittal to DCA. No discussion followed.

**Chairman Boyle called for a motion on Clay County's Transmitted Amendment 08-2. Councilman Bue made a motion to approve, it was seconded by Ms. Vallencourt; Motion carried.**

City of Bunnell Adopted Amendment 08PEFE-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. He noted that DCA issued an ORC report that did not include the Council's only comment regarding the language of policy 2.2.5. The City addressed all of DCA's comments, but did not address the Council's comment. Nevertheless, the City's action does not make this amendment inconsistent. Therefore, staff recommends that the Planning and Growth Management Policy Committee find the City of Bunnell Adopted Amendment 08PEFE-1 consistent with the Northeast Florida Strategic Regional Policy Plan.

Councilman Bue inquired whether or not private schools were included in this. Ms. Vallencourt replied that they were not a part of the equation.

**Chairman Boyle called for a motion on the City of Bunnell's Adopted Amendment 08PEFE-1. Mr. Register made a motion to find it consistent with the Northeast Florida Strategic Regional Policy Plan, it was seconded by Vice-Mayor Lawson Brown; Motion carried.**

Flagler County Adopted Amendment 08PEFE-1 – Mr. Parola provided an overview of the Adopted Amendment, which was reviewed and approved, with one comment, in its transmitted form at the Committee's March 2008 meeting. He noted that the County has addressed the Council's comment to adopt Map 12 as a figure within the PSFE. Therefore, staff recommends that the Planning and Growth Management Policy Committee find the Flagler County Adopted Amendment 08PEFE-1 consistent with the Northeast Florida Strategic Regional Policy Plan. No discussion followed.

**Chairman Boyle called for a motion on Flagler County's Adopted Amendment 08PEFE-1. Mr. Register made a motion to find it consistent with the Northeast Florida Strategic Regional Policy Plan, it was seconded by Councilman Bishop; Motion carried.**

Putnam County Adopted Amendment 08PEFE-1 – Mr. Parola provided an overview of the Adopted Amendment, which was reviewed and approved in its transmitted form at the Committee's December 2007 meeting. Staff recommends that the Planning and Growth Management Policy Committee find the Putnam County Adopted Amendment 08PEFE-1 consistent with the Northeast Florida Strategic Regional Policy Plan. No discussion followed.

**Chairman Boyle called for a motion on Putnam County's Adopted Amendment 08PEFE-1. Vice Mayor Lawson-Brown made a motion to find it consistent with the Northeast Florida Strategic Regional Policy Plan, it was seconded by Councilman Bue; Motion carried.**

City of Crescent City Adopted Amendment 08PEFE-1 – Mr. Parola provided an overview of the Adopted Amendment, which was reviewed and approved in its transmitted form at the Committee's April 2008 meeting. DCA issued an ORC report that the City has addressed. Staff recommends that the Planning and Growth Management Policy Committee find the City of Crescent City Adopted Amendment 08PEFE-1 consistent with the Northeast Florida Strategic Regional Policy Plan. No discussion followed.

**Chairman Boyle called for a motion on City of Crescent City's Adopted Amendment 08PEFE-1. Ms. Vallencourt made a motion to find it consistent with the Northeast Florida Strategic Regional Policy Plan, it was seconded by Councilman Bishop; Motion carried.**

Town of Pomona Park Adopted Amendment 08PEFE-1 – Mr. Parola provided an overview of the Adopted Amendment, which was reviewed and approved in its transmitted form at the Committee's March 2008 meeting. Staff has no comments and, therefore, recommends that the Planning and Growth Management Policy Committee find the Town of Pomona Park Adopted Amendment 08PEFE-1 consistent with the Northeast Florida Strategic Regional Policy Plan. No discussion followed.

**Chairman Boyle called for a motion on Town of Pomona Park's Adopted Amendment 08PEFE-1. Vice Mayor Lawson-Brown made a motion to find it consistent with the Northeast Florida Strategic Regional Policy Plan, it was seconded by Councilman Bue; Motion carried.**

Town of Welaka Adopted Amendment 08PEFE-1 – Mr. Parola provided an overview of the Adopted Amendment, which was reviewed and approved in its transmitted form at the Committee's March 2008 meeting. Staff has no comments and, therefore, recommends that the Planning and Growth Management Policy Committee find the Town of Welaka Adopted Amendment 08PEFE-1 consistent with the Northeast Florida Strategic Regional Policy Plan. No discussion followed.

**Chairman Boyle called for a motion on Town of Welaka's Adopted Amendment 08PEFE-1. Councilman Bue made a motion to find it consistent with the Northeast Florida Strategic Regional Policy Plan, it was seconded by Mr. Register; Motion carried.**

City of Palatka Adopted Amendment 08PEFE-1 – Ms. Evans provided an overview of the Adopted Amendment and indicated that it contained all the necessary materials for the implementation of school concurrency. Staff has no comments and recommends that the Planning and Growth Management Policy Committee find the City of Palatka Adopted Amendment 08PEFE-1 consistent with the Northeast Florida Strategic Regional Policy Plan. No discussion followed.

**Chairman Boyle called for a motion on City of Palatka's Adopted Amendment 08PEFE-1. Vice Mayor Lawson-Brown made a motion to find it consistent with the Northeast Florida Strategic Regional Policy Plan, it was seconded by Councilman Bue; Motion carried.**

City of St. Augustine Adopted Amendment 08PEFE-1 – Ms. Evans provided an overview of the Adopted Amendment, which was reviewed and approved, with one comment, in its transmitted form at the Committee's February 2008 meeting. She noted that the City has addressed both DCA and Council staff's comments and recommends that the Planning and Growth Management Policy Committee find the City of St. Augustine Adopted Amendment 08PEFE-1 consistent with the Northeast Florida Strategic Regional Policy Plan. No discussion followed.

**Chairman Boyle called for a motion on City of St. Augustine's Adopted Amendment 08PEFE-1. Vice Mayor Crichlow made a motion to find it consistent with the Northeast Florida Strategic Regional Policy Plan, it was seconded by Councilman Bue; Motion carried.**

City of Fernandina Beach Adopted Amendment 08PEFE-1 – Ms. Evans provided an overview of the Adopted Amendment, which was reviewed and approved in its transmitted form at the Committee's April 2008 meeting without comments. Therefore, staff recommends that the Planning and Growth Management Policy Committee find the City of Fernandina Beach Adopted Amendment 08PEFE-1 consistent with the Northeast Florida Strategic Regional Policy Plan. No discussion followed.

**Chairman Boyle called for a motion on City of Fernandina Beach's Adopted Amendment 08PEFE-1. Ms. Vallencourt made a motion to find it consistent with the Northeast Florida Strategic Regional Policy Plan, it was seconded by Councilman Bue; Motion carried.**

Nassau County Adopted Amendment 08PEFE-1 – Mr. Parola provided an overview of the Adopted Amendment, which was reviewed and approved in its transmitted form at the Committee's April 2008 meeting without comments. Therefore, staff recommends that the Planning and Growth Management Policy Committee find the Nassau County Adopted Amendment 08PEFE-1 consistent with the Northeast Florida Strategic Regional Policy Plan. No discussion followed.

**Chairman Boyle called for a motion on Nassau County's Adopted Amendment 08PEFE-1. Councilman Bishop made a motion to find it consistent with the Northeast Florida Strategic Regional Policy Plan, it was seconded by Councilman Bue; Motion carried.**

Putnam County Adopted Amendment 08-1 – Mr. Lehman provided an overview of the Adopted Amendment, which was reviewed and approved in its transmitted form at the Committee's March 2008 meeting with two comments. He noted that staff believes the County has adequately addressed both DCA and Council comments. Therefore, staff recommends that the Planning and Growth Management Policy Committee find the Putnam County Adopted Amendment 08-1 consistent with the Northeast Florida Strategic Regional Policy Plan. No discussion followed.

**Chairman Boyle called for a motion on Putnam County's Adopted Amendment 08PEFE-1. Ms. Vallencourt made a motion to find it consistent with the Northeast Florida Strategic Regional Policy Plan, it was seconded by Councilman Bue; Motion carried.**

Intergovernmental Coordination and Review (ICR) – Mr. Lehman stated this is for information only and does not require an action.

DRI Report - Mr. Lehman stated that the DRI report is for information only, no action is required.

Public Comments

No other comments received.

Next Meeting Date

The next meeting will be held Thursday, September 4, 2008, at 9:00 a.m. at the Northeast Florida Regional Council.

Adjournment

The meeting adjourned at 10:00 a.m.

DRAFT

# **Tab 2**



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## MEMORANDUM

**DATE:** September 2, 2008  
**TO:** Northeast Florida Regional Council  
**THRU:** Planning and Growth Management Policy Committee  
**FROM:** Edward Lehman, Director of Planning & Development  
**RE:** Comprehensive Plan Amendment Review: August 2008

During the month of August, 2008, Regional Council staff reviewed thirteen (13) comprehensive plan amendments. Three (3) transmitted and five (5) adopted amendments are brought before the Committee and Board for review.

### **Transmitted Amendments:**

Flagler County	Transmitted Amendment 08-2
Clay County	Transmitted Amendment 08D-2
Town of Baldwin	Transmitted Amendment 08-1

### **Adopted Amendments:**

St. Augustine Beach	Adopted Amendment 08PEFE-1
St. Johns County	Adopted Amendment 08PEFE-1
Town of Interlachen	Adopted Amendment 08PEFE-1
Clay County	Adopted Amendment 08PEFE-1
Nassau County	Adopted Amendment 08-1

### **Small-Scale Amendments\*:**

Nassau County	Ordinance 2008-10
• <i>Changes 0.59 acres from Medium Density Residential to Commercial General</i>	

Baker County	Ordinance 2008-29
• <i>Changes 5.0 acres from Agricultural Zone B to Residential Zone C</i>	

**Board Memorandum**

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City of Jacksonville

Ordinance 2008-407-E

- *Changes 1.5 acres from Residential-Professional-Institutional to Community/General Commercial*

City of Jacksonville

Ordinance 2008-409-E

- *Changes 9.95 acres from Agriculture(ii) to Light Industrial*

Nassau County

Ordinance 2008-14

- *Changes 6.98 acres from Agriculture, 1 Unit per 20 acres to Agriculture, 1 Unit per One Acre*

\*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:** August 25, 2008

**TO:** Northeast Florida Regional Council

**THRU:** Planning and Growth Management Policy Committee

**FROM:** Edward Lehman, Director of Planning and Development

**RE:** Flagler County Transmitted Amendment 08-2

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### **Scope of Review**

The Regional Council received Flagler County Transmitted Amendment 08-2 on August 6, 2008. Flagler County requested that the Department of Community Affairs review the amendments. Therefore, pursuant to Chapter 163, Florida Statute 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 facilities, as well as any 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 transmitted amendment packet consists of two Future Land Use Map (FLUM) amendments and text amendments to the Future Land Use Element and Recreation and Open Space Element. Each of the amendments is summarized below.

Future Land Use Amendments

**1. Proposal to change 54.05 acres from Agriculture & Timberlands to Industrial.**

The first FLUM amendment proposes to change 54.05 acres Agriculture & Timberlands to Industrial. The subject parcel is located south of S.R. 100 and adjacent to the Flagler County Airport. The parcel is bordered by Commercial High Intensity land use to the north along S.R. 100, and Industrial Land use to the east, west and south. The proposed change will expand the existing industrial land use associated with the Airport. The proposed change appears to be compatible with the surrounding area. The maximum potential development on the parcel increases from 11 residential units to 1,059,488 square feet of industrial development.

*Comment: Staff believes that the proposed change is compatible with the surrounding area and is appropriate for the requested land use. Staff believes that any transportation impacts that may result from the increase in development intensity will be addressed through the County's concurrency system.*

**2. Proposal to change 117.15 acres from Agriculture & Timberlands and Conservation to Commercial Low Intensity, Residential Low Density Rural Estate, and Conservation.**

The next FLUM amendment proposes to change 117.15 acres from Agriculture & Timberlands and Conservation to 15.65 acres of Commercial Low Intensity, 89.55 acres of Residential Low Density Rural Estate, and 12 acres of Conservation. The subject parcel is located along the east side of South Old Kings Road between S.R. 100 and Old Dixie Highway. According to Flagler County planning staff, the subject parcel's proximity to other mixed use developments, including the Old Kings Village development to the south, is indicative of a continuing pattern of single-family/light commercial development. The maximum potential development on the parcel from the existing FLUM designation is 23 residential units, and the maximum potential development from the proposed change is 89 residential units and 204,528 square feet of commercial development. The County has provided data and analysis showing that the roadway segments serving the project have available capacity for traffic that could result from development pursuant to this land use change. According to the County, the project is within both the County's Bulow Service Area and the

**Board Memorandum**  
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Palm Coast service district boundaries. The City has sufficient capacity to serve the project under a temporary Consumptive Use Permit.

Text Amendments

The County is proposing text amendments to the Goals, Objectives, and Policies of the Future Land Use Element and Recreation and Open Space Element of the Comprehensive Plan. The purpose of these proposed changes is to enhance the County's grant receipt opportunities from the Florida Communities Trust program. The County is amending Objective 4 of the Future Land Use Element to address the preservation of cultural or archaeological resources in the county, as well as protecting historical resources. Policy 2.4 of the Recreation and Open Space Element is amended to add the provision that the County shall coordinate adjacent land use and management activities with agencies managing those natural areas or open space. Policy 2.6 is being amended to address enhancement of stormwater facilities. New Policy 2.11 is being added that states that all lands acquired via Environmentally Sensitive Lands funds shall restore natural areas where practicable. Policy 7.3 is adding Dead Lake for public access supply. Policy 7.4 is adding Bull Creek, Dead Lake, Crescent Lake, and the Matanzas River as locations for canoe and kayak trails. New Policy 7.5 states that the County shall use park impact fees and Environmentally Sensitive Lands funds to create, expand, or enhance Greenways, Ecological Corridors, or Recreational Trail Systems.

*Staff has no comments or concerns about the proposed text amendments.*

**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 4

## MEMORANDUM

**DATE:** August 25, 2008

**TO:** Northeast Florida Regional Council

**THRU:** Planning and Growth Management Policy Committee

**FROM:** Edward Lehman, Director of Planning and Development

**RE:** Clay County Transmitted Amendment 08D-2

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### Scope of Review

The Regional Council received Clay County Transmitted Amendment 08D-2 on August 8, 2008. Pursuant to Chapter 163, Florida Statute 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

Clay County Transmitted Amendment 08-D2 is the companion Future Land Use Map amendment to the Governors Park Development of Regional Impact (DRI). The Governors Park DRI is a proposed mixed-use development of approximately 3,267 acres. The County is proposing to change the land use for the 3,267 acres from Agriculture to Planned Community. The subject parcel is located south of Green Cove Springs to the north and west of U.S. 17 adjacent to C.R. 15A and south of S.R. 16. The proposed land use plan will accommodate the land uses proposed on Map H of the ADA, which has gone through sufficiency review by Council and agency staff. The amount of development proposed in the DRI includes 6,000 residential dwelling units, 840,000 square feet of retail, 700,000 square feet of office, 2,000,000 square feet of light industrial, and a 400-room

hotel. The Recommendation Report for the companion DRI will be presented to the Council for their review and approval in October.

## **2) Other Maps and Capital Improvements Schedule Amendments**

The proposed amendment modifies the County's 10-year Transportation Circulation Map to include the Green Cove Springs Bypass. In addition, the transmitted amendment packet includes a proposed amendment to add the subject property to the Comprehensive Plan's Urban Service Area Map.

*Comment: Staff believes that the proposed parcel is located in an area of the region compatible with the proposed increases in development intensities. The completion of the Outer Bypass in this area of the region will spur additional development, with this type of planned development contemplated in the DRI preferable to piecemeal development. The project is presently undergoing DRI review, and is tentatively scheduled to come before the Council in October. 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.*

### **Recommendation:**

**The Council recommends that these comments and recommendations be transmitted to DCA.**

# Tab 5

## MEMORANDUM

**DATE:** August 25, 2008

**TO:** Northeast Florida Regional Council

**THRU:** Planning and Growth Management Policy Committee

**FROM:** Edward Lehman, Director of Planning and Development

**RE:** Town of Baldwin Transmitted Amendment 08-1

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### **Scope of Review**

The Regional Council received Town of Baldwin Transmitted Amendment 08-1 on August 20, 2008. The Town requested that the Department of Community Affairs review the amendments. Therefore, pursuant to Chapter 163, Florida Statute 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 facilities, as well as any 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 transmitted amendment packet consists of text amendments to the Future Land Use Element to add a Light Industrial Future Land Use Category. In addition, the transmitted packet includes a change to the Future Land Use Map to modify the Future Land Use designation on a parcel from Residential Rural to that new Light Industrial land use.

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Text Amendment

The Town is proposing to amend Policy L.1.1.1 of the Future Land Use Element to add a land use category of "Light Industrial." Lot coverage for this land use category shall not exceed 40 percent. In addition, Policy L.1.1.1 is being modified to address a typographical error for the existing Industrial land use so that lot coverage shall not exceed 50 percent.

Future Land Use Map Amendment

**Proposal to change 22.47 acres from Rural Residential to Light Industrial.**

The FLUM amendment proposes to change 22.47 acres from Rural Residential to Light Industrial. The subject parcel is located on the east side of Yellow Water Road, south of the CSX railroad track, at the eastern town limit. The parcel is presently vacant, with large-lot single family dwelling units bordering the parcel to the west, and vacant land bordering to the east, north, and south. According to the Town, the trend of development east of the town limits has been towards light industrial/warehousing land use, with an industrial park at this location compatible with the surrounding land uses and the on-going pattern of development east of the Town limits. The proposed change will expand the existing industrial land use associated with the Airport. The proposed change appears to be compatible with the surrounding area. The maximum potential development on the parcel increases from 44 residential units to 391,517 square feet of light industrial development. The Town has provided basic data and analysis that indicates available infrastructure exists to serve the increase in development densities proposed by this amendment.

*Staff has no comments or concerns about the proposed text amendments.*

**Recommendation**

**Staff respectfully recommends that the Committee and the Council approve this report for transmittal to the Department of Community Affairs.**

# Tab 6



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## MEMORANDUM

**DATE:** August 18, 2008

**TO:** Northeast Florida Regional Council

**THRU:** Planning and Growth Management Policy Committee

**FROM:** Guy Parola, AICP, Program Administrator

**RE:** The City of St. Augustine Beach Adopted Amendment 08PEFE-1

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### Scope of Review

The Regional Council received the City of St. Augustine Beach's Adopted Amendment 08PEFE-1 on August 18, 2008. The City requested that the Department of Community Affairs (DCA) review the amendment to find it in compliance. Pursuant to Chapter 163, Florida Statute and the contract between the DCA and the Regional Council, staff reviewed the Adopted Amendment for adverse impacts to regional resources and facilities, as well as any extra-jurisdictional impacts.

### Amendment History

The City of St. Augustine Beach adopted Amendment 08PEFE-1 on August 12, 2008. The Council reviewed this amendment at the February 2008 meeting, at which time the Committee and Council approved, with staff's comments, transmittal to DCA. The City addressed the objections, recommendations and comments issued by DCA.

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### **Amendment Summary**

The Adopted Amendment packet consists of all required components to implement school concurrency, including (1) text amendments to the Intergovernmental Coordination Element (IGC); (2) text amendments to the Capital Improvements Element (CIE); (3) the required Interlocal Agreement between the St. Johns County School District, St. Johns County, and the applicable municipalities; and (4) a new Public Education Facilities Element (PEFE).

The proposed PEFE and corresponding text amendments to the IGC and CIE are mandated by State statute, with the format and required sections generally standardized throughout the State. Therefore, staff has summarized components of the amendments related to the PEFE that are specific to the City of St. Augustine Beach as follows:

Level of Service Standards (LOS): The LOS standards for all schools are set at 100% of F.I.S.H. (Florida Inventory of School Houses) capacity. Portable classrooms will be phased out within five years.

*Staff Comments: None.*

### **Recommendation**

**Staff respectfully recommends that the Planning and Growth Management Policy Committee and the Council find the City of St. Augustine Beach's Adopted Amendment 08PEFE-1 consistent with the Northeast Florida Strategic Regional Policy Plan.**

**MEMORANDUM**

**DATE:** January 29, 2008

**TO:** Northeast Florida Regional Council

**THRU:** Planning and Growth Management Policy Committee

**FROM:** Valerie Evans, AICP, Principal Regional Planner

**RE:** City of St. Augustine Beach Transmitted Amendment  
08PEFE-1

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**Scope of Review**

The Regional Council received City of St. Augustine Beach Transmitted Amendment 08PEFE-1 on January 21, 2008. Pursuant to Chapter 163, Florida Statute 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 St. Augustine Beach's Transmitted Amendment 08PEFE-1 consists of text amendments to the Comprehensive Plan. Specifically, 08PEFE-1 creates a "Public School Facilities Element" within the Comprehensive Plan, amends the Intergovernmental Coordination Element and Capital Improvements Element as required by statute to include policies for: (1) coordination of land use decisions with the St. Johns County School District, and (2) to incorporate a financially feasible school district facilities work plan (Policy 1.1.4).

The City of St. Augustine Beach has adopted the District-wide level of service standard for schools at 100% of school capacity, based on permanent Florida Inventory of School House (FISH) capacity. The process for school concurrency determination and fair share mitigation are contained in the proposed Public

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School Facilities Element. Included in this amendment are the required goals, objectives and policies for a Public School Facilities Element as identified in s. 163.31777, F.S.

*Staff has no comments regarding this amendment.*

**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 7**



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## MEMORANDUM

**DATE:** August 18, 2008

**TO:** Northeast Florida Regional Council

**THRU:** Planning and Growth Management Policy Committee

**FROM:** Guy Parola, AICP, Program Administrator

**RE:** St. Johns County Adopted Amendment 08PEFE-1

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### Scope of Review

The Regional Council received St. Johns' County Adopted Amendment 08PEFE-1 on August 18, 2008. The County requested that the Department of Community Affairs (DCA) review the amendment to find it in compliance. Pursuant to Chapter 163, Florida Statute and the contract between the DCA and the Regional Council, staff reviewed the Adopted Amendment for adverse impacts to regional resources and facilities, as well as any extra-jurisdictional impacts.

### Amendment History

St. Johns County adopted Amendment 08PEFE-1 on August 5, 2008. The Council reviewed this amendment at the March 2008 meeting, at which time the Committee and Council approved, with staff's comments, transmittal to DCA. The County addressed the objections, recommendations and comments issued by DCA.

## **Board Memorandum**

**August 18, 2008**

**Page 2**

### **Amendment Summary**

The Adopted Amendment packet consists of all required components to implement school concurrency, including (1) text amendments to the Intergovernmental Coordination Element (IGC); (2) text amendments to the Capital Improvements Element (CIE); (3) the required Interlocal Agreement between the St. Johns County School District, St. Johns County, and the applicable municipalities; and (4) a new Public Education Facilities Element (PEFE).

The proposed PEFE and corresponding text amendments to the IGC and CIE are mandated by State statute, with the format and required sections generally standardized throughout the State. Therefore, staff has summarized components of the amendments related to the PEFE that are specific to St. Johns County as follows:

Level of Service Standards (LOS): The LOS standards for all schools are set at 100% of F.I.S.H. (Florida Inventory of School Houses) capacity. Portable classrooms will be phased out within five years.

*Staff Comments: None.*

### **Recommendation**

**Staff respectfully recommends that the Planning and Growth Management Policy Committee and the Council find St. Johns' County Adopted Amendment 08PEFE-1 consistent with the Northeast Florida Strategic Regional Policy Plan.**

**MEMORANDUM**

**DATE:** February 26, 2008

**TO:** Northeast Florida Regional Council

**THRU:** Planning and Growth Management Policy Committee

**FROM:** Guy Parola, AICP, Program Administrator

**RE:** St. Johns County Transmitted Amendment 08PEFE-1

---

**Scope of Review**

The Regional Council received St. Johns County Transmitted Amendment 08PEFE-1 on February 22, 2008. Pursuant to Chapter 163, Florida Statute 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 St. Johns County's Transmitted Amendment 08PEFE-1 consists of text amendments to the Comprehensive Plan. Specifically, 08PEFE-1 creates a "Public School Facilities Element" within the Comprehensive Plan, amends the Intergovernmental Coordination Element and Capital Improvements Element as required by statute to include policies for: (1) coordination of land use decisions with the St. Johns County School District, and (2) to incorporate a financially feasible school district facilities work plan.

The St. Johns County has adopted the District-wide level of service standard for schools at 100% of school capacity, based on permanent Florida Inventory of School House (FISH) capacity. The process for school concurrency determination and fair share mitigation are contained in the proposed Public School Facilities Element. Included in this amendment are the required goals,

**Board Memorandum**  
**February 26, 2008**  
**Page 2**

objectives and policies for a Public School Facilities Element as identified in s. 163.31777, F.S.

The St. Johns County School District, the County, and the municipalities have adopted the following design capacities for new schools:

- Elementary (k-5): 700
- Middle (6-8): 1000
- K-8: 1000
- High (9-12) 1500

*Comment: The Concurrency Service Area (CSA) maps are contained in the Support Documentation submitted with the amendment, and are adopted by policy. Staff suggests that the CSAs should be included as adopted figures within the Comprehensive Plan.*

**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 8**



*Bringing Communities Together*

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## MEMORANDUM

**DATE:** August 25, 2008

**TO:** Northeast Florida Regional Council

**THRU:** Planning and Growth Management Policy Committee

**FROM:** Guy Parola, AICP, Program Administrator

**RE:** The Town of Interlachen Adopted Amendment 08PEFE-1

---

### Scope of Review

The Regional Council received the Town of Interlachen's Adopted Amendment 08PEFE-1 on August 14, 2008. The Town requested that the Department of Community Affairs (DCA) review the amendment to find it in compliance. Pursuant to Chapter 163, Florida Statute and the contract between DCA and the Regional Council, staff reviewed the Adopted Amendment for adverse impacts to regional resources and facilities, as well as any extra-jurisdictional impacts.

### Amendment History

The NEFRC Council approved for transmittal to the Florida Department of Community Affairs the Town of Interlachen Amendment 08PEFE-1 at the March 2008 Board meeting. The Town of Interlachen then adopted this Amendment 08PEFE-1 on July 22, 2008. After review of the transmitted amendment package, by letter dated April 29, 2008, the Department of Community Affairs opined that there would not be an Objections, Recommendations and Comments (ORC) report.

**Board Memorandum**

**August 25, 2008**

**Page 2**

**Amendment Summary**

The Town of Interlachen adopted Amendment 08PEFE-1 on July 22, 2008. The Adopted Amendment packet consists of the necessary materials for the implementation of school concurrency, including (1) text amendments to the Intergovernmental Coordination Element (IGC); (2) text amendments to the Capital Improvements Element (CIE); (3) the required Interlocal Agreement between the Putnam County School District, Putnam County, and the applicable municipalities; and (4) a new Public Education Facilities Element (PEFE).

*Staff Comments: None.*

**Recommendation**

**Staff respectfully recommends that the Planning and Growth Management Policy Committee and the Council find the Town of Interlachen Adopted Amendment 08PEFE-1 consistent with the Northeast Florida Strategic Regional Policy Plan.**



**TRANSMITTED AMENDMENT**

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## **MEMORANDUM**

**DATE:** February 26, 2008

**TO:** Northeast Florida Regional Council

**THRU:** Planning and Growth Management Policy Committee

**FROM:** Anna Shepherd, AICP, Senior Regional Planner  
*ats*

**RE:** Interlachen Transmitted Amendment 08PEFE-1

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### **Scope of Review**

The Regional Council received the Town of Interlachen's Transmitted Amendment 08PEFE-1 on February 20, 2008. The Town requested that the Department of Community Affairs review the amendments. Therefore, pursuant to Chapter 163, Florida Statute 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 facilities, as well as any 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 transmitted amendment packet consists of the necessary materials for the implementation of school concurrency, including (1) text amendments to the Intergovernmental Coordination Element (IGC); (2) text amendments to the Capital Improvements Element (CIE); (3) the required interlocal agreement between the Putnam County School District, Putnam County, and the applicable municipalities; and (4) a new Public Education Facilities Element (PEFE).

**Board Memorandum**

**February 26, 2008**

**Page 2**

The proposed PEFE and corresponding text amendments to the IGC and CIE are mandated by State statute, with the format and required sections generally standardized throughout the State. Therefore, staff has summarized components of the amendments related to the PEFE that are specific to the Town of Interlachen as follows:

Level of Service Standards: The following LOS standards are established for each facility type as listed in Table 1.

**Table 1 - Level of Service Standards for School Facilities**

Type of School	Level of Service (Number of Students)
Existing Schools	FISH capacity based on utilization rate*
Elementary School	700
Middle School	1,000
K-8 (for middle school phase in)	1,000
High School	1,500
*FISH Capacity of Existing Schools as of the effective date of Adoption of the Comprehensive Plan Amendment is attached in the transmittal packet as Appendix A.	
<i>Source: Adopted Putman ILA for Coordinated Land Use and Public School Facility Planning</i>	

Concurrency Service Areas (CSA): The Town is using the Putnam County School District's current middle school attendance zones as the Concurrency Service Area.

*Staff Comments: None.*

**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 9



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## MEMORANDUM

**DATE:** August 25, 2008

**TO:** Northeast Florida Regional Council

**THRU:** Planning and Growth Management Policy Committee

**FROM:** Ameer<sup>AS</sup>a Sayeed, Senior Regional Planner

**RE:** Clay County Adopted Amendment 08PEFE-1

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### Scope of Review

The Regional Council received Clay County's Adopted Amendment 08PEFE-1 on August 14, 2008. The County requested that the Department of Community Affairs (DCA) review the amendment to find it in compliance. Pursuant to Chapter 163, Florida Statute and the contract between the DCA and the Regional Council, staff reviewed the Adopted Amendment for adverse impacts to regional resources and facilities, as well as any extra-jurisdictional impacts.

### Amendment History

Clay County adopted Amendment 08PEFE-1 on July 22, 2008. The Council reviewed this amendment in its transmitted form at the February 2008 meeting at which time the Committee and Council approved, with staff's comments, transmittal to DCA. The County addressed the objections, recommendations and comments issued by DCA.

## **Board Memorandum**

**August 25, 2008**

**Page 2**

### **Amendment Summary**

The Adopted Amendment packet consists of all required components to implement school concurrency, including (1) text amendments to the Intergovernmental Coordination Element (IGC); (2) text amendments to the Capital Improvements Element (CIE); (3) the required Interlocal Agreement between the Clay County School District, Clay County, and the applicable municipalities; and (4) a new Public Education Facilities Element (PEFE).

The proposed PEFE and corresponding text amendments to the IGC and CIE are mandated by State statute, with the format and required sections generally standardized throughout the State. Therefore, staff has summarized components of the amendments related to the PEFE that are specific to Clay County as follows:

Level of Service Standards (LOS): The LOS standards for all schools are set at 100% of F.I.S.H. (Florida Inventory of School Houses) capacity. Portable classrooms will be phased out within five years.

*Staff Comments: None.*

### **Recommendation**

**Staff respectfully recommends that the Planning and Growth Management Policy Committee and the Council find Clay County's Adopted Amendment 08PEFE-1 consistent with the Northeast Florida Strategic Regional Policy Plan.**



**TRANSMITTED AMENDMENT**

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## MEMORANDUM

**DATE:** January 28, 2008

**TO:** Northeast Florida Regional Council

**THRU:** Planning and Growth Management Policy Committee

**FROM:** Guy Parola, AICP, Program Administrator

**RE:** Clay County Transmitted Amendment 08PEFE-1

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### Scope of Review

The Regional Council received Clay County Transmitted Amendment 08PEFE-1 on January 28, 2008. Pursuant to Chapter 163, Florida Statute 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 proposed amendment packet contains a new "Public School Facilities Element" as well as amendments to the text of both the Intergovernmental Coordination Element and the Capital Improvements Element. The amendments are in response to the statutory requirements for school concurrency and Public School Facilities Elements.

The County has adopted a Level of Service standard for elementary, middle and high schools of 110% of capacity. In addition to the 5-year planning horizon, the Clay County School District (District) is adopting a long-term (15 year) concurrency management system to address existing deficiencies in schools.

**Board Memorandum**

**January 28, 2008**

**Page 2**

The District has opted to adopt less than district wide School Concurrency Service Areas (SCSAs), utilizing school attendance zones, which has the affect of creating separate SCSA maps for elementary, middle and high schools.

The five-year capital improvements outlay for the District are contained in an Educational Facilities Plan (EFP). The EFP is divided into four sections: planning, maintenance and transportation, capital outlay, and 5-year district facilities work program.

*No Comments from staff.*

**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 10**

## MEMORANDUM

**DATE:** August 14, 2008

**TO:** Northeast Florida Regional Council

**THRU:** Planning and Growth Management Policy Committee

**FROM:** Edward Lehman, Director of Planning and Development

**RE:** Nassau County Adopted Amendment 08-1

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### Scope of Review

The Regional Council received the Nassau County Adopted Amendment 08-1 on August 8, 2008. Pursuant to Florida Statute Chapter 163 and the contract between the Department of Community Affairs 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 Department of Community Affairs upon approval by the Council.

### Amendment History

This adoption package consists of one transmitted FLUM amendment that was reviewed at the May 2007 meeting of the Board, at which time the Committee and Council approved staff's recommendations on the transmitted Amendments 07-1 for transmittal to DCA. The other amendment in transmitted packet 07-1 was adopted in a previous cycle and reviewed by the Board at the January, 2008 Council meeting. After review of the transmitted amendment packages, the Department of Community Affairs issued an Objections, Recommendations, and Comments report and raised several objections. Nassau County has responded to the Objections, Recommendations and Comments Report issued by the Florida Department of Community Affairs in this one adoption document.

**Amendment Summary**

Nassau County Adopted Amendment 08-1 consists of one large scale FLUM amendment. The amendment changes 25 acres from Agricultural to Commercial. The subject parcel is located in the northeast quadrant of the S.R. A1A/I-95 interchange. The parcel is bordered by highway commercial development to the east, west, and south. In response to the Council's comments on the transmitted amendment and the DCA ORC report, the County has provided data and analysis on the potential impacts of 250,000 square feet of commercial development. The Council had concerns about the development amounts used to analyze project traffic in the review of the transmitted amendment. Staff believes that the County has adequately responded to Council's concerns by providing the additional traffic data and analysis. The data and analysis indicates that during the five-year planning horizon, there is adequate capacity on the surrounding roadway network to accommodate traffic from the potential development that may occur as a result of this land use change.

**Recommendation:**

**Staff respectfully recommends that the Committee and the Council find Nassau County Adopted Amendment 08-1 consistent with the Northeast Florida Strategic Regional Policy Plan.**

## **MEMORANDUM**

**DATE:** April 24, 2007

**TO:** Northeast Florida Regional Council

**THRU:** Planning and Growth Management Policy Committee

**FROM:** Edward Lehman, Director of Planning and Development

**RE:** Nassau County Transmitted Amendment 07-1

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### **Scope of Review**

The Regional Council received Nassau County Transmitted Amendment 07-1 on April 2, 2007. Nassau County has requested no review of this amendment package. Pursuant to Chapter 163, Florida Statute 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**

Nassau County Transmitted Amendment 07-1 includes two amendments to the Future Land Use Map (FLUM).

1. The amendment proposes to change 25 acres from Agricultural to Commercial. The subject parcel is located in the northeast quadrant of the S.R. A1A/I-95 interchange. The parcel is bordered by highway commercial development to the east, west, and south. The property subject of this amendment is part of a larger 49-acre parcel that already carries a FLUM designation of Commercial. According to the County, the applicant plans to develop the property with 150,000 square feet of warehouse/distribution facilities,

**Board Memorandum**  
**April 24, 2007**  
**Page 2**

with the possibility of some type of hospital use also contemplated for the site. The County provided an analysis of the impact of 150,000 square feet of warehousing on the direct-accessed segment of S.R. A1A, and determined there was available capacity.

*Comment: An analysis of impacts from the maximum potential development that could be permitted should be included in the data and analysis. The application for the amendment states that "the property may be developed in multiple phases to include up to 275,000 square feet of general and professional office uses. And up to 200,000 square feet of supporting retail uses." The water and sewer analysis is for 197,500 square feet of hospital and 34,250 square feet of office/retail. Overall impact on the regional roadway network, including the S.R. A1A/I-95 interchange, has not been included in the data and analysis.*

2. The other amendment is a County-initiated amendment to redesignate 13,060 acres from State Preserved Land/Parks to Agriculture and Wetlands (Conservation). The purpose of this amendment is to correct a scrivener's error that designated privately owned lands as State Preserved Land/Parks. The subject property is located in southwest Nassau county near the Duval County line. The adopted FLUM shows it as Agriculture (8,517 acres) and Conservation/Wetlands (4,543 acres), but this was erroneously changed in 2002 based on the incorrect assumption that the State of Florida had acquired the site under the Florida Forever Program. The County believes that the size and complexity of the change supports processing it as an amendment rather than simply administratively correcting the GIS map.

*Comment: Staff has no comments or concerns about this amendment. Staff believes that, because no action was taken by the County to change it to State Preserved Land/Parks, this action taken by the County to correct the scrivener's error is not necessary, and that this change is really not a change to the density and intensity of the existing FLUM designation.*

**Recommendation:**

**Staff respectfully recommends that the Committee and the Council approve this report for transmittal to the Department of Community Affairs, and recommends that DCA review the amendment to change 25 acres to Commercial, and not review the amendment changing the scrivener's error.**

**Tab 11**



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## MEMORANDUM

**DATE:** August 25, 2008

**TO:** Northeast Florida Regional Council

**THRU:** Planning and Growth Management Policy Committee

**FROM:** Ameer<sup>AS</sup>a Sayeed, Senior Regional Planner

**RE:** Nassau County Evaluation and Appraisal Report

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### Scope of Review

The Regional Council received the Nassau County Evaluation and Appraisal Report (EAR) on July 22, 2008. 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 (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 DCA 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 18 months after adoption of the EAR. The Nassau County EAR was due on December 1, 2007, and was adopted by Nassau County on July 14, 2008.

## **EAR Summary**

The County and its consultant held two public workshops to obtain citizen input on the success and shortcomings of the Plan, which could be used for developing the EAR. The two public meetings were held on November 6, 2007 and February 26, 2008. 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 understanding on the list of issues on November 30, 2007. 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 met the objectives and where the underlying policies are being adhered to.

### List of Major Issues

- a) Update the future land use plan**
- b) Strengthen long-range transportation planning efforts**
- c) Promote Economic development**
- d) Protect and expand land designated for job generating land uses**
- e) Preserve rural lifestyles choices**
- f) Preserve environmental resources**
- g) Promote a greater diversity of housing types and prices**
- h) Enhance intergovernmental coordination**
- i) Create a financially sustainable community**
- j) Create a first-class parks and recreation systems**

### Special Topics

Nassau County addressed the following special topics in the EAR:

- a) Financial Feasibility
- b) Redevelopment in the Coastal High Hazard Area
- c) Public School Concurrency
- d) Water Supply Planning. The County is not within a Priority Water Resource Caution Area, therefore, is 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.

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**August 25, 2008**  
**Page 3**

- e) Common Methodology for measuring impacts on transportation facilities

Additional 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 policies that were recommended additions to the Comprehensive Plan.

*Staff comments: Include more discussion on the projections and how they relate to the projections in the Comprehensive Plan.*

*Comment: What methodology does the Comprehensive Plan recommend to project population as compared to the EAR recommended population projections?*

*Comment: There is no discussion on seasonal adjustments to the population.*

**Recommendation:**

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

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## MEMORANDUM

**DATE:** August 25, 2008

**TO:** Northeast Florida Regional Council

**THRU:** Planning and Growth Management Policy Committee

**FROM:** Anna Shepherd, AICP, Senior Regional Planner  
*ats*

**RE:** Baker County Adopted Evaluation and Appraisal Report

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### Scope of Review

Per S.163.3191(6), F.S., and the contract between the Department of Community Affairs (DCA) and the Regional Council, staff has reviewed the adopted Evaluation and Appraisal Report (EAR) to determine if it sufficiently addresses the Goals, Objectives, and Policies of the Northeast Florida Strategic Regional Policy Plan, as well as the requirements of S.163.3191(2), F.S. Staff has prepared this report to forward its recommendation to DCA 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 plan and recommends appropriate changes. Local governments should adopt the EAR-based amendments 12 to 24 months after adoption of the EAR.

The Baker County EAR began with a vision process in 2005 to identify major issues. On November 6, 2007, the Baker County Board of County

## **Board Memorandum**

**August 25, 2008**

**Page 2**

Commissioners held a public hearing to approve the proposed EAR Major Issues list for submittal to DCA for comment. The County received a Letter of Understanding from DCA on December 21, 2007, approving the list of major issues.

Based on the approved major issues, Baker County prepared a proposed EAR, which the Regional Council received for review on February 5, 2008. At its March 2008 meeting, the Board approved the staff report, which found the proposed EAR sufficient, with recommendations for increased attention to water supply and transportation issues, to forward DCA. The Regional Council received the Baker County Adopted EAR on July 24, 2008. Baker County adopted its EAR on July 21, 2008.

### **EAR Summary**

As part of the EAR process, the County evaluated each objective from the Comprehensive Plan to determine if the County had met the objectives and implemented the policies. The summary of the major issues is below.

#### Major Issues

##### **1) Land Use**

- What changes are needed in the Comprehensive Plan to more consistently establish patterns of residential, commercial and industrial development that control sprawl and preserve the County's natural resources and rural character?
- How has the current Land Use Element accommodated development and controlled sprawl to meet the goal of creating a beneficial balance both environmentally and economically between urban and rural land uses?
- What goals and policies need strengthening in order to support the development of design guidelines to encourage natural resources preservation, and community health and safety, such as low impact development concepts, fire-wise landscaping, or xeriscaping for water conservation?

##### **2) Economic Development**

- How has the County encouraged development and balanced growth to preserve open space and agricultural land uses?

**3) Infrastructure - Utilities**

- How has Baker County addressed building central water and sewer facilities? In particular, how has the County planned to fund and build central services?
- What changes are needed to the current comprehensive plan to reduce the number of septic tanks in the County?

**4) Infrastructure - Transportation**

- How successful has the County been in developing and funding a well balanced and integrated transportation system throughout Baker County and especially in creating parallel roadways for I-10 and U.S. 90?
- How successful has the County been at identifying required right-of-way needs for the future and coordinating with FDOT in future corridor management plans, especially for emergency evacuation routes and load assessments for traffic and road infrastructure to accommodate population projections?
- How effective has the Comprehensive Plan been at addressing concurrency issues, especially on SIS facilities?
- How has the County prepared to ensure the availability of existing roadway capacity to serve project traffic from development proposals and planning to be able to maintain acceptable operating conditions?

**5) Infrastructure - Schools**

- How has Baker County addressed school concurrency to support the anticipated growth?

**6) Affordable Housing**

- What has the County done to create sufficient housing stock and new dwelling units in the appropriate ranges of types, sizes, and cost to support the population growth anticipated due to recent interest by business, industrial, and residential builders?
- How has the County encouraged the private sector to provide more workforce and affordable housing to reduce the number of mobile homes in the County?

**7) Natural Resource Conservation**

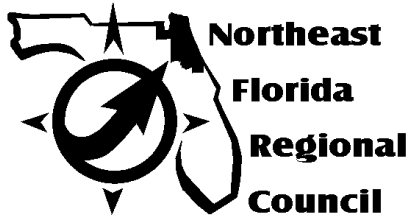
- How has the County conserved, managed, and protected the natural resources of Baker County?
- How successful has the County's Comprehensive Plan policies been at keeping appropriate land uses adjacent to the St. Mary's River and Ocean Pond?
- To facilitate the best development practices and land use while maintaining natural resource protection, the County's Comprehensive Plan policies regarding wildfire mitigation should be updated to reflect new best practices as identified by forestry experts as "Firewise" development standards and design rather than the more simplistic approach of restricting the number of dwelling units per acre.

NEFRC staff reviewed the EAR and found it consistent with the Strategic Regional Policy Plan, the State Comprehensive Plan, and with S. 163.3191, F.S.

**Recommendation:**

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

# **Tab 13**



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## MEMORANDUM

DATE: August 26, 2008

TO: Northeast Florida Regional Council

THRU: Planning and Growth Management Policy Committee Chairman  
*vfe*

FROM: Valerie F. Evans, Principal Regional Planner

RE: Intergovernmental Coordination and Review (IC&R) Status Log and Report Activity for the Month of August 2008.

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During the month of August 2008, 31 applications were received for the IC&R review process. Of these applications all were exempt and sent through the local review process. The completed applications have been processed accordingly.

Regional completed application fund sources are broken down as follows:

	Current Month	Year to Date
<b>Federal</b>	0	20,703,885.30
<b>State</b>	0	522,208.00
<b>Applicant</b>	0	5,375,670.00
<b>Other/Local</b>	0	2,516,130.00
<b>Totals</b>	0	29,117,893.30

Each active and completed application is reported in the:

**MONTHLY IC&R REVIEW DATA BASE – July 1 - 31, 2008**

Aug-08

BAKER						
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
		Federal Asst.		FDOT		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
CLAY						
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
DUVAL						
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">DV08-0166</a>	EXEMPT		<a href="#">ERP - Hartley Road Improvements</a>	COJ		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
				8/29/08		
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">DV08-0167</a>	EXEMPT		<a href="#">ERP - Old Plank Road Borrow Pit</a>			
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
				8/29/08		
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">DV08-0168</a>	EXEMPT		<a href="#">ERP - Arlington Road Pedestrian Bridge</a>	COJ		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
				8/29/08		
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">DV08-0169</a>	EXEMPT		<a href="#">**VOID**VOID**</a>			
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">DV08-0170</a>	EXEMPT		<a href="#">ERP - Ribault Bay</a>	CDR Stanley Wiles		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
				8/29/08		
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">DV08-0171</a>	EXEMPT		<a href="#">ERP - Southpoint Professional Centre</a>	Arcon Arch.		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">DV08-0172</a>	EXEMPT		<a href="#">ERP - Baldwin Tradeplex Commercial</a>	AVA Engineers		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">DV08-0173</a>	EXEMPT		<a href="#">ERP - 44th St. Ext</a>	Chantel Bowen		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">DV08-0174</a>	EXEMPT		<a href="#">ERP - Soutel Basset Drainage Improv</a>	COJ		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">DV08-0175</a>	EXEMPT		<a href="#">ERP - Shands Jax Northside</a>	Shands Jax Found		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">DV08-0176</a>	EXEMPT		<a href="#">ERP - Homeland Self Storage</a>	K. Irlbeck		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">DV08-0177</a>	EXEMPT		<a href="#">ERP - Baptist Medical Center</a>	Paul Singletary		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">DV08-0178</a>	EXEMPT		<a href="#">ERP - Jax VA Cemetary</a>	Edison Carlos		

Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">DV08-0179</a>	<b>EXEMPT</b>		<a href="#">ERP- GA Southern and FL Railway Lacy Siding</a>	GA Southern and FL Railway		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">DV08-0180</a>	<b>EXEMPT</b>		<a href="#">ERP - Greenlawn Cemetary</a>	Greenlawn Cenetary		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">DV08-0181</a>	<b>EXEMPT</b>		<a href="#">ERP - Atlantic Beach Walgreens</a>	Agree Rrealty East LLC		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">DV08-0182</a>	<b>EXEMPT</b>		<a href="#">ERP - Julington Creek Commercial</a>	Jeff Maxwell		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">DV08-0183</a>	<b>EXEMPT</b>		<a href="#">ERP - CVS Store #727</a>	Boos Development		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">DV08-0184</a>	<b>EXEMPT</b>		<a href="#">ERP - Deeper Waters Christian Center</a>	H. Roziers		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">DV08-0185</a>	<b>EXEMPT</b>		<a href="#">ERP - SBA Old Kings Tower Site</a>	SBA Towers LLC		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">DV08-0186</a>	<b>EXEMPT</b>		<a href="#">ERP - Commercial</a>	JE Holland		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
<b>FLAGLER</b>						
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">FL08-0035</a>	<b>EXEMPT</b>		<a href="#">ERP-ICI Parcel 417</a>	Palm Coast Investments		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
				8/29/08		
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">FL08-0036</a>	<b>EXEMPT</b>		<a href="#">ERP - Tranagle Air</a>	Jack Thompson		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
				8/29/08		
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">FL08-0037</a>	<b>EXEMPT</b>		<a href="#">ERP - Sun Trust Belle Terre</a>	Palm Coast Center LLC		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
				8/29/08		
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
<b>NASSAU</b>						
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">NA08-0033</a>	<b>EXEMPT</b>		<a href="#">ERP - E. Terminal Area &amp; mosquito Control Rd.</a>	COFB		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
				8/29/08		
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">NA08-0032</a>	<b>EXEMPT</b>		<a href="#">ERP - Padock Club &amp; Kings Ferry Unit 1</a>	Eric Fedewa		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
				8/29/08		
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status

PUTNAM						
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status

ST. JOHNS						
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
<a href="#">SJ08-0082</a>	EXEMPT		<a href="#">ERP - Merritt Subdivision</a>	M. Merritt		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
<a href="#">SJ08-0083</a>	EXEMPT		<a href="#">ERP- St. marks Pond Mit Bank</a>	ERS		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
<a href="#">SJ08-0084</a>	EXEMPT		<a href="#">ERP - Ranch Village Partners LLP</a>	Land Options Two LLC		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
<a href="#">SJ08-0085</a>	EXEMPT		<a href="#">ERP - Goodbys Landing</a>	Goodbys Landing		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
<a href="#">SJ08-0086</a>	EXEMPT		<a href="#">ERP- Davis Shopres Neighborhood Park</a>	COSA		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
<a href="#">SJ08-0087</a>	EXEMPT		<a href="#">ERP- Event Platform</a>	John Reagan		
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status
NEFRC #	SAI#	Act.	Application/Project Title	Applicant	Cost Sorc.	Total Cost
	EXEMPT					
Federal	Applicant	State	Other/Local	RPC Due	SCH Due	Status

ERP - No response letter required unless an objections to the project is received.

	Current Month	Year to Date
Federal	\$0.00	\$20,703,885.30
State	\$0.00	\$522,208.00
Applicant	\$0.00	5,375,670.00
Other/Local	\$0.00	\$2,516,130.00
Totals	\$0.00	\$29,117,893.30

# **Tab 14**

## MEMORANDUM

**DATE:** August 26, 2008

**TO:** Northeast Florida Regional Council

**THRU:** Planning and Growth Management Policy Committee

**FROM:** Edward Lehman, Director of Planning and Development

**RE:** August 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 25<sup>th</sup>. 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,

**August DRI Report**  
**August 26, 2008**  
**Page 2**

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 27<sup>th</sup>. 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 10<sup>th</sup>. 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.

**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 14<sup>th</sup>. 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.

**Shops on Duval (River City Marketplace) Substantial Deviation**

*The pre-application conference for the Shops on Duval Substantial Deviation DRI (expansion of River City Marketplace) has been scheduled for September 29<sup>th</sup>. The developer is proposing to expand the amount of square footage within this DRI well above the substantial deviation threshold. At this time, the size of that expansion is not known.*

**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 amount of development proposed within the Substantial Deviation Area 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.

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

<u>Project</u>	<u>Date</u>
Durbin	January 2009
Cordova Palms	February 2009
Elkton	March 2009
Navona Creek	March 2009
Old Brick Township	March 2009
<i>Shops on Duval</i>	<i>September 2009</i>
Hunter's Ridge Substantial Deviation	October 2008

# **Tab 15**



*Bringing Communities Together*

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

## MEMORANDUM

**DATE:** August 26, 2008

**TO:** Northeast Florida Regional Council

**THRU:** Planning and Growth Management Policy Committee

**FROM:** Edward Lehman, Director of Planning and Development

**RE:** DCA Notice of Intent to Find City of Jacksonville Adopted Amendment 08-1B Not in Compliance

---

Attached is the DCA Notice of Intent to Find the City of Jacksonville Adopted Amendment 08-1B Not in Compliance. The Council recommended to DCA that that the amendment was not consistent with the Northeast Florida Strategic Regional Policy Plan (SRPP) at the July 3<sup>rd</sup> Council meeting. Specifically, DCA found that the definition of the Coastal High Hazard Area (CHHA) adopted in the City's plan was inconsistent with the statutory definition set forth in Section 163.3178(2)(h), F.S., the State Comprehensive Plan (Chapter 187, F.S.), and the SRPP, and recommended removal of the language that allows the CHHA to be defined by "site specific, reliable data and analysis." This basically echoes the concerns raised by the Council in the actions taken at the July 3<sup>rd</sup> meeting.



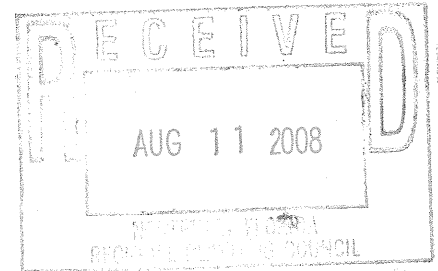
STATE OF FLORIDA  
**DEPARTMENT OF COMMUNITY AFFAIRS**

*"Dedicated to making Florida a better place to call home"*

CHARLIE CRIST  
 Governor

THOMAS G. PELHAM  
 Secretary

August 7, 2008



The Honorable John Peyton, Mayor  
 City of Jacksonville  
 4th Floor, City Hall at St. James  
 117 West Duval Street  
 Jacksonville, Florida 32202-3495

Dear Mayor Peyton,

The Department has completed its review of the Duval County/City of Jacksonville's adopted comprehensive plan amendment adopted by Ordinance 2008-315-E, on June 10, 2008, and has determined that the amendment does not meet the requirements of Chapter 163, Part II, Florida Statutes (F.S.), for compliance. The Department's Notice of Intent and Statement of Intent are enclosed with this letter. The Notice of Intent has been sent to the *Florida Times Union* for publication on August 8, 2008. The reference number for the amendment is Duval County/Jacksonville 08-1ARA.

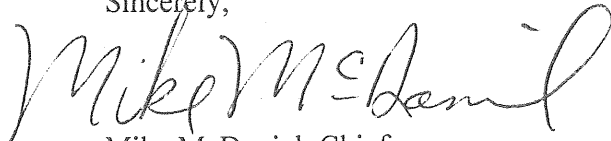
In addition, the Notice of Intent and the Statement of Intent will be forwarded to the Division of Administrative Hearings of the Department of Management Services for the scheduling of an administrative hearing pursuant to Section 120.57, F.S. Please note that a copy of the adopted comprehensive plan amendment, the Department's Objections, Recommendations and Comments Report dated March 21, 2008, the Notice of Intent and the Statement of Intent must be available for public inspection, Monday through Friday, except for legal holidays, during normal business hours, at the City of Jacksonville Planning Department, 128 East Forsyth Street, Jacksonville, FL 32302-3325.

After an administrative hearing petition is timely filed, you will have the option of mediation pursuant to Subsection 163.3189(3)(a), F.S. If you choose to attempt to resolve the matter through mediation, you must file the request for mediation with the administrative law judge assigned by the Division of Administrative Hearings. The choice of mediation will not affect the right of any party to an administrative hearing. Please be advised that Section 163.3184(8)(c)2, F.S., requires a local government that has an internet site to post a copy of the Department's Notice of Intent on the site within 5 days after receipt of the mailed copy of the Notice of Intent.

The Honorable John Peyton, Mayor  
August 7, 2008  
Page 2

We are interested in meeting with you or your designee, at your convenience, for the purpose of negotiating an agreement that will bring your comprehensive plan amendment into compliance. If you have any questions concerning this matter, please contact Brenda Winningham, Regional Planning Administrator, at (850)-922-1800, or Joseph Addae-Mensa, Principal Planner, at (850) 922-1783.

Sincerely,

A handwritten signature in black ink that reads "Mike McDaniel". The signature is written in a cursive, flowing style.

Mike McDaniel, Chief  
Office of Comprehensive Planning

MDM/jam

Enclosures: Notice of Intent  
Statement of Intent

cc: William B. Killingsworth, City of Jacksonville Planning Manager  
Ed Lehman, Director of Growth Management, NEFRC

STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS NOTICE OF INTENT TO FIND THE  
DUVAL/JACKSONVILLE  
COMPREHENSIVE PLAN NOT IN COMPLIANCE  
DOCKET NO. 08-1ARA-NOI-1601-(A)-(N)

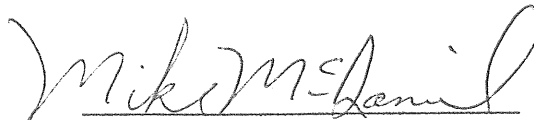
The Department gives notice of its intent to find the Amendment(s) to the Comprehensive Plan for Duval/Jacksonville, adopted by Ordinance No(s). 2008-315-E on June 10, 2008, NOT IN COMPLIANCE, pursuant to Sections 163.3184, 163.3187 and 163.3189, F.S.

The adopted Duval/Jacksonville Comprehensive Plan, the Department's Objections, Recommendations, and Comments Report, (if any), and the Department's Statement of Intent to Find the Comprehensive Plan Not In Compliance will be available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Jacksonville Planning Department, 128 East Forsyth Street, Jacksonville, Florida 32202-3325.

This Notice of Intent and the Statement of Intent for the Comprehensive Plan found Not In Compliance will be forwarded by petition to the Division of Administrative Hearings (DOAH) of the Department of Management Services for the scheduling of an Administrative Hearing pursuant to Sections 120.569 and 120.57, F.S. The purpose of the administrative hearing will be to present evidence and testimony on the noncompliance issues alleged by the Department in its Objections, Recommendations, and Comments Report and Statement of Intent in order to secure a recommended order for forwarding to Administration Commission.

Any affected persons may petition to intervene in this proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. Pursuant to 163.3184(10), F.S., no new issues may be alleged as a reason to find a plan not in compliance in a petition to intervene filed more than twenty one (21) days after publication of this notice unless the petitioner establishes good cause for not alleging such new issues within the twenty one (21) day time period. The petition for intervention shall be filed at DOAH, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060, and a copy mailed or delivered to the local government and the Department. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing pursuant to Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

After an administrative hearing petition is timely filed, mediation is available pursuant to 163.3189(3)(a), F.S., to any affected person who is made a party to the proceeding by filing that request with the administrative law judge assigned by the Division of Administrative Hearings. The choice of mediation shall not affect a party's right to an administrative hearing.



Mike McDaniel, Chief  
Office of Community Planning  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS

IN RE: DUVAL  
COUNTY/JACKSONVILLE  
COMPREHENSIVE PLAN  
AMENDMENT 08-1ARA; AMENDING  
CONSERVATION AND COASTAL  
MANAGEMENT ELEMENT POLICY  
7.3.1.

Docket No. 08-1ARA-NOI-1601-(A)-(N)

STATEMENT OF INTENT TO FIND  
COMPREHENSIVE PLAN AMENDMENTS  
NOT IN COMPLIANCE

The Florida Department of Community Affairs hereby issues its Statement of Intent to find the Comprehensive Plan Amendment to Conservation and Coastal Management Element Policy 7.3.1, adopted by Duval County/Jacksonville by Ordinance No. 2008-315-E, on June 10, 2008, not in compliance. The Department finds the Plan Amendment not “in compliance,” as defined in Section 163.3184(1)(b), Florida Statutes (F.S), because it is not consistent with Chapter 163, Part II, F.S, Chapter 9J-5, Florida Administrative Code (F.A.C.), the State Comprehensive Plan, Chapter 187, F.S., and the Northeast Florida Strategic Regional Policy Plan, for the following reasons:

I. CONSISTENCY WITH CHAPTER 163, F.S. AND CHAPTER 9J-5, F.A.C.

A. Inconsistent Provisions: Conservation and Coastal Management Element Policy 7.3.1.

Policy 7.3.1 defines the Coastal High Hazard Area (CHHA) as: “The Coastal High Hazard Area (CHHA) is the area below the elevation of the Category 1 storm surge line as defined by the Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model as established by the most current Northeast Florida Hurricane Evacuation Study. It is shown on Map C-18. A property shall be deemed to be within the CHHA as depicted on Map

C-18 unless site specific, reliable data and analysis demonstrates otherwise.”

The definition of the CHHA adopted under Policy 7.3.1 is inconsistent with the statutory definition set forth in Section 163.3178(2)(h), F.S. Section 163.3178(2)(h), F.S., defines the CHHA as “the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.”

Additionally, the Plan Amendment creates an internal inconsistency with Conservation and Coastal Element Map C-18, which defines and depicts the CHHA as the Category 1 surge zone based on the SLOSH model in the Northeast Florida Hurricane Evacuation Study.

Authority: Sections 163.3177(2), (6)(a), (6)(g)1.h. & (8), 163.3178(2)(d) & (h), F.S. and Rules 9J-5.005(2) & (5); 9J-5.006(3)(b)5; 9J-5.012(3)(a), (3)(b)6., and (3)(c)3. & 7., F.A.C.

B. Recommended Remedial Actions. The above inconsistencies may be remedied by taking the following actions:

Revise Conservation and Coastal Management Element Policy 7.3.1 to remove the language that allows the CHHA to be defined by “site specific, reliable data and analysis”.

## II. CONSISTENCY WITH THE STATE COMPREHENSIVE PLAN

A. Inconsistent Provisions. The Plan Amendment is inconsistent with the following State Comprehensive Plan (Chapter 187, F.S.) goals and policies:

- a. Goal (7), Public Safety and Policy (b)23;
- a. Goal (8), Coastal and Marine Resources;
- b. Goal (15), Land Use, and Policy (b)6; and
- d. Goal (25), Plan Implementation and Policy (b)7.

B. Recommended Remedial Action. These inconsistencies may be remedied by revising the Plan Amendment as described in Section I.B

### III. CONSISTENCY WITH THE NORTHEAST FLORIDA STRATEGIC POLICY PLAN

A. Inconsistent Provisions. The inconsistent provisions of the plan amendment under this subject heading are as follows:

Regional Goal 3.2: Direct future development away from areas most vulnerable to storm surge and flooding.

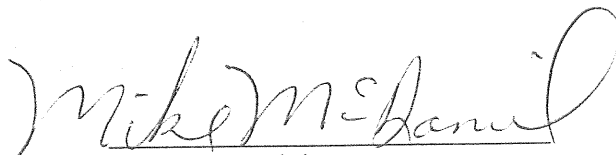
B. Recommended Remedial Actions.

These inconsistencies may be remedied by taking the actions described above in Section I.B.

#### CONCLUSIONS

1. The Plan Amendment is not consistent with the State Comprehensive Plan, Chapter 187, F.S.
2. The Plan Amendment is not consistent with Chapter 9J-5, F.A.C.
3. The Plan Amendment is not consistent with Chapter 163, Part II, F.S.
4. The Plan Amendment is not "in compliance" as defined in Section 163.3184(1)(b), F.S.
5. In order to bring the Plan Amendment into compliance, the Duval County/Jacksonville may complete the recommended remedial actions described above or adopt other remedial actions that eliminate the inconsistencies.

Executed this 7<sup>th</sup> day of August, 2008, at Tallahassee, Florida



Mike McDaniel  
Chief of Comprehensive Planning  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100