



# STAFF REPORT

## CITY OF GREEN COVE SPRINGS, FLORIDA

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**TO:** City Council **MEETING DATE:** August 17, 2021  
**FROM:** Michael Daniels, AICP, Planning & Zoning Director  
**SUBJECT:** Future Land Use Map Amendment request from Rural Fringe / Industrial (County) to Residential Low Density (RLD) and Site-Specific Future Land Use Text Policy for the Ayrshire Development for Gustafson's Cattle, Inc. approximately 560.52 acres on CR 15 A, 016515-000-00

### PROPERTY DESCRIPTION

**APPLICANT:** Ellen Avery-Smith, Esq. of Rogers Tower, PA **OWNER:** Gustafson's Cattle, Inc.

**PROPERTY LOCATION:** CR 15 A

**PARCEL NUMBER:** 016515-000-00

**FILE NUMBER:** 202001175

**CURRENT ZONING:** Agriculture (County) / Industrial Select (County)

**FUTURE LAND USE DESIGNATION:** Rural Fringe (County) / Industrial (County)

### SURROUNDING LAND USE

**NORTH:** **FLU:** Recreation  
**Z:** Recreation  
**Use:** Undeveloped

**SOUTH:** **FLU:** Industrial (County)  
**Z:** Heavy Industrial (County)  
**Use:** Industrial / Undeveloped

**EAST:** **FLU:** Industrial (County)  
**Z:** Heavy Industrial (County)  
**Use:** Industrial

**WEST:** **FLU:** Rural Residential / Commercial / Agriculture (County)  
**Z:** Agricultural Residential / Commercial (County)  
**Use:** Single Family Homes, Commercial, Undeveloped

### BACKGROUND

#### DEVELOPMENT DESCRIPTION:

The applicant, Ellen Avery Smith Esq, of Rogers Tower PA has submitted an annexation request for 560.52 acres on behalf of her client, D.R. Horton, as part of their contractual agreement to purchase the property

from the current owner Gustafson's Cattle Inc. The property is located on the east side of CR 15A, west of the railroad tracks, south of Green Cove Avenue, and north of Jersey Avenue.

The site is located within the City's Electric Service Boundary. It will be served by the City's electric and sanitation services and by the Clay County Utility Authority for water and sewer.

The site historically was used as a dairy farm. The dairy farm is no longer in service, and the property has been allowed to go fallow. The property is heavily wooded with a combination of hardwood and invasive species. A large L-shaped wetland is located in the south-central portion of the property. This request is a large-scale Future Land Use Amendment which, if transmitted by City Council, shall be reviewed by the Department of Economic Opportunity prior to City Council action on adoption.

### **NEEDS ANALYSIS:**

Per Chapter 163.3177, Florida Statutes, need shall be based upon the amount of land designated for future uses and shall:

- 1) Provide a balance of uses that foster vibrant, viable communities and economic opportunities and address outdated development patterns, such as antiquated subdivisions; and,
- 2) Allow the operation of real estate markets to provide adequate choices for residents and business, with the amount of land designated for future use not limited solely by the projected population. The minimum amount of land use required to accommodate at least a 10-year planning period must be included in the comprehensive plan.

**Comment:** The applicant hired Urbanomics, Inc. which completed a Housing Needs Analysis for the project site. Clay County's population within the Green Cove Springs Planning area pursuant to the Clay County is expected to increase by a population of 26,531 people creating a housing demand within the planning area of 10,851 units pursuant to the Clay County 2040 Comprehensive Plan. Based on the total allowable density of 4 units per acre, an additional 2,242 units can be added onsite. There is adequate demand for the total number of dwelling units factoring in the projected demand from significant active developments such as Governors Park, Saratoga Springs etc. This request supports the projected growing population for the County by providing more housing options for current and future residents.

### **Urban Sprawl Analysis**

Section 163.3177, Florida Statutes, requires that any amendment to the Future Land Use Element to discourage the proliferation of urban sprawl. Section 163.3177(6)(a)9.a., Florida Statutes, identifies 13 primary urban sprawl indicators and states that, "[t]he evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality..."

An evaluation of each primary indicator is provided below.

(I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

**Evaluation & Findings:** The proposed amendment will amend the subject property to Residential Low-Density Development, which allows for a density up to 4 units per acre. A companion amendment, a Future Land Use Site Specific Policy, will require the project to develop as a Planned Unit Development (PUD). The PUD permits a more creative approach and efficient use of property. The PUD process allows for a mix of housing sizes and lot widths.

(II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

**Evaluation & Findings:** The project site is located adjacent to the City of Green Cove Springs adjacent property that is proposed to be developed as a public park. The project is also near the City trail system. In addition, the majority of the property (380.52 acres) holds a Future Land Use Designation of Industrial, a use more urban than rural.

(III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

**Evaluation & Findings:** The proposed RLD Future Land Use designation is compatible with the surrounding residential development such as that west of CR 15A. Residential areas do not typically develop in radial, strip, isolated, or ribbon patterns. These development patterns are more associated with non-residential development.

(IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

**Evaluation & Findings:** The site has a significant amount of wetlands and wildlife on the property as provided in the environmental report by Carter Environmental Services. An environmental impact assessment and permitting through Federal and State agencies will be necessary. Arranging a site-specific Future Land Use Policy requiring the project to be developed as a PUD will provide for the ability to ensure protection of the natural resources on the property.

(V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

**Evaluation & Findings:** The surrounding property is not being used for agricultural purposes. The dairy farm that was historically located on the property is no longer in service.

(VI) Fails to maximize use of existing public facilities and services.

**Evaluation & Findings:** The site is in close proximity to the City's electric lines and shall be responsible for coordinating with the Clay County Utility Authority for extending water and sewer to the subject property. In addition, the property is adjacent to a proposed park property, which is complementary to the proposed residential development.

(VII) Fails to maximize use of future public facilities and services.

**Evaluation & Findings:** Any future improvements to the City's public facilities and services will be utilized by the project site.

(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary

sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

**Evaluation & Findings:** The proposed development will enter into a development agreement with the City and the Clay County School Board at the time of the zoning application to ensure that all adequate facilities are provided.

(IX) Fails to provide a clear separation between rural and urban uses.

**Evaluation & Findings:** The site is located within the City's electric service area and within the City's 2040 Urban Area as provided in the City Comprehensive Plan. In addition, the property was targeted for annexation as part of the City's 2016 Annexation Report which was reviewed by the Department of Economic Opportunity and approved by City Council.

(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

**Evaluation & Findings:** The proposed application shows that demand for housing units exceed the current supply including when adding additional proposed development projects. As a result, approval of this project will not discourage or inhibit infill development.

(XI) Fails to encourage a functional mix of uses.

**Evaluation & Findings:** The project will be required to incorporate parks sufficient to comply with the City's Level of Service for recreation as set forth in Objective 6.3.4 of the Comprehensive Plan. In addition, because of the project being developed as a PUD pursuant to the site-specific Future Land Use policy, nonresidential uses such as a potential police substation and school, as well as a planned park facility are planned to be on or near the subject property.

(XII) Results in poor accessibility among linked or related land uses.

**Evaluation & Findings:** The proposed roadway will provide access CR 15 A and, in addition the applicant is proposing a road to fly over the railroad tracks and connect to US 17. In addition, the proposed development shall create a traffic system that interior roadway and allows for walking and biking as reasonable transportation options.

(XIII) Results in the loss of significant amounts of functional open space.

**Evaluation & Findings:** As part of a PUD, the project will provide for a more efficient development pattern of smaller lot sizes and thereby be able to create larger open space areas. In addition, the project is required to comply with the City's Level of Service requirements for recreational facilities

In addition to the preceding urban sprawl indicators, Florida Statutes Section 163.3177 also establishes eight (8) "Urban Form" criteria. An amendment to the Future Land Use Map is presumed to not be considered urban sprawl if it meets four (4) of the (8) urban form criteria. These urban form criteria, and an evaluation of each as each may relate to this application, are provided below. The applicant has provided an analysis of the application's consistency with Section 163.3177 within the application materials and contends that the proposed amendment will not encourage urban sprawl by showing it meets four of the eight urban form criteria.

## Consistency with Comprehensive Plan

The applicant proposes to amend the FLUM Designation from the County's Rural Fringe and Industrial to RLD, Residential Low Density, on the subject property. The following Comprehensive Plan Elements have Goals, Objectives, and Policies (GOPs) that support the proposed amendment to the Future Land Use Map of the City of Green Cove Springs Comprehensive Plan:

- Future Land Use Element
- Transportation Element
- Housing Element
- Sanitary Sewer, Solid Waste, Drainage, Potable Water and Aquifer Recharge Element
- Conservation Element

Staff finds the application consistent with the Comprehensive Plan and the Goals, Objectives, and Policies (GOPs) therein. A more detailed discussion, including consistency statements, of the specific goals, objectives, and policies is provided below.

### **FUTURE LAND USE ELEMENT**

#### Goal 1

To develop and maintain land use programs and activities to provide for the most appropriate use of the land and direct growth to suitable areas while protecting the public, health, safety and welfare.

**Analysis of Consistency:** The City of Green Cove Springs has had a growing need for housing as the population grows and the city develops. While new housing in the form of in-fill development has been ongoing, a large boon of housing would not be feasible with the current land area within the municipal limits. The annexation of the presently undeveloped proposed property will allow for an appropriate use of the land, which extends an existing residential area of town further southward. This will be done while simultaneously protecting or mitigating for important natural resources on-site, as well as accounting the health, safety, and welfare of future citizens / residents. The proposed development is consistent with this goal.

#### Policy 1.1.1

All land use decisions shall be consistent with the Conservation Element and require the analysis and/or coordination of the following:

- a. Size of development;
- b. Relationship and compatibility of proposed development with the adjacent and surrounding land uses;
- c. Compatibility and suitability of soils and topography for drainage and septic systems;
- d. Relationship to wetlands and floodplains; and
- e. Impact on adopted levels of service.

**Analysis of Consistency:** The proposed development will be required to meet the City's comprehensive plan and land development regulation requirements, which will ensure the size of the development is reasonable and works with the land, the development is compatible with surrounding land uses, the soils and topography are suitable for drainage systems, and the property maintains a positive relationship with wetlands maintained on-site. Adopted levels of services will be maintained throughout the construction of the development.

#### Policy 1.1.3

Development in the Conservation areas must be permitted by the Department of Environmental Protection, and all applicable local, state, and federal agencies, prior to receiving final approval by the City.

**Analysis of Consistency:** The applicant is already in discussions with the appropriate agencies to ensure the land is developed in the best manner possible and conserved lands are maintained in good conditions, not impacted by development.

#### Objective 1.2.1

The City shall ensure that development orders are conditioned upon the provision of essential facilities and services which meet the established Level of Service (LOS) standards and necessary to serve the proposed development by reviewing each site plan/development proposal to ensure compliance with concurrency and do not go beyond LOS threshold.

**Analysis of Consistency:** The property currently is undeveloped. Adopted levels of services will be maintained throughout the construction of the development.

#### Objective 1.2.2

The City shall continue its policy for mandatory sewer and water hookups for new development.

**Analysis of Consistency:** As part of the subdivision approval of this project, the development will be required to connect to CCUA's water and sewer facilities.

#### Policy 1.5.1

Planned Unit Developments shall be encouraged to control growth and design.

**Analysis of Consistency:** The applicant has presently submitted a voluntary annexation request and future land use amendment, but in the future will be submitting a Planned Unit Development rezoning application, which will allow for innovation in design as well as protection of natural resources.

### **TRANSPORTATION ELEMENT**

#### Objective 2.3 Review of Proposed Development

All future development shall be reviewed to ensure that the adopted the level of service standards is met and that the development is consistent with applicable land development regulations and supports the Future Land Use Map.

**Analysis of Consistency:** The City and the applicant are working together to ensure the project will be consistent with and maintain adopted level of service standards, through review of a Traffic Study.

#### Objective 2.8

**Site Development Traffic Circulation:** The City shall require that all major developments and planned unit developments provide a circulation system which: provides adequate access to the major roadway network; provides for sound design of local and collector streets within such development; provides for the development of multi-use trails, and otherwise provides for the objectives and policies of the Land Use and Transportation Plan.

**Analysis of Consistency:** The proposed project will be designed in accordance with City requirements for circulation, access, and connectivity. The applicant is considering providing a trail throughout the proposed subdivision to connect CR 15A to US Highway 17, which will be wide enough to support public safety and encourage pedestrian activity through the subdivision.

#### Policy 2.10.4

The City shall review development consistent with the standards in the land development regulations to assure that adequate provisions exist for the bicycle and pedestrian.

**Analysis of Consistency:** As discussed above, the City is working with the applicant to ensure adequate provisions will be made for bicycles and pedestrians.

### **HOUSING ELEMENT**

#### GOAL 3

The City of Green Cove Springs shall make provisions for adequate and affordable housing that meets the physical and social needs of all segments of the current and future population of the City.

**Analysis of Consistency:** This application would allow up to 2,242 dwelling units to be added to the housing market and will increase the variety of housing options within the City for its residents. The proposed lot sizes will also potentially increase the variety of market rate prices within the City.

#### Objective 3.1: Adequate and Affordable Housing

The City shall continue to assist the private sector in providing dwelling units of various types, sizes, and costs to meet the housing needs of the current and future residents and residents with special housing needs.

**Analysis of Consistency:** This application permits a maximum of 2,242 residential units, supporting this objective to provide dwelling units of various types, sizes, and costs.

#### Objective 3.2: Substandard Housing Conditions

The City shall conserve the quality of the existing housing stock and work to reduce the number of substandard housing units each year.

**Analysis of Consistency:** This application will allow for the development of new residential units, consistent with this objective.

### **SANITARY SEWER, SOLID WASTE, DRAINAGE, POTABLE WATER, AND AQUIFER RECHARGE ELEMENT**

#### Policy 4.4.1

The City's land development regulations shall require review of all proposed development to ensure adequate retention/detention of stormwater runoff to maintain surface water quality, to encourage percolation, and reduce impacts to drainage canals, surface water, and groundwater. The City shall require proof of obtaining the appropriate drainage and stormwater permits and approvals from the DEP, SJRWMD and Army Corps of Engineers, prior to issuing development permits. No development shall be allowed to degrade surface water quality below the standards set forth in Chapter 40C-42, F.A.C. and Chapter 17-25, F.A.C.

**Analysis of Consistency:** The applicant is already working with and will continue to work with required agencies to ensure surface water quality is maintained, and drainage / stormwater are appropriately handled to best protect the environment and ensure public health and safety.

## **CONSERVATION ELEMENT**

### **GOAL 5**

The City of Green Cove Springs shall conserve, utilize, and protect its natural resources to ensure that adequate resources are available for future generations.

**Analysis of Consistency:** The applicant hired Carter Environmental Services to provide an Environmental Report which is included within the packet. The report identifies the environmental processes that will have to be followed in order to move forward with the development of this property. The City, and designated state agencies will work together to ensure the protection of natural resources during development. Portions of the land will be retained as open space for visual enjoyment and conservation purposes.

## **SITE SPECIFIC POLICY AMENDMENT**

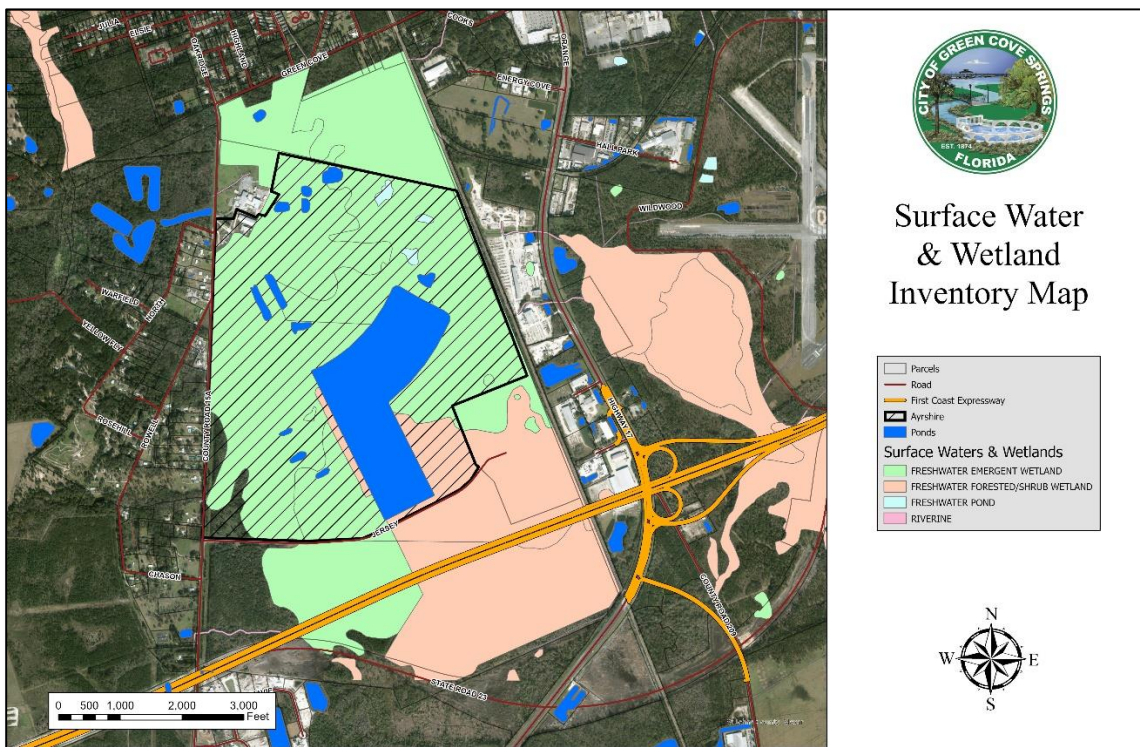
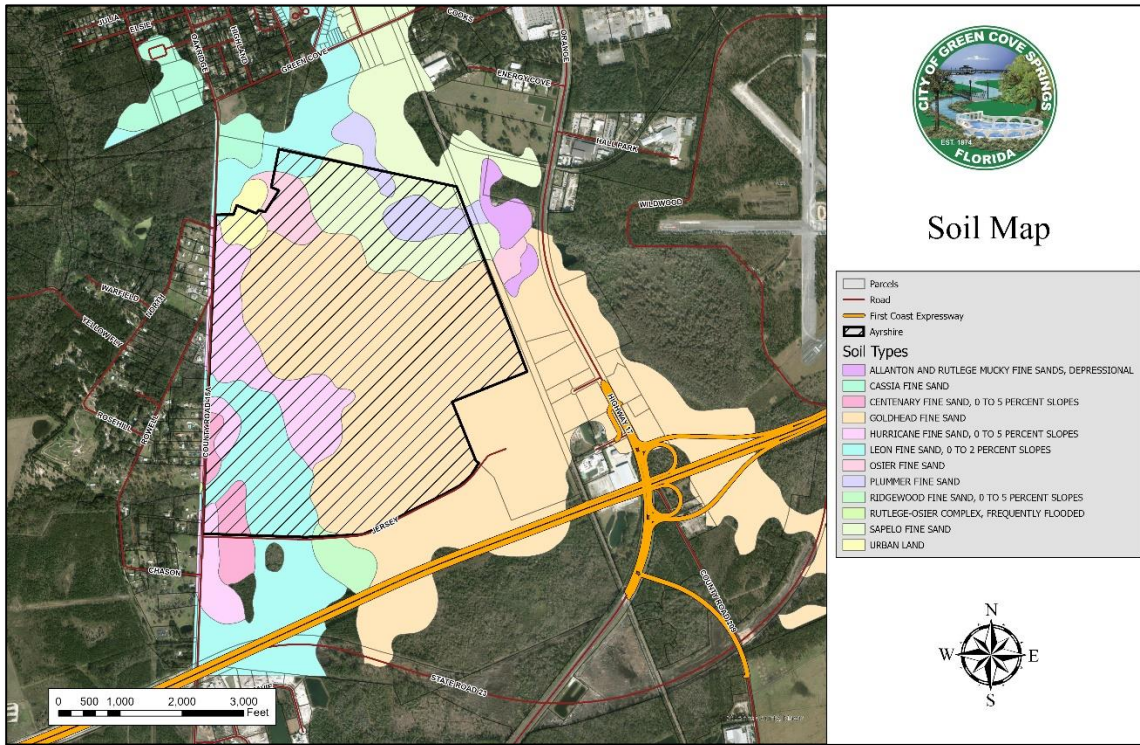
The applicant is proposing a site-specific policy amendment that will apply additional development restrictions on the property to ensure compatibility with surrounding properties. These policy amendments are listed below:

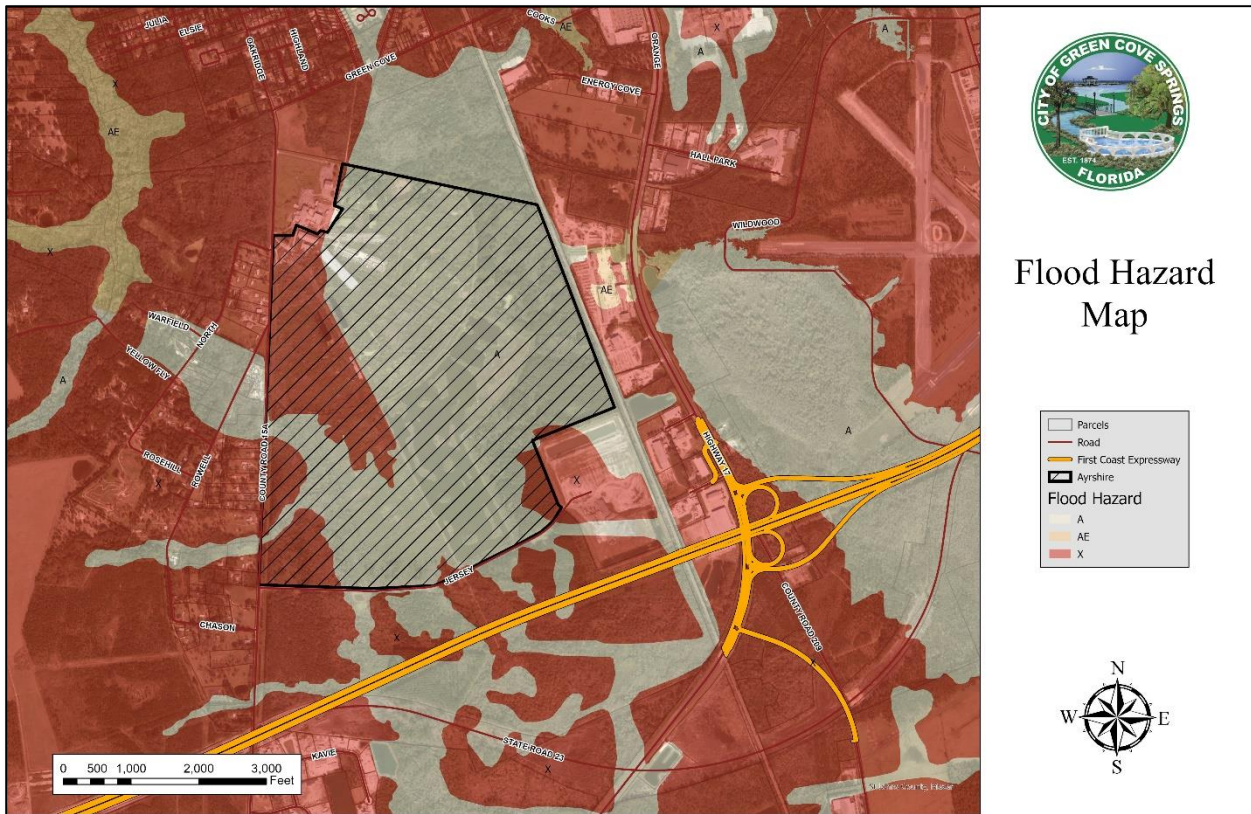
- ▶ The Property shall be developed in accordance with a Planned Unit Development, as may be approved by the City in accordance with the City's Land Development Regulations in effect at the time of the PUD application.
- ▶ Recreational facilities shall be provided commensurate with the City's Level of Service standard for Recreation set forth in the Recreation and Open Space Element, Policy 6.3.4, of the Comprehensive Plan in effect at the time of the PUD application.
- ▶ Coincident with horizontal construction for the first residential subdivision within the Property, the Property owner/developer shall partner with the City regarding the development of the Gustafson Regional Park. The details of such park development partnership shall be set forth in a development agreement for the Property as may be agreed to by and between the City and the Property owner/developer concurrently with the Property being annexed into the City boundaries (the "Development Agreement"). The Property owner/developer's contribution to the Gustafson Regional Park shall apply toward the project's required recreational facilities, per Policy 6.3.4 of the Recreation and Open Space Element of the Comprehensive Plan.
- ▶ The Property owner/developer will be required to provide the traffic mitigation agreed upon between the City and the Property owner/developer, based on the traffic analysis provided by the Property owner/developer. Such required traffic mitigation and other public facility improvements related to development of the Property will be set forth in the Development Agreement. Any required project mitigation shall be in conformance with applicable provisions of the City's Code of Ordinances and with Section 163.3180, Florida Statutes).
- ▶ Silvicultural and agricultural activities on that portion of the Property zoned Agriculture pursuant to the County's Zoning Map (approximately 180 acres) in existence as of the effective date of Ordinance No. O-04-2021 shall be allowed until such time as horizontal construction begins on the Property or any portion thereof for the uses approved in the PUD.



# Environmental Conditions Analysis

## Maps of Environmental Features





### Wetlands

According to the National Wetlands Inventory, most of the property is a Freshwater Emergent Wetland with a small portion being a Freshwater Forested/Shrub Wetland. The developer has hired Carter Environmental Services who has delineated the wetlands on the property. The developer shall be required to secure all required permit from the Florida Department of Environmental Protection and the St John's River Water Management District prior to development approval

### Soils

There are currently 8 types of soils located onsite:

- Goldhead Fine Sand, which encompasses most of the site, is a poorly drained soil;
- Hurricane Fine Sand is a gently sloping, somewhat poorly drained soil;
- Sapelo Fine Sand is a gently sloping, poorly drained soil;
- Leon Fine Sand is a gently sloping, poorly drained soil;
- Plummer Fine Sand is a gently sloping, poorly drained soil;
- Centenary Fine Sand is a gently sloping, moderately well drained soil;
- Urban Land is an unranked soil;
- Ridgewood Fine Sand is a gently sloping, somewhat poorly drained soil;

All new development shall be required to meet the stormwater management requirements of the St John's Water Management District.

Flood Zones

According to the FEMA Flood Map Service Center, the project site is located primarily within FEMA Flood Zone A, which has a 1% annual chance of flooding and is within the 100-year floodplain. A small portion on the western edge of the property within FEMA Flood Zone X, which is outside the 100-year floodplain.

Wellfield Protection Zone

The project site is not located within or adjacent to a wellfield protection zone.

Historic Structures and Markers

There are no historic structures or markers found on the site.

**Public Facilities Impact**

Traffic Impacts

Land Use <sup>1</sup> (ITE)	Dwelling Units/SF	Daily		AM Peak		PM Peak	
		Rate	Trips	Rate	Trips	Rate	Trips
<b>Maximum Development Potential Based on Existing FLU</b>							
Single Family Residential (ITE 210)*	540*	9.57	5,168	.75	405	1.01	545
Light Industrial	4,143,863**	6.97	28,883	.92	3,812	.97	4,020
<b>Total</b>	<b>-</b>	<b>-</b>	<b>34,051</b>	<b>-</b>	<b>4,217</b>	<b>-</b>	<b>4,565</b>

\*Based on maximum density for Rural Fringe Future Land Use Designation

\*\*Based on 50% of maximum square footage for light industrial uses in the Industrial Future Land Use Designation.

Land Use <sup>1</sup> (ITE)	Units	Daily		AM Peak		PM Peak	
		Rate	Trips	Rate	Trips	Rate	Trips
<b>Proposed</b>							
Single Family Residential (ITE 210)	2,242	9.57	21,456	.75	1,681	1.01	2,264
<b>Total</b>	<b>-</b>	<b>-</b>	<b>21,456</b>	<b>-</b>	<b>1,681</b>	<b>-</b>	<b>2,264</b>

1. Source: Institute of Transportation Engineers: Trip Generation Manual 8<sup>th</sup> Edition

**Conclusion:** The proposed Future Land Use Amendment would result in a decrease of potential traffic at the subject property as set forth in the above traffic impact table. A traffic study for 2,100 single family residential units has been submitted and is being reviewed by City staff and the Florida Department of Transportation (FDOT) pursuant to the City’s Traffic Study Guidelines that all roadway facilities shall operate at the required Level of Service as set forth in the Comprehensive Plan.

Potable Water & Sanitary Sewer Impacts

Potable Water and Sanitary Sewer will be provided by the Clay County Utility Authority (CCUA). CCUA provides water and wastewater services to most residents within the unincorporated county, as well as some

local municipalities and a portion of Bradford County. According to their 2017 Evaluation and Appraisal Report, Clay County determined the regional facilities serving the county are capable of meeting projected demand through 2040.

Potable Water Impacts

System Category	Gallons Per Day (GPD)
Current Permitted Capacity <sup>1</sup>	34,000,000
Less Actual Water Flows	11,900,000
Projected Potable Water Demand from Proposed Project <sup>1</sup>	697,262

1. Source: Clay County 2040 Comprehensive Plan Exhibit C Community Facilities Element. Formula Used: 2242 dwelling units x 311 gallons per day

**Conclusion:** The project shall be served by the Clay County Utility Authority (CCUA). CCUA has adequate capacity for the proposed demand. The City has approved an agreement with CCUA to provide temporary service for up to 300 units until such time as CCUA has the facilities in place to serve the development.

Sanitary Sewer Impacts

System Category	Gallons Per Day (GPD)
Projected Wastewater Demand from Proposed Project <sup>2</sup>	625,518

1. Source: Clay County 2040 Comprehensive Plan Exhibit C Community Facilities Element. Formula Used: 2242 dwelling units x 279 gallons per day

**Conclusion:** The project shall be served by the Clay County Utility Authority (CCUA). CCUA shall add an additional phase to the Governor’s Park Plant to serve this development. The City has approved an agreement with CCUA to provide temporary service for up to 300 units until such time as CCUA has the facilities in place to serve the development.

Recreation Impacts

The Developer will be required to provide 5 acres of Recreational Space per 1,000 persons projected. Assuming the property is developed with the maximum number of single-family dwellings allowed per the proposed future land use, 2,242 units, with 2.72 persons per dwelling unit, the minimum required Recreational Space the developer would need to provide would be 30.5 acres.

Solid Waste Impacts

System Category	LBs Per Day / Tons per Year
Solid Waste Generated by Proposed Project <sup>1</sup>	17,806,860.8 lbs. / 8,903.43 tons
Solid Waste Facility Capacity <sup>2</sup>	Minimum 3 Years Capacity

1. Source: City of Green Cove Springs Comprehensive Plan. Formula Used: (2242 dwelling units x 2.72 persons per dwelling unit x 8 lbs. per day) x 365  
 2. Source: Clay County Comprehensive Plan

**Conclusion:** The City of Green Cove Springs’ solid waste is disposed of at the Rosemary Hill Solid Waste Management Facility operated by Clay County. Per the Clay County Comprehensive Plan, a minimum of three (3) years capacity shall be maintained at the County’s solid waste management facility. The estimated impacts from the proposed development are not expected to negatively impact the City’s adopted LOS or exceed the County solid waste management facility’s capacity.

## Public School Facilities Impact

**Conclusion:** The School District of Clay County has provided a school capacity determination, which is included in this packet. The report shows that there is no capacity for Elementary Schools and partial capacity for Junior High Schools with the School Concurrency Service Areas.

### STAFF RECOMMENDATION

Motion to approve for second and final reading of Ordinance O-03-2021 to amend the Future Land Use Designation from Rural Fringe (County) and Industrial (County) to Residential Low Density for a portion of parcel 016515-000-00.

Motion to approve for second and final reading of Ordinance O-04-2021 and adopt the Site-Specific Policy Amendment regarding development restrictions for the proposed Future Land Use Amendment in Ordinance O-03-2021.