



# STAFF REPORT

## CITY OF GREEN COVE SPRINGS, FLORIDA

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**TO:** City Council **MEETING DATE:** September 5, 2023  
**FROM:** Michael Daniels, AICP, Planning & Zoning Director  
**SUBJECT:** First Reading of Small Scale Future Land Use Amendment for property located at the Southeast corner of US 17 and SR 16 for approximately 15 acres of parcel #016541-000-00.  
Future Land Use Amendment: from: Mixed Use  
to: Industrial

### PROPERTY DESCRIPTION

**APPLICANT:** David Smith, Louis L Huntley Enterprises **OWNER:** Louis Ward Huntley  
**PROPERTY LOCATION:** 965 Leonard C Taylor Highway  
**PARCEL NUMBER:** 016451-000-00  
**FILE NUMBER:** FLUS-23-005  
**CURRENT ZONING:** C-2 General Commercial  
**FUTURE LAND USE DESIGNATION:** Mixed Use

### SURROUNDING LAND USE

<b>NORTH:</b>	<b>FLU:</b> MIXED USE <b>Z:</b> C-2 Use: Undeveloped	<b>SOUTH:</b>	<b>FLU:</b> MIXED USE <b>Z:</b> C-2 Use: Undeveloped
<b>EAST:</b>	<b>FLU:</b> MIXED USE <b>Z:</b> C-2 Use: Undeveloped	<b>WEST:</b>	<b>FLU:</b> MIXED USE <b>Z:</b> C-2 Use: Undeveloped

### BACKGROUND

The applicant has applied for a Future Land Use and Zoning Change for the subject property for the construction of industrial development. There is an existing building on the site that had been used for manufacturing plant which has been closed in 2010. However industrial businesses such as Woodford Plywood, Meever USA and Front Runner Boatworks have been located at this location as nonconforming industrial uses.

The property is surrounded by the HLM property on all sides. Property access to SR 16 is provided through a vehicular and utility easement.

The following violations have been identified on the property:

- Site work has been initiated without securing the appropriate building permits.

No additional work can be constructed on the site until the site is in full compliance with City Code, State and Federal Regulations.

To the south and east of the property there is an extension of the CSX rail line that is owned by the City and has fallen into disrepair. The applicant has expressed an interest in entering an agreement with the City to repair the existing Rail line and add a Railroad spur to serve potential future Industrial users on the property. These actions would require a separate agreement to be approved by the City.

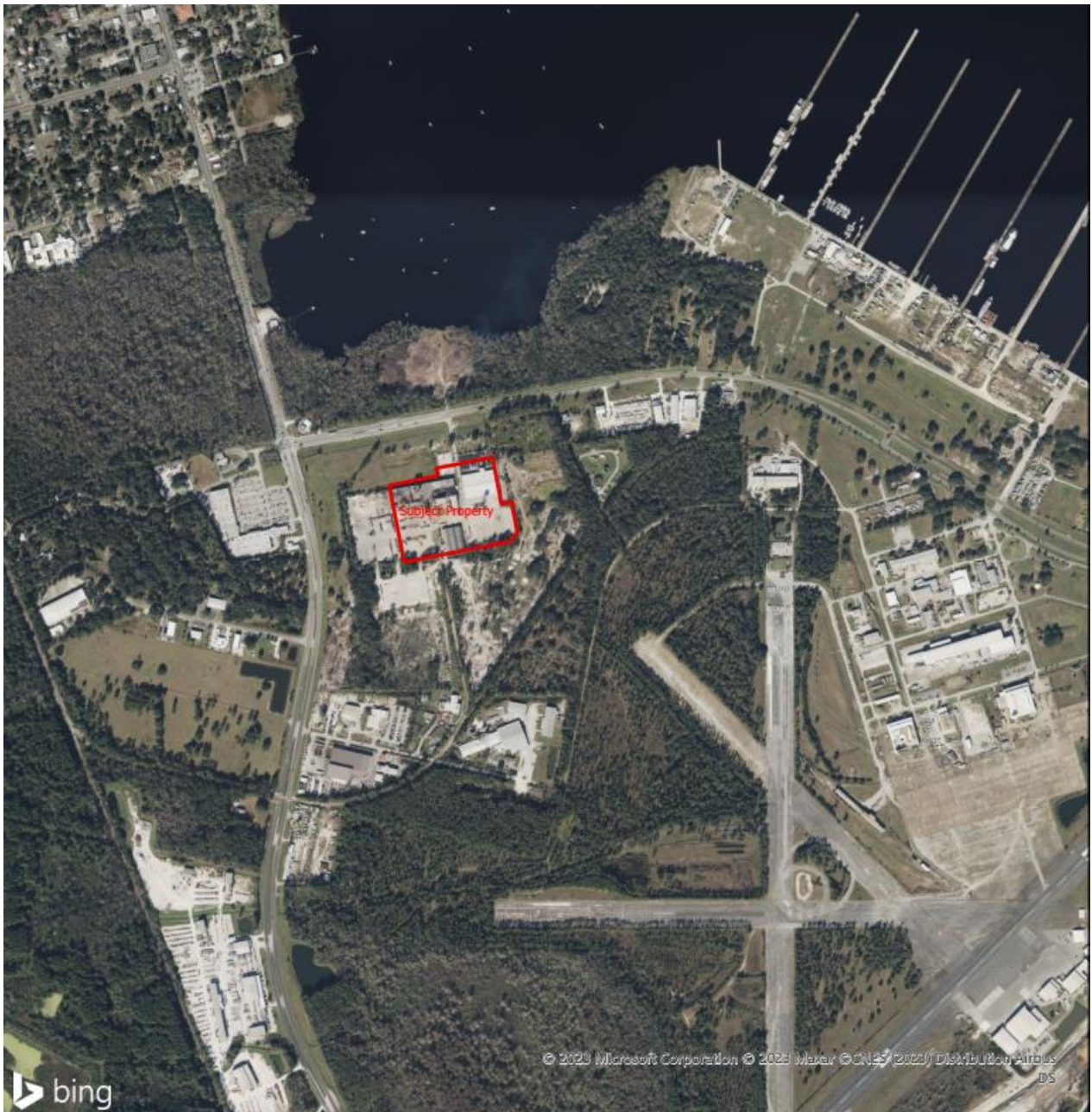
All proposed new development will be required to meet the City's Site Development Plan code requirements and be submitted to the Planning Commission and City Council for approval.

The site is located within the City's Water, Sewer, and Electric Service Boundaries. It will be served by the City's sanitation services.

Additionally, the applicant has submitted the following future land use and rezoning requests:

Application #	Description
ZON-23-007	Rezoning Application from C-2 General Business to M-2 Heavy Industrial (subject property)
FLUS-23-006	Future Land Use Application from Mixed Use to Industrial (adjacent property)
ZON-23-007	Rezoning Application from C-2 General Business to M-2 Heavy Industrial (adjacent property)

## Aerial

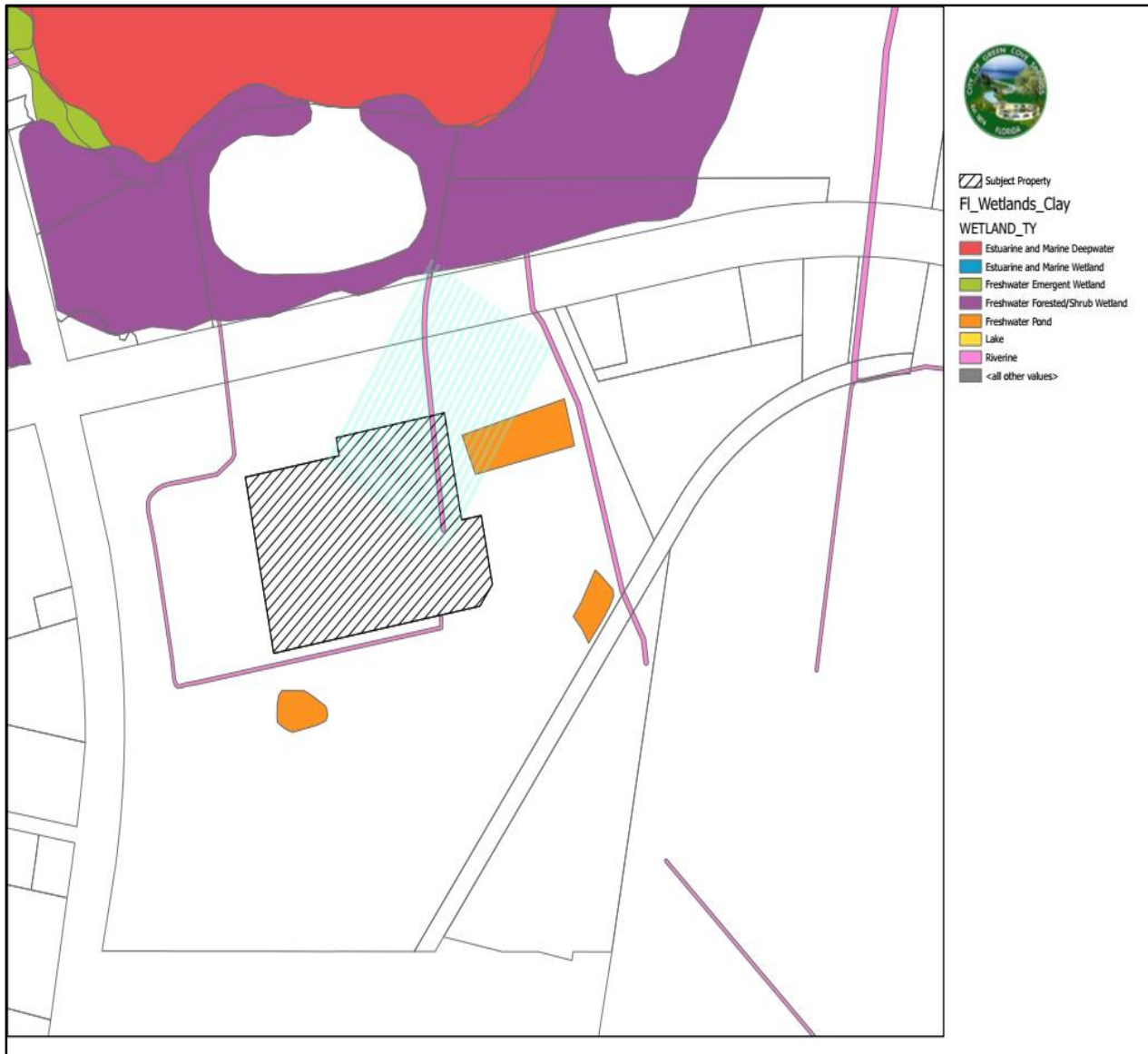


## Environmental Conditions Analysis

## Maps of Environmental Features

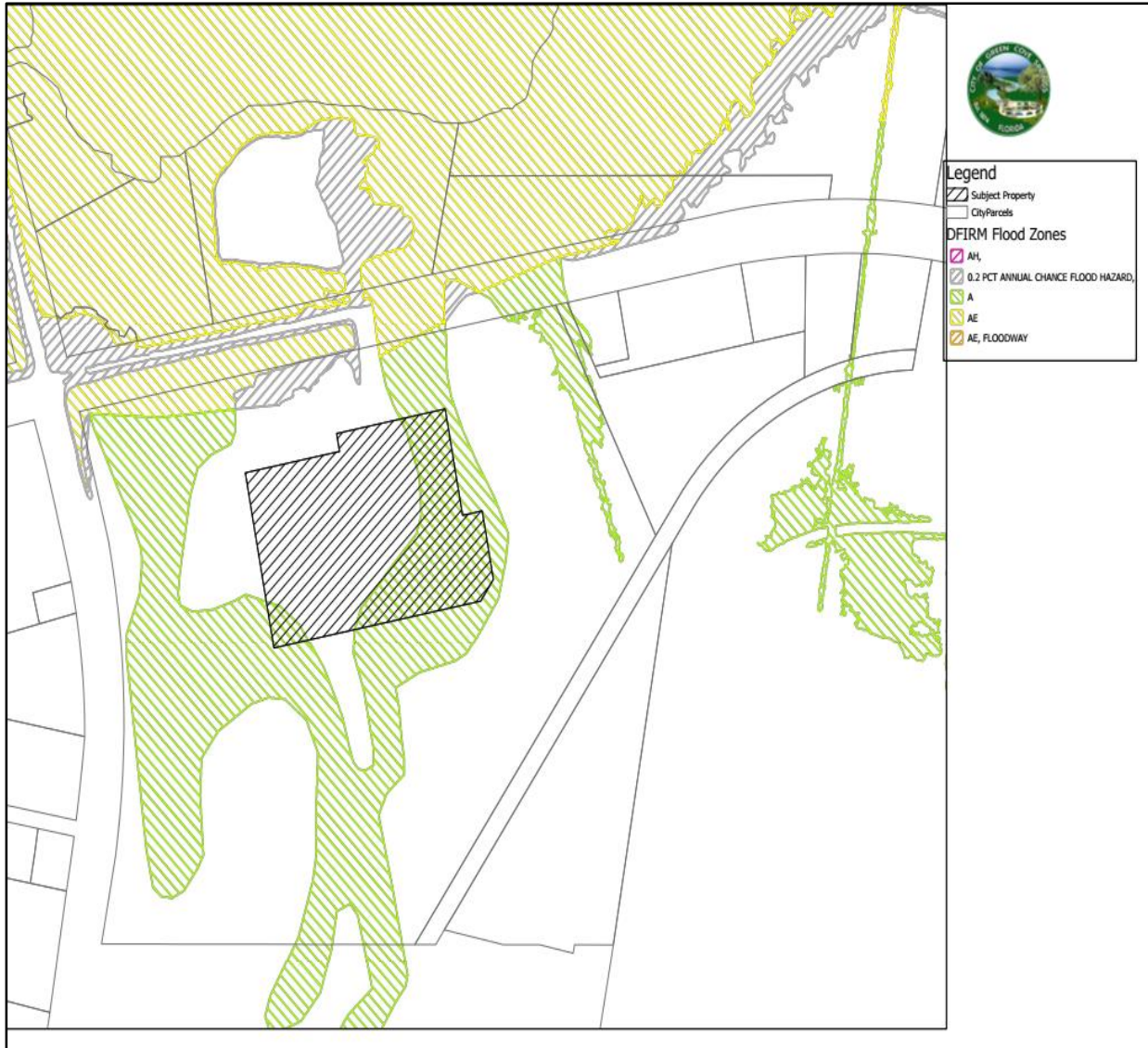
### Wetlands

There are Riverines or Riparian wetlands located in the northeast area of the property.



## Floodplain

A portion of the subject property is located in Flood zone A which are areas subject to inundation by the 1 percent annual chance flood event generally determined using approximate methodologies.



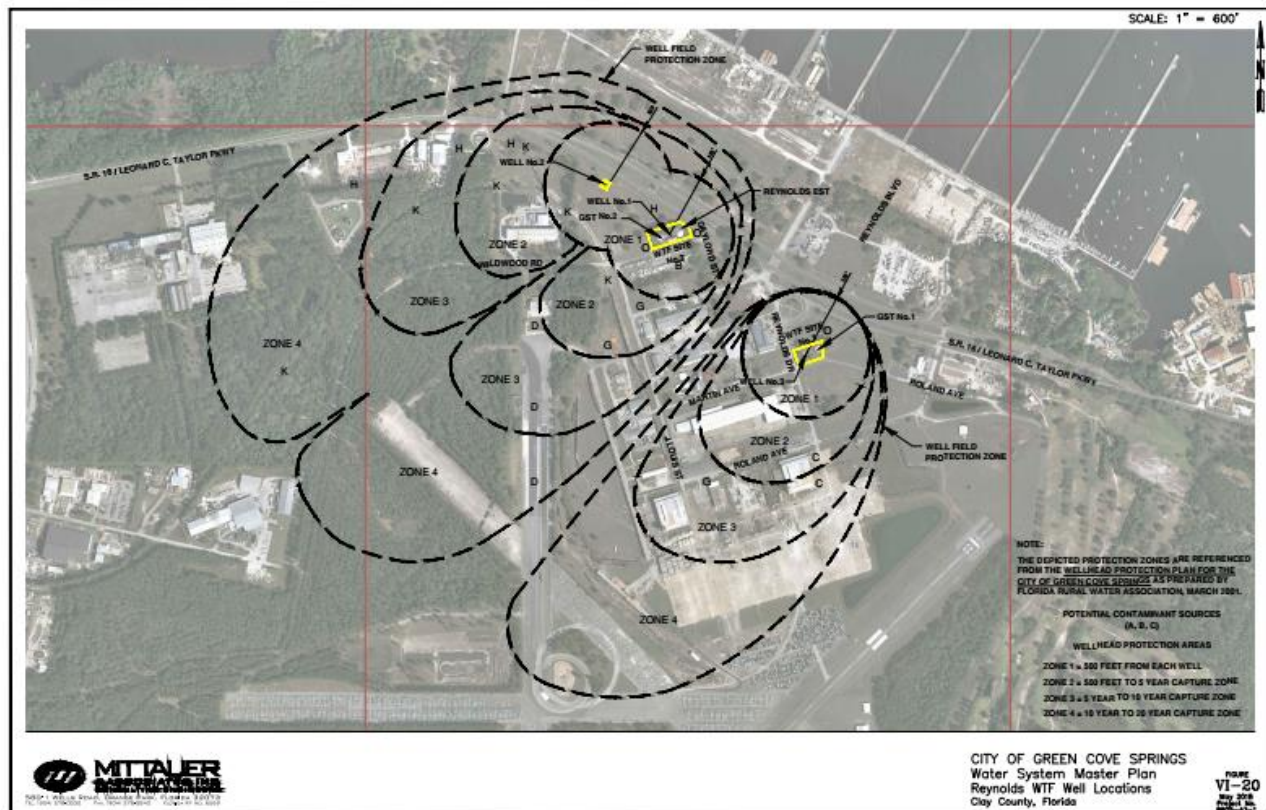
## Additional Environmental Issues:

The Florida Department of Environmental Protection (FDEP) became aware of groundwater contamination on the property in July 2015 and subsequently provided a Declaration of Restrictive Covenant on the property which was recorded with the Clay County Clerk of Court in March 2020 and is attached for your review. Pursuant to FDEP's investigation chlorinated hydrocarbons were detected on the subject property and adjacent property as set forth in Exhibit D of the 1<sup>st</sup> Amendment to the DRCGCS Town Center which is enclosed. In April of 2022, a Conditional Site Rehabilitation Completion Order was approved by FDEP that limited the contamination issue to the groundwater. As a result, the following improvements are prohibited without meeting the requirements set forth in the Completion Order:

- a) Dewatering activities
- b) Stormwater management systems (including swales and ditches) can be constructed.
- c) Drinking, irrigation or monitoring well installation.

## Wellfield Protection Zone

The project site is located within Zone 4 of the wellfield protection zone. They are outside of the 500' requirement which limits the types of uses on this site.



## 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 revise the FLUM designation to Industrial. The area along the US 17 and SR 16 Corridors will remain as Mixed Use allowing for a mix of uses but at the same time allowing for increased employment opportunities.

(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 within the US 17 Corridor that is currently Land Used and Zoned for predominantly commercial/industrial development. The project site is located within the City’s water and sewer and electric urban service areas.

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

**Evaluation & Findings:** The proposed Industrial designation allows for industrial uses, thereby providing a balance of uses to complement the Mixed Use designation adjacent along the US 17 and SR 16 Corridors.

(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 existing wetlands, floodplains and is within the wellhead protection area. In order to ensure that natural resources are protected, a site specific land use amendment requiring future development to comply with Development Restrictions regarding protecting groundwater.

(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 project site is located within an urban area with surrounding commercial development. There are no adjacent agricultural areas and activities.

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

**Evaluation & Findings:** With the project site being located within an area with existing development, the proposed development will utilize existing public facilities and services.

(VII) 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 project site is located within an existing commercial area with existing public facilities and services. The proposed development will utilize existing public facilities and services and shall mitigate for the increase in time, money, and energy for providing and maintaining these facilities through the payment of impact fees for utilities including roads, government services, and on-going ad valorem taxes.

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

**Evaluation & Findings:** The site is located within the City's water and sewer and electric urban service areas and is not adjacent to any rural zoned properties.

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

**Evaluation & Findings:** The proposed application will not discourage infill development and is located within an existing developed area.

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

**Evaluation & Findings:** The project site is located will allow for industrial uses in an area that is suitable for industrial development.

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

**Evaluation & Findings:** The project site shall have access via an easement to SR 16.

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

**Evaluation & Findings:** All proposed development shall comply with the City's landscape ordinance to ensure there shall be open space provided within the development.

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.

1. Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

**Evaluation & Findings:** The project site is located within the City's water and sewer and electric urban service areas which have been planned to accommodate growth which allows for the preservation of the natural resources of outlying areas. In addition, all new development shall comply with the City's landscaping, tree preservation and resource protection ordinances.

2. Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

**Evaluation & Findings:** This application, as well as the companion rezoning application, will result in utilizing existing public infrastructure and existing services.

3. Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

**Evaluation & Findings:** Sidewalks are provided along US 17 and shall be provided as part of future development along SR 16.

Promotes conservation of water and energy.

**Evaluation & Findings:** The project site is located within an urban area with surrounding commercial development. Development in core urban areas reduces the pressure to develop in areas further outside of the urban areas.

5. Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

**Evaluation & Findings:** The project site is located within an urban area with surrounding development. There are no adjacent agricultural areas and activities. Development in core urban areas reduces the pressure to develop in agricultural areas.

6. Preserves open space and natural lands and provides for public open space and recreation needs.

**Evaluation & Findings:** All proposed development shall comply with the City's landscape ordinance to ensure there shall be open space provided within the development.

7. Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

**Evaluation & Findings:** The proposed site is located within close proximity to a variety of nonresidential uses. The proposed development will provide additional employment opportunities to the residents of this community, providing a balance of land uses to the area.

8. Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

**Evaluation & Findings:** N/A

## **CONSISTENCY WITH THE COMPREHENSIVE PLAN**

The following Goals, Objectives, and Policies (GOPs) support the proposed amendment to the Future Land Use Map of the City of Green Cove Springs Comprehensive Plan:

### **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 of the public.

**Objective 1.1.** New development and Redevelopment shall directed to appropriate areas of the City.

e. Industrial (IND): This FLUC is intended to accommodate primarily light and heavy manufacturing, distribution, and storage, in addition to heavy commercial and professional office uses. Maximum Intensity: 0.6 FAR

**Objective 1.2.** The City shall strive to cultivate a sustainable land use pattern by preventing the proliferation of urban sprawl, ensuring the efficient provision of services, and implementing smart growth principles.

**Policy 1.2.1.** The location and timing of new development and the issuance of permits shall be coordinated with the availability of public facilities through implementation of various smart growth management measures.

**Policy 1.2.6.** The City shall require new development to connect to the City's centralized potable water and sanitary sewer system.

**Policy 1.2.7.** The City shall condition development orders upon the provision of essential facilities and services which meet and would not result in the failure of each service's established level of service (LOS).

**Policy 1.2.8.** The City shall ensure the availability and protection of lands designated for the future expansion of public infrastructure.

**Objective 1.4.** The City shall strive to preserve its natural resources.

**Policy 1.4.5.** Development orders shall not be issued in areas where soils conditions are not adequate for building construction, drainage, roads, and other development-related facilities.

## **TRANSPORTATION ELEMENT**

**Policy 2.3.1.** The City shall rely on level of service (LOS) standards adopted in the Capital Improvements Element to ensure that acceptable traffic conditions are maintained\*.

\*The City is in the process of implementing a mobility plan and fee for new development to ensure that needed transportation improvements are provided to ensure that the City is addressing transportation congestion issues and providing for multimodal improvements.

**Policy 2.5.3.** The City shall review development applications to ensure that adequate capacity is available to serve the proposed project. The latest version of Trip Generation Manual published by the

Institute of Transportation Engineers (ITE) shall be used to determine the number of trips that the proposed development will produce or attract.

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

**Objective 4.2.** The City shall continue to provide safe and adequate sanitary sewer service to all existing and future developments located within the City limits. Existing Sanitary Sewer deficiencies shall be scheduled for correction in the Capital Improvements Element.

**Policy 4.2.1** All Future Development shall be required to connect to the City's Sanitary Sewer Collection

**Policy 4.2.1.** All Future Development shall be required to connect to the City's Sanitary Sewer Collection.

**Objective 4.6.** Future Development shall be required to connect with central water systems and provide stormwater facilities which maximize the use of existing facilities and discourage urban sprawl.

**Policy 4.6.1.** The City shall annually monitor the condition of level of service standards for solid waste, potable water, wastewater, and stormwater facilities. The Planning and Zoning Department shall be assigned the task of reviewing all development orders to determine their current and future impacts on the capacities of existing public facilities.

**Policy 4.6.2.** No permit shall be issued for new development which will result in an increase in demand on deficient capacities or if adequate facility capacities for solid waste, potable water, sanitary sewer, and drainage facilities are not available prior to or concurrent with the development's impact.

## **CONSERVATION ELEMENT**

**Policy 5.3.2.** The City shall ensure that public potable water wellfields will be located in areas where they will be least impacted by development and contamination.

## **INTERGOVERNMENTAL COORDINATION ELEMENT**

**Objective 7.1.** The City shall act to ensure that all planning and development related activities are coordinated with the comprehensive plan or any other plans of Clay County, the Northeast Florida Regional Council (NEFRC), and the School Board.

**Policy 7.1.1.** Maintain procedures to review comprehensive plans and comprehensive plan amendments of the County and the plans of the Clay County School Board and the Northeast Florida Regional Council.

## **ECONOMIC DEVELOPMENT ELEMENT**

**Policy 9.1.6.** Continue collaboration through the Clay County EDC and the Clay County Chamber of Commerce with Florida Chamber of Commerce and Enterprise Florida Inc for sector strategy development, regional incentive updates and statewide attraction and site selection programs.

**Objective 9.5.** The City shall collaborate economic development efforts with state, regional and local partners to foster a system of enhanced communication and partnerships within the Northeast Florida region.

## **PRIVATE PROPERTY RIGHTS ELEMENT**

**Objective 10.1.** The City shall recognize that each property owner has constitutionally protected private property rights and shall consider these property rights in local decision making by referring to a set of statement of rights identified in this element.

**Policy 10.1.1.** The following rights shall be considered in local decision making:

- a. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
- b. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.

- c. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
- d. The right of a property owner to dispose of his or her property through sale or gift.

## PUBLIC FACILITIES IMPACT

### Traffic Impacts

Land Use <sup>1</sup> (ITE)	Square Footage/Dwelling Units	Daily		AM Peak		PM Peak	
		Rate	Trips	Rate	Trips	Rate	Trips
Industrial	392,040	6.83	2,678	.82	321	.85	333
Shopping Center**	653,400	42.70	27,900	.96	627	3.71	2,424

1. Source: Institute of Transportation Engineers: Trip Generation Manual 9<sup>th</sup> Edition

**Conclusion:** There are no development plans at this time as a result, the traffic impacts were calculated two: the maximum floor area ratio (1.0)\* based on the assumption of a Shopping Center at a maximum FAR of 1.0 per the comprehensive plan requirements and a separate calculation was made based on a maximum of a .6 FAR for an Industrial Park. The proposed change in Land Use shows a much lower impact on the adjacent roadways.

### Potable Water Impacts Industrial

System Category	Gallons Per Day (GPD)
Current Permitted Capacity <sup>1</sup>	4,200,000
Less actual Potable Water Flows <sup>1</sup>	1,013,000
Residual Capacity <sup>1</sup>	3,187,000
Projected Potable Water Demand from Proposed Project <sup>2</sup>	71,874
<b>Residual Capacity after Proposed Project</b>	<b>3,115,126</b>

1. Source: City of Green Cove Springs Public Works Department

2. Source: City of Green Cove Springs Comprehensive Plan. Formula Used: .11 x sq ft (based on historical data)

**Conclusion:** The impact was calculated based on potential industrial uses. As shown in the table above, there is adequate capacity this use type. The City has existing water lines installed at this location.

### Sanitary Sewer Impacts – South Plant WWTP Industrial

System Category	Gallons Per Day (GPD)
Current Permitted Capacity <sup>1</sup>	350,000
Current Loading <sup>1</sup>	270,000

Committed Loading <sup>1</sup>	330,000
Projected Sewer Demand from Proposed Project <sup>2</sup>	71,874
<b>Residual Capacity after Proposed Project</b>	<b>-321,874</b>

1. Source: City of Green Cove Springs Public Works Department

2. Source: City of Green Cove Springs Comprehensive Plan. Formula Used: .11 x sq ft (based on historical data)

**Conclusion:** The impact was calculated based on potential commercial or residential uses. The project site is served by the South Plant Wastewater Treatment Plant (WWTP). As shown in the table above, when factoring in the current loading and the committed loading, this WWTP is over capacity to handle the estimated impacts resulting from the proposed application. The committed loading is related to the Rookery Development which will be completed in two years prior to the commencement of this project. At such time, the Rookery capacity will be served by a new wastewater treatment facility provided by the Clay County Utility Authority. Once the facility is built, the capacity temporarily reserved to the Rookery shall be available for this development. In addition, the remaining demand will be sent via force main to the Harbor Road plant, where the City has an excess capacity of approximately 700,000 gallons per day. As a result, there is adequate capacity. The City has existing sewer lines at this location.

## Solid Waste Impacts

### Industrial

System Category	LBs Per Day / Tons per Year
Solid Waste Generated by Proposed Project <sup>1</sup>	None
Solid Waste Facility Capacity <sup>2</sup>	Minimum 3 Years Capacity

1. Source: City of Green Cove Springs does not provide commercial sanitation services, prospective sanitation collection franchisees shall comply with City Code Section 66-10.

### Solid Waste Impacts

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. For commercial developments, the City does not provide Curbside Service; commercial locations must instead contract with an approved franchisee for containerized collection.

**Conclusion:** The proposed future land use amendment and rezoning are not expected to negatively impact the City's adopted LOS or exceed the County solid waste management facility's capacity.

## Compatibility

The Subject Property in addition to the companion application (FLUS-23-006 and ZON-23-007) are located adjacent to a Mixed Use Land Use District to the north and west and to the east the property is the Reynolds AirPark which is zoned Industrial. The properties to the south along Hall Park Road are also Zoned Industrial. In addition, the subject property is in close proximity to a Railroad which is conducive for Industrial Development and had previously been used as a Manufacturing facility. The property along US 17 and SR 16 shall remain as commercial properties in keeping with providing a commercial gateway into the City. As a result, the proposed Future Land Use and Zoning application is suitable for the property and compatible with the surrounding uses.

**Intent of Existing Future Land Use District**

This Designation encompasses lands along major transportation corridors and is intended to accommodate primarily nonresidential uses including light and heavy commercial uses, lodging, and professional offices, interspersed with medium density residential uses and public/semi-public facilities.

**Intent of Proposed Future Land Use District**

This Designation is intended to accommodate primarily light and heavy manufacturing, distribution, and storage, in addition to heavy commercial and professional office uses.

## Existing Future Land Use



## Proposed Future Land Use



## STAFF RECOMMENDATION

Staff recommends approval of the Future Land Use designation from Mixed Use to Industrial and the Zoning Amendment from C-2, General Commercial to M-2 Heavy Industrial.

### **RECOMMENDED MOTIONS:**

#### **Future Land Use**

Recommend approval of first reading of ordinance O-28-2023, to amend the Future Land Use of the property described therein from Mixed Use to Industrial for form and legality.