



STAFF REPORT

CITY OF GREEN COVE SPRINGS, FLORIDA

TO: Planning and Zoning Commission **MEETING DATE:** July 25, 2023

FROM: Michael Daniels, AICP, Planning & Zoning Director

SUBJECT: Small Scale Future Land Use Amendment and Rezoning 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

Zoning Amendment: from: C-2
to: M-2

PROPERTY DESCRIPTION

APPLICANT: David Smith, Louis L Huntley Enterprises **OWNER:** Louis Ward Huntley

PROPERTY LOCATION: 1300 Block of Energy Cove Court

PARCEL NUMBER: 016451-000-00

FILE NUMBER: FLUS-23-006 & ZON-23-0007

CURRENT ZONING: C-2 General Commercial

FUTURE LAND USE DESIGNATION: Mixed Use

SURROUNDING LAND USE

NORTH:	FLU: MIXED USE Z: C-2 Use: Undeveloped	SOUTH:	FLU: MIXED USE Z: C-2 Use: Undeveloped
EAST:	FLU: MIXED USE Z: C-2 Use: Undeveloped	WEST:	FLU: MIXED USE Z: 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.
- Non-compliance with a Florida Department of Environmental Protection Restrictive Covenant pursuant to restrictions have been placed on the property and the adjacent property regarding chemical discharge.

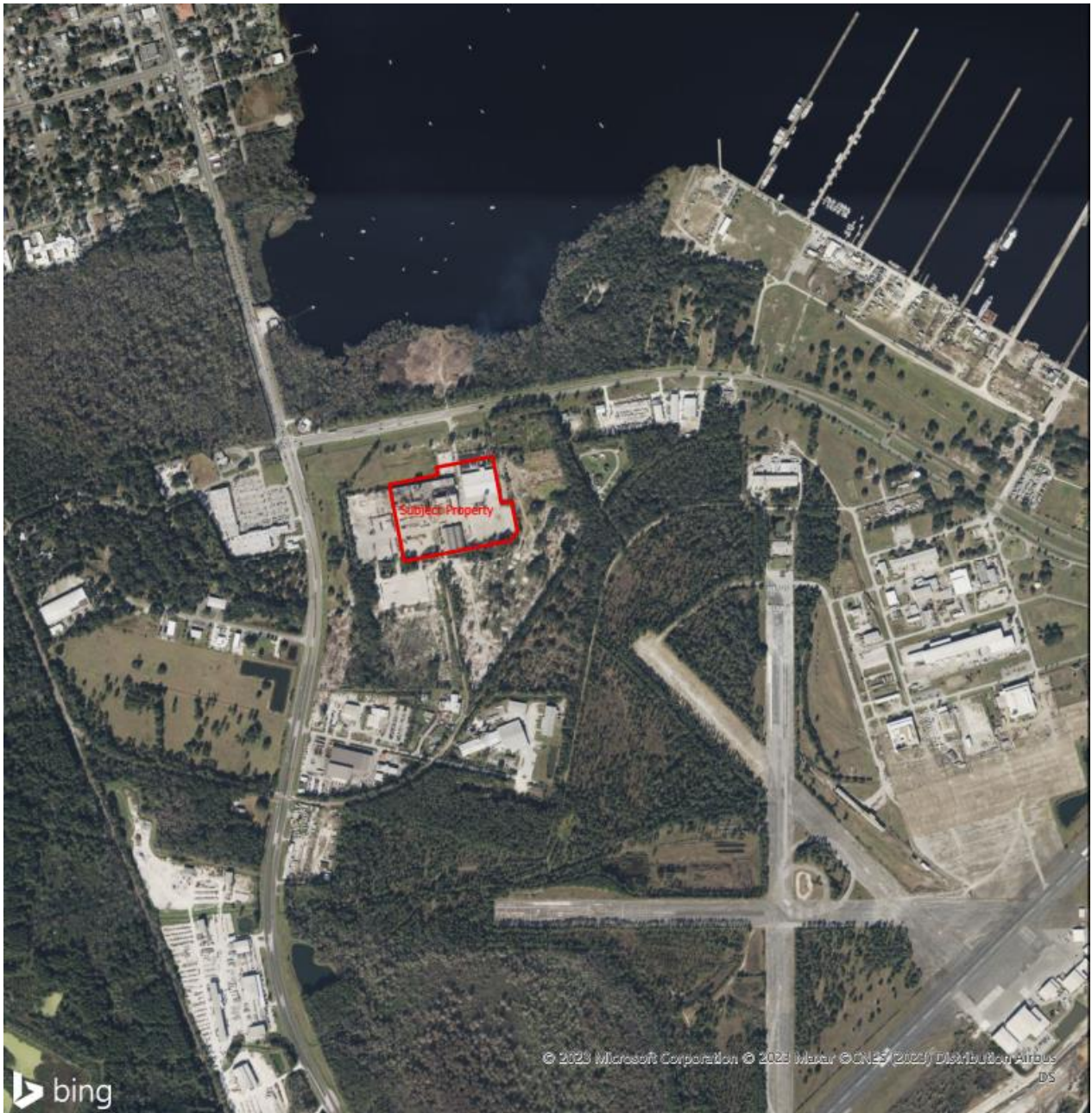
No additional work can be constructed on the site until the site is in full compliance with City Code and State Regulations.

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
FLUS-23-006	Future Land Use Application from Mixed Use to Industrial
ZON-23-007	Rezoning Application from C-2 General Business to M-2 Heavy Industrial

Aerial

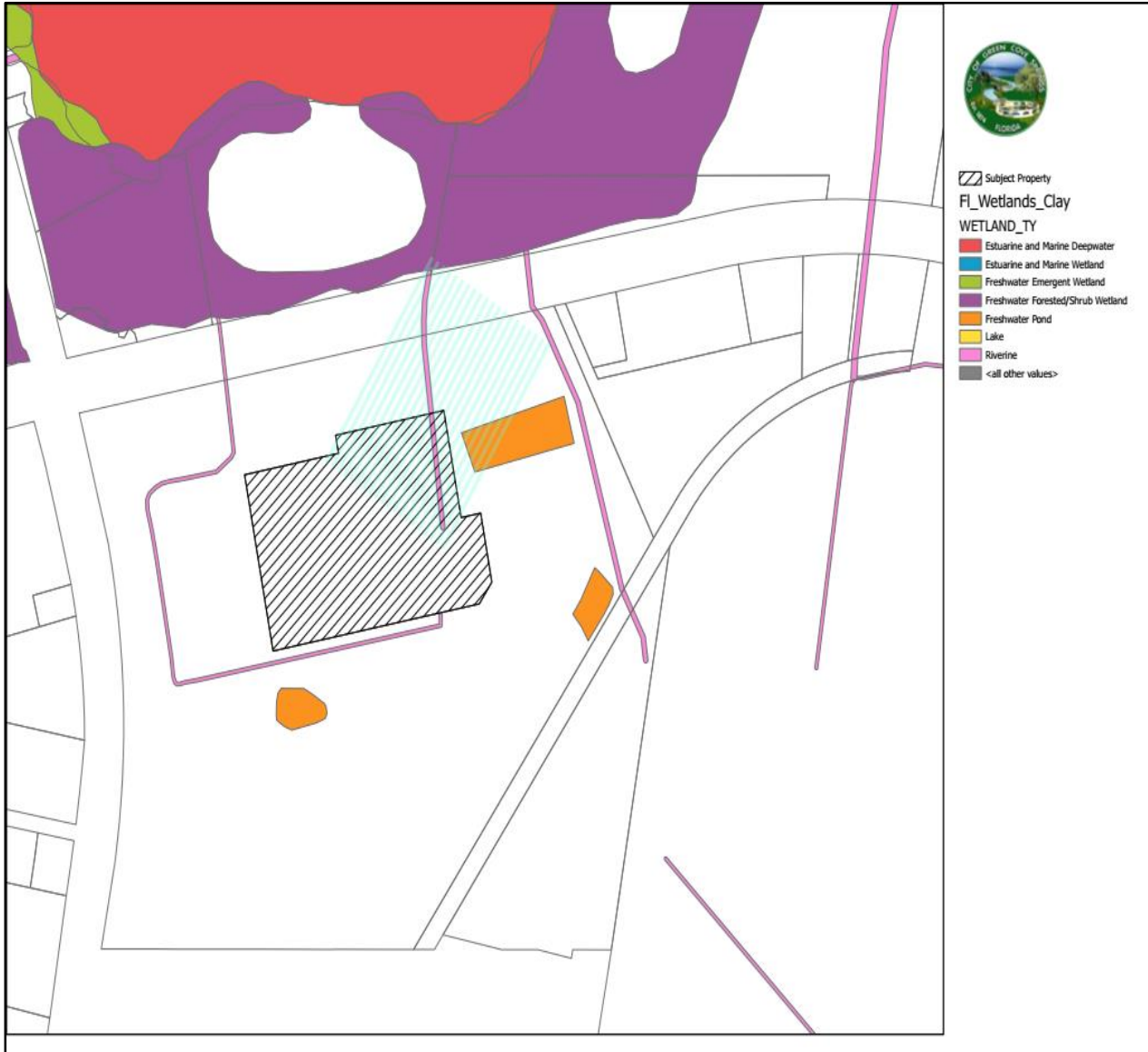


Environmental Conditions Analysis

Maps of Environmental Features

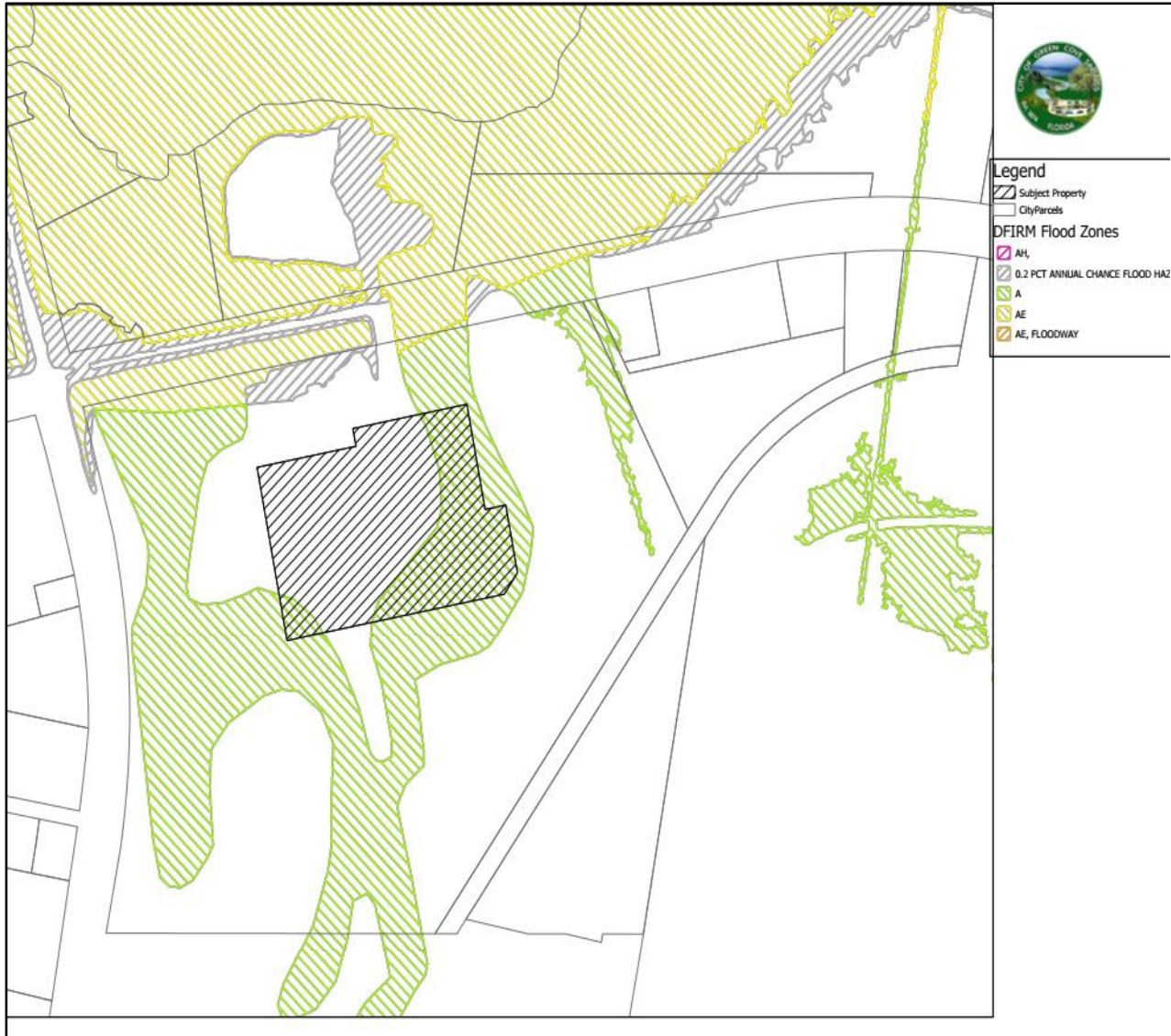
Wetlands

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.



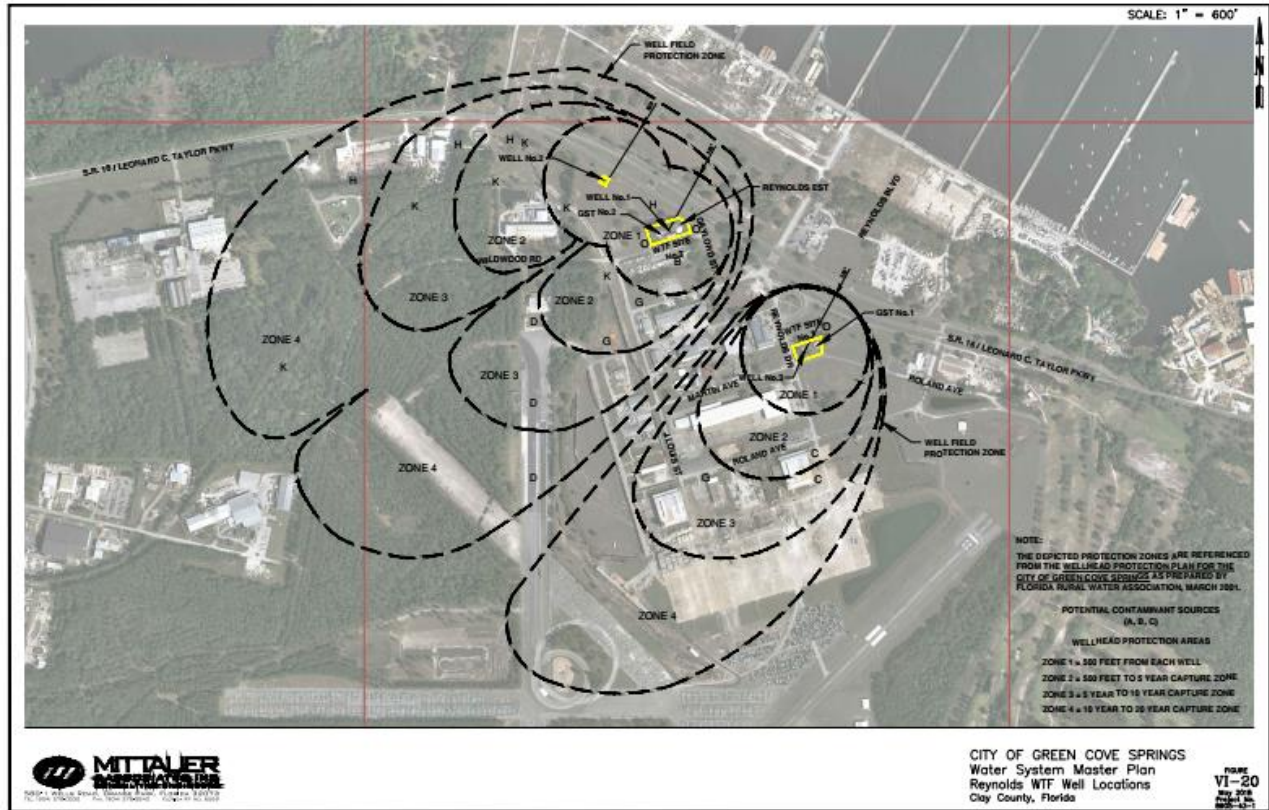
Additional Environmental Issues:

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 1st Amendment to the DRCGCS Town Center which is enclosed.

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.



All new development shall be required to meet the stormwater management requirements of the St John's Water Management District as well as the City's stormwater management requirements and provide stormwater capacity and water quality treatment onsite.

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 ¹ (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 9th 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 ¹	4,200,000
Less actual Potable Water Flows ¹	1,013,000
Residual Capacity ¹	3,187,000
Projected Potable Water Demand from Proposed Project ²	71,874
Residual Capacity after Proposed Project	3,115,126

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

Commercial

System Category	Gallons Per Day (GPD)
Current Permitted Capacity ¹	350,000
Current Loading ¹	270,000
Committed Loading ¹	330,000
Projected Sewer Demand from Proposed Project ²	71,874
Residual Capacity after Proposed Project	-321,874

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

Commercial

System Category	LBs Per Day / Tons per Year
Solid Waste Generated by Proposed Project ¹	None
Solid Waste Facility Capacity ²	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 is located adjacent to a Mixed Use Land Use District to the east and the land uses to the west include the Reynolds AirPark which is zoned Industrial. In addition, the property is in close proximity to the Railroad and had previously been used as a Manufacturing facility.

Existing Future Land Use



Proposed Future Land Use



Existing Zoning



Proposed Zoning



STAFF RECOMMENDATION

Staff recommends approval of the Future Land Use designation from Mixed Use subject to a Future Land Use Text Amendment and the Zoning Amendment

RECOMMENDED MOTIONS:

Future Land Use & Zoning

Recommend to table the Future Land Use and Zoning request to the August Planning and Zoning Commission, to add a Site Specific Future Land Use Text Amendment Policy with the following conditions:

1. All required existing work within the building subject to building permitting shall be submitted and approved prior to the effective date of the Future Land Use change.
2. Shall comply with all requirements of the Florida Department of Environmental Protection (FDEP) Conditional Site Rehabilitation Order that prohibits the following activities with FDEP approval:
 - a) Dewatering activities
 - b) Stormwater management systems (including swales and ditches) can be constructed.
 - c) Drinking, irrigation or monitoring well installation.
3. Provide documentation that the existing wells have been properly abandoned and plugged pursuant to the FDEP Conditional Site Rehabilitation Order.