



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

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

CHARLIE CRIST
Governor

THOMAS G. PELHAM
Secretary

JUL 13 2010
RECEIVED

July 16, 2010

The Honorable Gary Dopson, M.D., Mayor
City of Macclenny City Hall
118 East Macclenny Avenue
Macclenny, Florida 32063

Dear Mayor Dopson:

The Department has completed its review of the proposed comprehensive plan amendment for the City of Macclenny (DCA No. 10-1ER). The amendment proposes revisions to the Comprehensive Plan as recommended in the City's adopted Evaluation and Appraisal Report (EAR). We reviewed the amendment for consistency with Chapter 163, Part II, Florida Statutes, and Rule 9J-5, Florida Administrative Code. The Department identifies no objections to the proposed amendment and this letter serves as the Department's Objections, Recommendations and Comments Report. Please make this letter available for public inspection. However, we have included comments in this letter based on our review which we believe if addressed will strengthen the City's land use planning efforts for the enhancement of the quality of life of its present and future residents, as follows:

A. Future Land Use Element

Comment 1. Existing Policies 1.01.01, 1.07.02 and 1.07.05 require the City to implement certain actions or programs by specific dates that are past due. It is important that the City update the policies as part of the adopted EAR-based amendments.

Comment 2. Existing Policy 1.06.05(d) through (g) is being revised to include intensity standards for Commercial and Industrial land use categories in the form of floor area ratios. The policy should be revised to correct a typo: ratio, instead of ~~ration~~.

Comment 3. Existing Policy 1.06.05(h) provides a description of the Public and Semi-Public land use category, but it does not include density and intensity standards. Section 163.3177(6)(a), Florida Statute (F.S.), and Rule 9J-5.006(3)(c)7, Florida Administrative Code

(F.A.C.), require the comprehensive plan to include density and intensity standards for all land use categories. The City should consider a revision to the policy, as part of the adopted EAR-based amendment, to include density and intensity standards to be used to control and guide development in areas with a Public and Semi-Public land use designation.

B. Traffic Circulation Element

Comment 4. New Policy 2.01.06 states: For the purpose of issuing a development order or permit, a proposed development which is deemed to have a de minimus impact, meeting the requirements of Rule 9J-5.0055(3)(c)1.4, F.A.C. In this regard, the City shall implement a de minimus exemption provision as a component of its Concurrency Management System.

The first part of the proposed policy language seems incomplete. Revise the policy to include the missing language following, meeting the requirements of Rule 9J-5.0055(3)(c)1.4, F.A.C.

Comment 5. New Policy 2.02.03 requires that the City coordinate with Baker County, the Florida Department of Transportation and the North Florida Transportation Planning Organization (TPO) in order to ensure that levels of service on backlogged facilities are improved. However, the City of Macclenny is not currently located within the North Florida TPO and, therefore, is not eligible to utilize the TPO Improvement Program. Revise the policy either to remove the dependence on the TPO Improvement Program to address backlogged facilities in the City, or to state that “should the City become a part of the North Florida TPO during the 2025 planning period, then the City shall.....”

Comment 6. As recommended in the City’s adopted Evaluation and Appraisal Report, the City should consider adopting a policy into the Intergovernmental Coordination Element and or the Traffic Circulation Element to provide for coordination with Baker County to monitor and track development trips impact on I-10.

C. Housing Element

Comment 7. Section 163.3177(6)(f), F.S., requires the Housing Element be updated to include a policy that addresses energy efficiency in the design and construction of new housing and the use of renewable energy resources. The Housing Element does not include a proposed policy to address the requirement. However, Conservation Element Objective 5.08 and its policies are intended to address this statutory requirement. The City should revise the Housing Element to include policies, such as these, to address energy efficiency in the design and construction of new housing and the use of renewable energy resources.

D. Infrastructure Element

Comment 8. The St. Johns River Water Management District's records indicate that the City is conducting additional water conservation practices. The City should consider adopting into its comprehensive plan the City's ongoing water conservation practices, in addition to its existing water conservation practices adopted into the Infrastructure and Conservation Elements.

Comment 9. The data and analysis supporting the Infrastructure Element and the Future Land Use Element indicates that the City provides potable water service to portions of unincorporated Baker County. The City should consider adopting policies into the comprehensive plan that will address the need to enact, maintain or enhance an agreement with Baker County regarding the City's provision of potable water service to portions of unincorporated Baker County.

E. Conservation Element

Comment 10. Policy 5.08.04 addresses water conservation during times of drought or water shortage emergencies. To adequately address the requirements of Rule 9J-5.013(2)(c)4, F.A.C., regarding emergency conservation of water sources in accordance with the plans of regional water management district, Policy 5.08.04 should be revised to state: The City shall cooperate with the SJRWMD, in accordance with the SJRWMD Water Shortage Plan, during declared water shortage emergencies by conserving water resources and by assisting with the enforcement of water shortage emergency declarations, orders and plans.

F. Capital Improvements Element

Comment 11. Revise Policy 8.02.01 to include the level of service standards established under Traffic Circulation Element Policy 2.01.03 for State Roads 121 and 10, and I-10.

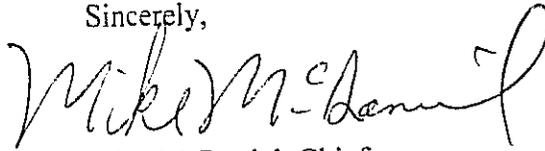
G. Housing, Infrastructure, Conservation, Intergovernmental Coordination and Capital Improvements Elements

Comment 12. Existing Policies 3.01.06 and 3.06.02 of the Housing Element; Objective 4.01 and Policy 4.03.02 of the Infrastructure Element; Policies 5.06.02, 5.09.04 and 5.09.05 of the Conservation Element; Policies 7.01.04 and 7.01.05 of the Intergovernmental Coordination Element; and Policies 8.05.02 and 8.06.06 of the Capital Improvements Element require the City to implement certain actions or programs by specific dates that are past due. It is important that the City update the policies as part of the adopted EAR-based amendments. If the date has been met, then the policy should be revised to reflect that this is now an ongoing activity, and if not, then a new date for completion, no later than one year from adoption of the EAR-based amendments, should be adopted.

The Honorable Gary Dopson, M.D., Mayor
July 16, 2010
Page 4

We have enclosed comments from other state and regional agencies for your consideration. For your assistance, we have attached the following procedures: *Adopted Amendment Transmittal Procedures* and *Notice of Revisions to Processing Procedures*. If you have any question about this matter, please contact Joseph Addae-Mensa, Planning Analyst, at (850) 922-1783.

Sincerely,

A handwritten signature in black ink that reads "Mike McDaniel". The signature is fluid and cursive, with the first name "Mike" being larger and more prominent than the last name "McDaniel".

Mike McDaniel, Chief
Office of Comprehensive Planning

MM/jam

Enclosures: Review Agency Comments

cc: Anthony S. Robbins, AICP, Prosser Hallock, Inc., Planners and Engineers
Ed Lehman, Growth Management Director, Northeast Florida Regional Council

ADOPTED AMENDMENT TRANSMITTAL PROCEDURES

Upon receipt of this report, the City of Macclenny has 120 days in which to adopt, adopt with changes, or determine not to adopt the proposed amendment. The process for adoption of local comprehensive plan amendments is outlined in Section 163.3184, F.S., and Rule 9J-11.011, F.A.C.

Within ten working days of the date of adoption, the City must submit the following to the Department:

Three copies of the adopted comprehensive plan amendment;

A copy of the adoption ordinance;

A listing of additional changes not previously reviewed;

A listing of findings by the local governing body, if any, which were not included in the ordinance; and

A statement indicating the relationship of the additional changes to the Department's Objections, Recommendations and Comments Report, if any.

The above amendment and documentation are required for the Department to conduct a compliance review, make a compliance determination and issue the appropriate notice of intent.

In order to expedite the regional planning council's review of the amendment, and pursuant to Rule 9J-11.011(5), F.A.C., please provide a copy of the adopted amendment directly to the Executive Director of the Northeast Florida Regional Council.

Pursuant to Section 163.3184(8)(c), F.S., the Department is required to provide a courtesy information statement regarding the Department's Notice of Intent to citizens who furnish their names and addresses at the local government's plan amendment transmittal (proposed) or adoption hearings. In order to provide this courtesy information statement, local governments are required by the law to furnish the names and addresses of the citizens requesting this information to the Department. **Please provide these required names and addresses to the Department when you transmit your adopted amendment for compliance review.** In the event no names and addresses are provided, please provide this information as well. For efficiency, we encourage that the information sheet be provided in an electronic format.

NOTICE OF REVISIONS TO PROCESSING PROCEDURES

Effective Date of Revisions to Rule 9J-11 Florida Administrative Code

The Department has revised the procedures for submitting comprehensive plan amendments. These new procedures became effective May 12, 2010.

Reason for Revisions

The revisions implement statutory changes to Chapter 163, Part II, Florida Statutes, related to allowable exemptions from the twice per calendar year limitations and prohibitions that may affect adoption of comprehensive plan amendments. In addition, changes were made to clarify plan amendment submittal requirements based on the Department's recent experience.

Highlight of Revisions

The revised procedures relate to the submittal of proposed and adopted comprehensive plan amendments, including small scale amendments, and a revised RPM-BSP-EXEMPT REVIEW Form used when submitting exempt and small scale amendments. The major revisions to Rule 9J-11, include 1) the deletion of the requirements to submit replacement pages and a revised table of contents to the comprehensive plan; 2) an update to the allowable exemptions to the twice per calendar year limitation; 3) an update to the statutory prohibitions that may affect adoption of comprehensive plan amendments; 4) clarification on the submittal of the de minimis impact report associated with the capital improvement annual update amendment; 5) a requirement that all future land use map amendments be submitted in color format; and 6) the revised RPM-BSP-EXEMPT REVIEW Form to address affordable housing and Areas of Critical State Concern.

Effect of Revisions

The revisions improve the overall comprehensive plan amendment process by helping local governments prepare and submit complete plan amendment packages. The rule provides the local government with a complete list of statutory exemptions and a complete list of possible prohibitions to the amendment process. In addition, the revised rule clarifies submittal requirements and this increases the likelihood that a submittal package will be initially determined complete.

Location of Revisions

The revisions are located on the Division of Community Planning's website to assist local governments with the submittal of their comprehensive plan amendment packages and may be viewed at "**Submitting Comprehensive Plan Amendments and Developments of Regional Impact**" <http://www.dca.state.fl.us/fdcp/dcp/Procedures/index.cfm> .

Additional Information

Ray Eubanks, Plan Processing Administrator

(850) 922-1767

ray.eubanks@dca.state.fl.us



St. Johns River Water Management District

Kirby B. Green III, Director • David W. Flisk, Assistant Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500

On the Internet at floridaswater.com.

June 15, 2010

Mr. D. Ray Eubanks
Plan Review and Processing Administrator
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

RE: City of Macclenny Proposed Comprehensive Plan Amendment
DCA Amendment #10-1ER (Evaluation and Appraisal Report-Based Amendment)

Dear Mr. Eubanks:

St. Johns River Water Management District (District) planning staff have reviewed the above-referenced proposed comprehensive plan amendment. The proposed amendment contains the City of Macclenny's (City's) required Evaluation and Appraisal Report (EAR)-based amendment. District staff review focuses on water supply availability and related water resource issues in an effort to link land use planning and water supply planning. In the review of water supply availability, District staff consider infrastructure, permitted allocation under District-issued consumptive use permit (CUP), and source. District staff comments are provided below:

1. Some of the City's existing water conservation practices are detailed in policies within the Infrastructure Element (IE) and Conservation Element (CE). However, District records indicate that the City is also conducting additional water conservation practices. These additional water conservation practices are described in the City's District-issued CUP and in the water conservation plan submitted by the City to the District and used as a basis for issuing the CUP. The District recommends that the City consider adoption of enabling policies to implement these additional water conservation practices that the City is already conducting.
2. The IE and Future Land Use Element's data and analysis indicate that the City provides potable water service to portions of unincorporated Baker County. The District recommends that the City consider adoption of an enabling policy that addresses the need to enact, maintain, or enhance an agreement with Baker County regarding the City's provision of potable water service to portions of unincorporated Baker County.
3. Policy 5.08.04 addresses water conservation during times of drought or water shortage emergencies. To adequately address the requirements of Rule 9J-5.013(2)(c)4, *Florida Administrative Code* (F.A.C.), the District suggests replacing Policy 5.08.04 with the following text: "The City shall cooperate with the SJRWMD, in accordance with the SJRWMD Water Shortage Plan, during declared water shortage emergencies by conserving

GOVERNING BOARD

| | | | |
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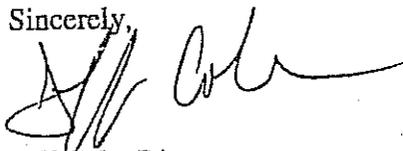
water resources and by assisting with enforcement of water shortage emergency declarations, orders, and plans.”

4. Data and analysis for the IE and CE contain information relative to the City’s potable water facilities and demand, but these do not appear to address projected water supply sources, the City’s District-issued CUP, or District-related water supply planning information. The IE or CE data and analysis should be revised to fully address the requirements of Section 163.3177(6)(d), *Florida Statutes*, and identify the City’s current and projected water needs and sources, considering the District’s water supply plan, the City’s District-issued CUP, and associated water supply reports. In addition, within the IE or CE data and analysis, the District recommends the City acknowledge that:
 - A. The District’s Draft Water Supply Assessment 2008 identified the City as being in a potential priority water resource caution area (PWRCA).
 - B. The City may be within a PWRCA following the completion of the District Water Supply Plan 2010 water supply planning process.
 - C. Governments within PWRCA’s need to: (1) identify water conservation measures and sources of water, including reclaimed water and other alternative water sources, to meet future demands; and (2) complete additional comprehensive planning activities.

5. Data and analysis for the IE and CE contain information about aquifer recharge. Policy 4.06.03 discusses utilization of information from the District relative to protection of aquifer recharge areas. However, Policy 4.06.03 does not reference or incorporate a specific data source within the comprehensive plan. The City should consider revising Policy 4.06.03 to clarify the data source used for the identification of aquifer recharge areas. The District’s current data (i.e., 2005) relative to aquifer recharge areas can be downloaded from the following District web page and used to map recharge areas within the City:
floridaswater.com/gisdevelopment/docs/themes.html.

We appreciate the opportunity to provide comments. If you have any questions, please contact District Policy Analyst Steve Fitzgibbons at (386) 312-2369 or sfitzgib@sjrwmd.com.

Sincerely,



Jeff Cole, Director
Office of Communications and Governmental Affairs

JC/sf

cc: Anthony Robbins, Prosser-Hallock
Brian Teeple, Northeast Florida Regional Council
Jim Quinn, Florida Department of Environmental Protection
Kraig McLane, St. Johns River Water Management District

FLORIDA DEPARTMENT OF EDUCATION



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Dr. Eric J. Smith
Commissioner of Education



June 30, 2010

Mr. D. Ray Eubanks, Plan Processing Administrator
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

Dear Mr. Eubanks:

Re: Macclenny 10-1ER

Thank you for the opportunity to review the EAR-based comprehensive plan amendment package proposed by the City of Macclenny. The Department offers the following technical comments for consideration by the city and the Department of Community Affairs:

1. Capital Improvements Element. – The city's policy 8.07.03, which intends to adopt the Baker County School Board's district facilities work plan is self amending. The city should revise the policy to comply with Rule 9J-5.005(2)(g), F.A.C., which authorizes adoption of documents by reference in policy when the policy cites the author, title, and date of the document intended to be adopted. The transmittal indicates the city's intent to adopt the amendment package on October 12, 2010. Thus, the city should revise the policy to adopt the 2010-11 to 2014-15 district facilities work plan, which the school district in process of preparing for adoption prior to October 1. The city should coordinate with the Baker County School District to provide updated data and analysis to show the adopted level of service standards for public school facilities will be achieved by the end of the fifth year and maintained through the long-term planning period of Baker County. The city may wish to review guidance provided on the Department of Community Affairs' website under the heading, "Annual Educational and Comprehensive Plan Maintenance for the Purposes of School Concurrency." The website is located at <http://www.dca.state.fl.us/fdep/dep/SchoolPlanning/index.cfm>
2. Public School Facilities Element. -- The city does not propose substantive revision of the public school facilities element. The city proposes minor revisions to existing policies to update the name

SPESSARD BOATRIGHT
DIRECTOR, OFFICE OF EDUCATIONAL FACILITIES AND SMART SCHOOLS CLEARINGHOUSE

325 W. GAINES STREET • SUITE 1014 • TALLAHASSEE, FLORIDA 32399-0400 • (850) 245-0494 • FAX (850) 245-9236
[www.fldoe.org](http://wwwfldoe.org)

Mr. D. Ray Eubanks
June 30, 2010
Page 2 of 2

of the comprehensive plan document, but does not show those updates in underline and strike-through format. In addition, the city did not provide comprehensive update of the supporting data and analysis) for the element, instead providing only the Baker County School Board's approved 2009-10 to 2013-14 District Facilities Work Plan. Because Section 163.3177(12), F.S., requires an annual update of the school element, the city should work in collaboration with the school district staff to reflect best available data. To support the PSFE and the update of CIE policy 8.07.03, the city and district should revise the data and analysis for the public school facilities element to include the July 2010 projections of student enrollment (Capital Outlay Full-Time Equivalent), Florida Inventory of School Houses data as certified by the district to the Department in April 2010, and the district facilities work plan that will be in effect at the time the amendment is adopted. If the school board adds or deletes projects in the work plan, the city and district may also need to update the public school facilities element map series.

Again, the Department appreciates the opportunity to comment and is pleased to make Department staff available to assist the city and school district in responding to these comments.

Sincerely,



Tracy D. Suber
Educational Consultant-Growth Management Liaison

TDS/

Enclosure

cc: Mr. Denny Wells, Baker County School Board
Mr. Joseph Addae-Mensa, DCA

Office of
Intergovernmental
Programs

Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary



June 28, 2010

Mr. Ray Eubanks
Plan Review and DRI Processing Team
Florida Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

**RE: City of Macclenny 10-1ER, Proposed Comprehensive Plan Amendment
Objections, Recommendations, and Comments Review**

Dear Mr. Eubanks:

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (DEP or Department) has reviewed the above-referenced amendment submitted by the City of Macclenny (City) under the provisions of Chapter 163, Part II, *Florida Statutes* (F.S.), and Chapters 9J-5 and 9J-11, *Florida Administrative Code* (F.A.C.). Our comments address the potential impacts of the proposed land use designation or policy change on resources or facilities within the purview of the Department's regulatory and proprietary responsibilities. The Department submits the following comments and recommendations to assist your agency in developing the state's response to the proposed amendments.

DEFERRAL OF STANDARDS TO THE LAND DEVELOPMENT REGULATIONS (LDRS)

Policy 1.06.05 of the Future Land Use Element (FLUE) states that the City's LDRs will provide the "locational criteria and standards for the densities and intensities" for the City's Future Land Use categories. Policy 1.07.08 of the FLUE states that through the LDRs, the City shall promote the infill and redevelopment of existing commercial areas.

Recommendations

Meaningful and predictable standards that will guide development and the adoption of natural resource protections should be placed in the Plan. Chapter 9J-5.005(6), F.A.C. provides that the goals, objectives, and policies of a local government's comprehensive plan

Mr. D. Ray Eubanks
Macclenny 10-1ER
June 28, 2010
Page 2 of 2

should establish meaningful standards for the use and development of land, and provide guidelines for the content of more detailed LDRs. The rule also describes LDRs as the strategy for implementing the goals and policies of the comprehensive plan. A comprehensive plan with no standards provides no framework upon which LDR strategies can be formulated. The Department recommends that the City revisit any existing and proposed policies that defer guidance to the LDRs to address the Department's concerns.

We appreciate the opportunity to provide comments on the proposed amendments. Should you have any questions or require additional information, please do not hesitate to contact me at (850) 245-2187 or by email at Jillian.Schatzman@dep.state.fl.us.

Yours sincerely,

Jillian M. Schatzman

Jillian M. Schatzman
Environmental Specialist
Office of Intergovernmental Programs

/jms



"Schatzman, Jillian"
<Jillian.Schatzman@dep.state.fl.us>

06/28/2010 10:27 AM

To "ray.eubanks@dca.state.fl.us"
<ray.eubanks@dca.state.fl.us>
cc "joseph.addae-mensa@dca.state.fl.us"
<joseph.addae-mensa@dca.state.fl.us>, "Schatzman, Jillian"
<Jillian.Schatzman@dep.state.fl.us>

bcc

Subject City of Macclenny 10-1ER Revised Letter

History:  This message has been replied to.

Please see the attached updated review for the City of Macclenny 10-1ER. This letter eliminates DEP's comments regarding the City's wetlands policies as they have been addressed in the existing policies of their comprehensive plan.

Thank you and have a nice day!

Jillian M. Schatzman
Environmental Specialist II
Florida Department of Environmental Protection

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.



Macclenny 10-1ER.doc



4 BW
6/14/10

Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

2198 Edison Avenue
Jacksonville, FL 32204

STEPHANIE C. KOPELOUSOS
SECRETARY

June 4, 2010

Ray Eubanks
Plan Review and Processing Administrator
Plan Review and DRI Processing Team
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

RE: City of Macclenny Proposed EAR-based Amendment

Dear Mr. Eubanks,

FDOT has reviewed the City of Macclenny proposed EAR-based amendment of the Comprehensive Plan for consistency with the requirements outlined in Chapter 163 Florida Statutes and Chapter 9J-5 Florida Administrative Code. The FDOT's review of the EAR-based amendment includes the transportation related issues and offers the following recommendations and comments for your consideration in reviewing the amendment package:

Future Land Use Element:

Policy 1.06.05(h) (Page A-8): This policy provides a description of the Public and Semi-Public land use category. **FDOT Comment:** The policy does not include density standards. Section 163.3177(6) Florida Statutes and Section 9J-5.006(1)(c) F.A.C. requires density standards for all land uses. The FDOT recommends that the City includes a density provision for the Public and Semi-Public land use category.

Traffic Circulation Element:

Policy 2.01.01 (Page B-3): The policy establishes level of service (LOS) standards on the roadways within the City. **FDOT Comment:** The policy provides LOS standards for Principal Arterials, Minor arterials and others. The FDOT recommends that the Freeway classification is included within Policy 2.01.01.

Intergovernmental Coordination Element (Page 31):

City's Policy 7.01.05 (Page G-3): This policy states "*The City shall coordinate with Baker County and FDOT on transportation facilities, including I-10 and will address these issues in its 2009 Evaluation and Analysis Report.*" **FDOT Comments:** The City has not addressed issues concerning Interstate 10 in its 2009 EAR. The City of Macclenny must coordinate with Baker County to monitor and track development trips as they impact segments of I-10. The FDOT recommends that the City, during the EAR-based amendment process, include policies that the City will coordinate with Baker County to monitor and track development trips as they impact I-10.

Capital Improvements Element:

Policy 8.02.01 (Page H-4): The policy establishes LOS standards on the roadways within the City.

FDOT Comment: The policy provides LOS standards for Principal Arterials, Minor arterials and others. The FDOT recommends that the Freeway classification is included within Policy 8.02.01. The FDOT also recommends that the policy provides the transitioning urbanized Area Type.

City's Objective 8.06 (Page H-5): This policy states *"The City hereby adopts a Concurrency Management System, as part of this Comprehensive Plan, which shall be based on the following policies. The land development regulations shall include provisions for the implementation of the Concurrency Management System."*

FDOT Comments:

As stated previously in this review, the FDOT recommends that the City include policies that the City will coordinate with Baker County to monitor and track development trips as they impact I-10.

Additional FDOT Comment: The FDOT recognizes that the City of Macclenny is designated a Dense Urban Land Area (DULA) by the Florida legislature. The City has not adopted land use and transportation strategies consistent with requirements of SB 360 to support and fund mobility within the exception area. The City must adopt land use and transportation strategies in the Comprehensive Plan to support and fund mobility consistent with the provisions of SB 360 (2009).

Thank you for coordinating the review of the above mentioned proposed EAR-based amendment of the Comprehensive Plan with FDOT. If you have any questions, please do not hesitate to contact me.

Sincerely,

Richard Prindiville, Traffic Analyst for:
Thomas Hill, Growth Management Administrator
Florida Department of Transportation
Jacksonville Urban Office
2198 Edison Avenue, MS 2812
Jacksonville, FL 32204-2730
Phone: (904)360-5664
Email: richard.prindiville@dot.state.fl.us



4 BW
6/21/10

FLORIDA DEPARTMENT OF STATE
Dawn K. Roberts
Interim Secretary of State
DIVISION OF HISTORICAL RESOURCES

June 17, 2010

Mr. Ray Eubanks
Department of Community Affairs
Bureau of State Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

Re: Historic Preservation Review of the Macclenny 10-1ER Comprehensive Plan
Amendment (Baker County)

Dear Mr. Eubanks:

According to this agency's responsibilities under Section 163, *Florida Statutes*, and Chapter 9J-5, *Florida Administrative Code*, we reviewed the above document to determine if data regarding historic resources were given sufficient consideration in the request to amend the Macclenny Comprehensive Plan.

We reviewed proposed text amendments to various elements of the Macclenny Comprehensive Plan to consider the potential effects of these actions on historic resources. In the Future Land Use Element, Objective 1.10 was amended to enhance historic housing protection by improved regulatory controls and incentives. Policy 1.10.01 indicates that the city will complete and maintain an inventory of historic resources by 2013. Policy 1.10.05 has been amended to devise a mechanism to locate and evaluate historic sites and properties by 2014. The most effective method of locating and evaluating archaeological sites and historic properties is by means of a comprehensive cultural resource assessment survey. Policy 1.10.06 requires adaptive reuse of historic landmarks under certain conditions.

In the Housing Element, Objective 3.06 and implementing policies which address the identification and protection and preservation of historic housing has not been changed.

Before the City of Macclenny can address effective methods of protecting significant archaeological sites and historic structures, a comprehensive cultural resources assessment must be undertaken to locate and evaluate its resources. Once identified, the most effective method of site protection is by means of a well-written local historic preservation ordinance.

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

Director's Office
850.245.6300 • FAX: 245.6436

Archaeological Research
850.245.6444 • FAX: 245.6452

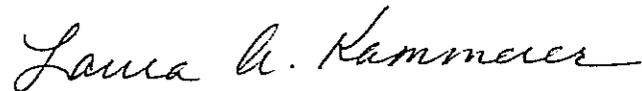
Historic Preservation
850.245.6333 • FAX: 245.6437

Mr. Eubanks
June 17, 2010
Page 2

While our cursory review suggests that the proposed changes may have no adverse effects on historic resources, it is the city's responsibility to ensure that the proposed revisions will not have an adverse effect on significant archaeological or historic resources.

If you have any questions regarding our comments, please feel free to contact Susan M. Harp of the Division's Compliance Review staff at 850.245.6333.

Sincerely,

A handwritten signature in cursive script that reads "Laura A. Kammerer".

Laura A. Kammerer, Historic Preservationist Supervisor
Compliance Review Section
Bureau of Historic Preservation

xc: Ms. Brenda Winningham

FORM C-7

NORTHEAST FLORIDA REGIONAL COUNCIL

**REGIONAL PLANNING COUNCIL
AMENDMENT REVIEW FORM
FY 2009-2010**

1. Local Government Name: Macclenny
2. Amendment Number: 10-1ER
3. Is the RPC precluded from commenting on the proposed plan or element pursuant to s. 163.3184(5), F.S., or Rule 9J-11.0084, L.O.F.; or commenting on the proposed amendment pursuant to s. 163.32465(4)(b), F.S.? (YES) (NO)
4. Date DCA Notified RPC that Amendment Package was Complete, if Applicable: May 18, 2010
5. Date Amendment Review must be Completed and Transmitted to DCA: June 16, 2010
6. Date the Amendment Review was transmitted to DCA: June 4, 2010
7. Description of the Amendment:

The amendment corresponds to the proposed Evaluation and Appraisal Report (EAR) based amendments transmitted by the City of Macclenny on May 12, 2010. Based on the findings in the EAR, this amendment includes updated objectives and policies, with corresponding background data and analysis. Additionally, objectives and policies that are no longer relevant are proposed for deletion, and new objectives and policies implementing recommendations contained within the EAR have been added.

The amendment contains the requisite update of the Comprehensive Plan map series, as required by Chapter 163, Florida Statutes, and Rule 9J-5, Florida Administrative Code. It is important to note that no changes affecting the assignment of Future Land Use categories for individual properties have been included as part of this amendment.

Please complete the following table for each individual proposed amendment to the Future Land Use Map (**FLUM**) only:

| Existing FLUM Category | Proposed FLUM Category | Existing Maximum Density (DU/Acre) | Proposed Maximum Density (DU/Acre) | Existing Maximum Intensity (FAR) | Proposed Maximum Intensity (FAR) | Net Increase or (Decrease) in Maximum Density | Non-Residential Net Increase or (Decrease) in Potential Floor Area |
|------------------------|------------------------|------------------------------------|------------------------------------|----------------------------------|----------------------------------|---|--|
| | | | | | | | |
| | | | | | | | |

Note: There are no changes affecting the assignment of Future Land Use categories for individual properties included as part of this amendment.

8. Is the Amendment consistent with the Strategic Regional Policy Plan?

Generally, Amendment 10-1ER is consistent with the Strategic Regional Policy Plan.

9. Applicable Strategic Regional Policy Plan Goals and Objectives:

This amendment is generally consistent with the following SRPP Goals and their corresponding objectives:

Regional Goal 4.1 *Improve water quality in surface waters identified as NRSS in the region to meet human and ecosystem needs, achieve state water quality standards.*

Regional Goal 4.2 *Assure and adequate supply of water both in quantity and quality for present and future human, economic development, and ecosystem needs.*

Regional Goal 5.1 *To develop a regional transportation system which optimizes the movement of citizens and goods in northeast Florida while protecting the environment.*

10. The effects on the Proposed Amendment on Regional Resources or Facilities Identified in the Strategic Regional Policy Plan:

No impacts to natural resources in addition to those identified later in this report were identified.

11. Extra-Jurisdictional Impacts that would be Inconsistent with the Comprehensive Plan of the Affected Local Government:

No extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of an affected local government were identified.

Analysis of the effects of the proposed amendments on the following issues to the extent they are addressed in the Strategic Regional Policy Plan on:

12. Compatibility among local plans including, but not limited to, land use and compatibility with military bases:

This amendment is compatible with local plans and military bases, noting that there are no military bases in or around Macclenny.

13. Impacts to significant regional resources and facilities identified in the Strategic Regional Policy Plan, including, but not limited to, impacts on groundwater recharge and the availability of water supply:

The amendment has some positive impacts on the resources identified in the Strategic Regional Policy Plan. Included in the amendment are new policies requiring specific erosion control methods to protect natural resources; provisions for incentivizing integration of natural topographic features into development projects; requiring that the City adopt a Master Stormwater Management Plan; providing incentives for developing outside of the floodplain; and the use of cluster developments and innovative site planning to protect natural resources.

14. Affordable housing issues and designation of adequate sites for affordable housing:

The amendment contains several changes to the Housing Element that have a positive effect on ensuring that there is safe and energy efficient affordable housing within the County. Specifically, the amendment contains requirements for:

- Expedited permitting for affordable housing projects;
- Waiving of certain fees minimizing expenses for affordable housing projects;
- Density bonuses for affordable housing projects; and
- Allowing for accessory dwelling units in all residential districts.

15. Protection of natural resources of regional significance identified in the Strategic Regional Policy Plan including, but not limited to, protection of spring and groundwater resources, and recharge potential:

The EAR based amendments contains stronger language to protect water resources. The Conservation Element contains a new Objective 5.10 and corresponding policies that protect and conserve the natural functions of existing wetlands through:

- Mandating wetland mitigation in instances where impacts to wetlands cannot be avoided;
- Criteria for determining where there is no practicable alternative to avoiding wetland impacts;
- Requiring that Best Management Practices be used for stormwater runoff and other discharging; and
- Mandating that all stormwater treatment systems undergo annual monitoring.

16. Compatibility with regional transportation corridors and facilities including, but not limited to, roadways, seaports, airports, public transportation systems, high speed rail facilities, and intermodal facilities:

The City of Macclenny is a *Dense Urban Land Area (DULA)* community. As a DULA community, the entire City is within a Transportation Concurrency Exception Area (TCEA).

Comment: Macclenny is now, by statute, within a TCEA. Pursuant to s. 163.3179, F.S., Macclenny must "adopt into its comprehensive plan land use and transportation strategies to support and fund mobility within the exception area." In recognition of US 90 being a regional facility, staff encourages Macclenny to include, as part of the adopted EAR Based Amendments, strategies that will address regional facilities within the TCEA or include stakeholders such as the Northeast Florida Regional Council and adjacent jurisdictions in the development of transportation and mobility strategies.

17. Adequacy and compatibility with emergency preparedness plans and local mitigation strategies including, but not limited to, the impacts on and availability of hurricane shelters, maintenance of county hurricane clearance times, and hazard mitigation:

Generally, the amendment is compatible with emergency preparedness plans and local mitigation strategies.

18. Analysis of the effects of extra-jurisdictional impacts which may be created by the amendment:

No extra-jurisdictional impacts in addition to those previously identified in this report were identified.

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.