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Subject: Staff Reports? 2020-277

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Ord. 2020-277: Concerns, questions and objections

ORD Apv 2020B Series Text Amendmnt to Future Land Use Element (FLUE) & Transportation Element of 20
Business District (CBD) Future Land Use Category within FLUE & Amend Objectives & Policies of FLUE &
Growth & Developmnt in Downtown for Transmittal to State of FL's Various Agencies for Review; Providing
Transmitted herein Shall Not be Construed as Exemption from Any Other Applicable Laws. (Parola) (Request
Introduced: LUZ 6/16/20 LUZ Read 2nd & Rerefer 6/23/20 CO Read 2nd

To the City of Jacksonville:
Attention: LPA, City Council, Planning Department, Mayor Curry

First, I repeat my general recommendation that the City of Jacksonville needs to separate the Planning Commission into two decision making bodies so that critical Comprehensive Planning matters are given the attention they require instead of merely an after thought by the body functioning as a Board of Adjustments making quasi judicial decisions on variances, exceptions, minor modifications, and hearing appeals of administrative deviations. Perhaps the Planning Commission's roles as the Local Planning Agency, Land Development Regulation Commission and in Community Planning are not their priorities?

All meetings of the Local Planning Agency are required to be public meetings.

FS 163.3181 Public participation in the comprehensive planning process; intent....

“(1) It is the intent of the Legislature that the public participate in the comprehensive planning process to the fullest extent possible. Towards this end, local planning agencies and local governmental units are directed to adopt procedures designed to provide effective public participation in the comprehensive planning process”

There should be public access to Planning from the ground up, to participate in planning workshops, to be heard and not just to react to developers' applications. While in its role as LPA, the Planning Commission is designated to “prepare” the Comprehensive Plan and Plan

amendments, I rarely hear anything other than approval of what applicants put before them through the Planning Department's reports of approvals. Is there any indication Planning Commissioners are really involved in "preparing" anything? "During the preparation of the plan or plan amendment and prior to any recommendation to the governing body, the local planning agency shall hold at least one public hearing, with public notice, on the proposed plan or plan amendment. " Yet, The Notice Of Public Hearing of a FLUM Amendment before the LPA states "Opportunity to speak at the discretion of the Chairman."

Then, according to Florida Statutes, "...final recommendation of the adoption of such plan or plan amendment to the governing body shall be the responsibility of the local planning agency." For that important LPA role in City policy, why is there not a separate decision making body than the one consumed for lengthy time periods on many quasi judicial board of adjustment items at the beginning of every meeting?

Over the last year, transparency and public access to the Planning Commission has been substantially reduced.

The public record "books" provided to the Planning Commission Members in advance of LPA meetings are no longer posted. P

The archives have been removed from the public site, even though some items continue on agendas for months.

The once standard practice of posting transcripts and access to multiple meeting agendas has ended.

Access to results agendas are not timely available before the items go to the LUZ Committee.

Changes to the Comprehensive Plan for the benefit of the community overall are not emphasized and go unnoticed.

Land use attorneys for private applicants have admitted to proposing text amendments for their clients.

Residents and neighborhoods have little or no opportunity to identify Planning needs to be translated into text.

Formal exercises of visioning are Vision Plan books shelved and issued identified never addressed.

Jacksonville needs a Community Development Board or a Local Planning Agency separate from its board of adjustments focus of the Planning Commission.

As to 2020-277, I am unclear of the rationale for the bill or it's full implications.

It appears to be a transmittal with an opportunity to seek additional information and provide comments.

"Approve?" The bill title fails to specifically state approved only for "**transmittal**"

But, it does mention transmittal **later in the title**. Please confirm there will be an adoption round of hearings and votes required for the proposed text amendment and that the application of the text will be limited to the designated Central Business District?

The summary uses the terms "approves" and "amends" as though final City action. Is it?

The bill title of 2020-277 gave me no indication of the laundry basket nature of this bill!

In fact, it gave the impression it was the Mayor's request limited to facilitation of needed development of the CBD which I would generally support. The legislative summary described it as a bill related to "downtown." But I now question if this bill applies to the entire county, including to the recent trend of increasing density in thousands of acres of wetlands without even CSV designations of the most sensitive areas, failing to even attempt to facilitate clustering of existing rights but to increase them. Approvals are being given for density increases on the whole or large acreages and I want to know if this bill will have any impact on that objectionable practice.

What is meaning of "vetted" as to reports and recommendations?

No Planning staff or LPA reports of recommendation were included in the legislative materials as typical before enactment.

i.e., there did not appear to be a Staff report or an LPA recommendation filed with the text "approval" (for transmittal) Ordinance.

Again, the bill title and legislative summary may be *misleading* in giving the appearance this is a Central Business District bill if it is not so limited.

This language among others for the text is objectionable (specific highlights added):

"When a specific maximum development density or intensity is not stated on the Annotated Future Land Use Map or in a site-specific policy, the City of Jacksonville shall use the following as the *assumptions* for maximum development when analyzing the impacts of amendments to the Future Land Use Map (FLUM). The following development impact standards *do not limit* the development potential of any site. For the purposes of this policy, Floor Area Ratio (FAR) is defined as the ratio of gross floor area of all structures on a lot to gross lot area."

"ASSUMPTIONS?"

Do not limit development potential?

What kind of language is that for land use Planning?

I remember decades ago when DCA filed objections warning of creating universal categories and language was not adopted!

I was unable to obtain before the LPA meeting the information the LPA would have received on the plan issues because that information is no longer provided online, it was denied me from my request of the staff who prepares the books for the PC/LPA and public records requests made through the City's cumbersome process can not be processed in time to have them in advance of the PC/LPA Meeting.

Unfortunately, the City does not provide for citizens being on the same correspondence to receive LPA/PC agenda books as done by the Regional Council and by other cities, even though that's public record.

Date of Waterways Commission meeting and recommendation? Please provide.

The City has long needed review and improvement of its CCME to better *protect* the wetlands, marshes and provide better for flood controls and evacuation issues. Much of the Plan's wording has been tweaked over years to enable all development as "economic" development at the expense of protecting and improving neighborhoods and with little protection of the

environment. I am concerned when anything related to development there in wetlands seems to be quietly slipped into a bill that does not name categories.

Therefore, I specifically question the “AGR” category information and request information on the impacts of this text amendment. Large areas of salt marshes have been quietly subdivided and sold off, such as at the ICW. The old paper maps often didn’t even have real estate numbers on marshes that everyone presumed were truly undevelopable wastelands. It has been impossible to follow the trail of some of the activity in highly sensitive marshes where new homes seem to just be added on to PUD’s without an identifiable process.

Salt Marshes and high functioning wetlands were apparently given AGR in Jacksonville instead of appropriately designated CSV too many times. Protecting them is critical. Hurricane evacuation clearance for the county and locational and site specifics including SFHA must be considered. Yet, the CCME is deficient in policies to apply to protect wetlands, CHHAs, marshes. Staff reports often fail to adequately address highly sensitive areas while density increases are readily given.

While the City has given lip service to flooding and resiliency, private applications have been approved for large parcels of wetlands to be granted higher density categories by private applications for development. Large acreages of AGR lands are being positioned for development. Rural and farming areas are being changed to facilitate 60’ lot car dependent zoning districts in isolation of mixed uses. If the text of the plan is to be changed to apply to AGR, that should be specifically clear in a bill title and analysis.

This appears to be a transmittal that will return for adoption. Is that correct? However, if this is intended to be an “adoption” bill, please provide links, references, or documents that provide for a single cycle.

If so, what relationship and effect was intended?

I own property in Planning District 2 in a marsh front neighborhood that borders AGR designated wetlands. I was a party in the challenge of the “Moody” plan amendment at the ICW, am involved in the Pablo Point Community Wildlife Habitat Project, and have been a member of the American Planning Association for about 20 years (currently VA, NC, FL chapters).

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