

**Staff Report on**  
**Proposed Application for Abandonment of the**  
**Consolidated Downtown Development of Regional**  
**Impact (DRI) and Development Order (DO)**  
**ORDINANCE 2020-694**

Ordinance 2020-694 is proposed to abandon the existing City of Jacksonville Consolidated Downtown Development of Regional Impact (DRI) and associated Development Order (DO). This Abandonment Application represents the next step in a process started last year to simplify the regulatory procedures for development and redevelopment in downtown Jacksonville, enhance economic growth, and achieve the City's vision for downtown Jacksonville.

The City of Jacksonville Downtown Investment Authority (DIA) is leading the effort to abandon the Consolidated Downtown Development of Regional Impact (DRI) and rescind the Development Order in accordance with Ch. 380.06(11), Florida Statutes. The DRI Abandonment is also consistent with the City's Comprehensive Plan Future Land Use Element Policy 2.3.16 which states, "Prior to proceeding with development rights authorized in Phases II or III of the Downtown DRI, the City shall either rescind or abandon the DRI pursuant to Section 380.06, F.S., or adopt a project specific Notice of Proposed Change ("NOPC") acknowledging the authorized Phase II and Phase III development rights will be governed by the City Mobility Fee System. "

This application is related to the proposed Comprehensive Plan Text Amendments (Ordinance 2020-277) the City Council approved for transmittal to the Florida Department of Economic Opportunity on August 11, 2020, and the proposed Zoning Code Amendments running concurrently with this application. The Comprehensive Plan Text Amendments are anticipated to come back to the City Council in January 2021 for final approval, alongside this DRI Abandonment Application and the Zoning Code Amendments.

The DRI program was initially created by the Florida Legislature in 1972 to identify regional impacts from large developments and require development order provisions to mitigate these impacts. The City of Jacksonville adopted three (3) DRI Development Orders in the Downtown area: the Southside DRI in 1983; the Northside West DRI in 1986; and the Northside East DRI in 1991. These three (3) DRI Development orders were then consolidated into one (1) DRI Development Order in 1992. Since that time, the Florida Legislature has drastically changed DRI legislation.

Today, a DRI would not be required for new large-scale development in Downtown Jacksonville. Additionally, in 2018 the Florida Legislature eliminated state and regional review of changes to existing DRIs. Changes to, and abandonments of, existing DRIs are now only to be considered by the local government that issued the Development Order pursuant to local development review procedures.

Once the Consolidated Downtown DRI is abandoned, all development within the area once encompassed by the DRI must be consistent with the goals, objectives, and policies of the City's Comprehensive Plan, Zoning Code, Mobility Plan, and DIA Business Investment and Development Plan. Local, state, and federal regulations have expanded since the DRI was originally approved and the Development Order conditions are no longer valid or necessary. The DIA and their consultants have prepared written explanations for how each existing DRI Development Order condition has been met, is no longer applicable, or will continue to be implemented in the future.

The primary goals of the DRI abandonment process, and concurrent Comprehensive Plan and Ordinance Code Text Amendments, are to more clearly present the policies regulating development in downtown Jacksonville and to allow development and redevelopment within the downtown area to move at a pace that can better respond to market demands. It should be noted that the development entitlements approved by the DRI are being maintained. These entitlements will not be increased or decreased as a result of this application.

The Planning and Development Department recommends **APPROVAL** of the Application for Abandonment of the City of Jacksonville Consolidated Downtown Development of Regional Impact and Development Order by **Ordinance 2020-694**.

1 Introduced by the Council President at the request of the Mayor:  
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4 **ORDINANCE 2020-694**

5 AN ORDINANCE ABANDONING THE CONSOLIDATED  
6 DOWNTOWN DEVELOPMENT OF REGIONAL IMPACT (DRI)  
7 PURSUANT TO SECTION 380.06, FLORIDA STATUTES;  
8 ABANDONING RESOLUTION 92-392-489, AS AMENDED,  
9 WHICH APPROVED THE DEVELOPMENT ORDERS FOR THE  
10 CONSOLIDATED DOWNTOWN DRI; FINDING THAT ALL  
11 CONDITIONS OF THE DEVELOPMENT ORDERS FOR THE  
12 CONSOLIDATED DOWNTOWN DRI HAVE BEEN MET, ARE NO  
13 LONGER APPLICABLE, OR WILL CONTINUE TO BE  
14 IMPLEMENTED THROUGH THE CITY OF JACKSONVILLE  
15 COMPREHENSIVE PLAN AND LAND DEVELOPMENT  
16 REGULATIONS; DIRECTING FILING OF A NOTICE OF  
17 ABANDONMENT WITH THE CLERK OF THE CIRCUIT COURT  
18 PURSUANT TO SECTION 380.06(11), FLORIDA  
19 STATUTES; PROVIDING AN EFFECTIVE DATE.  
20

21 **WHEREAS**, the Council adopted and approved the Consolidated  
22 Downtown Development of Regional Impact (DRI) Development Order by  
23 Resolution 92-392-489, and subsequently, has amended the Development  
24 Order by various Resolutions and Ordinances, as was required by  
25 Section 380.06, *Florida Statutes* (development orders); and

26 **WHEREAS**, Section 380.06, *Florida Statutes*, has been amended  
27 over time to remove DRI requirements and the Downtown Investment  
28 Authority, in collaboration with the Planning and Development  
29 Department, initiated the process and procedures to abandon the  
30 Consolidated Downtown DRI, and its associated development orders, to  
31 simplify the regulatory procedures for development and redevelopment

1 in Downtown, enhance economic growth, and achieve the City of  
2 Jacksonville's vision for Downtown; and

3 **WHEREAS**, the Planning and Development Department has submitted  
4 recommendations concerning the abandonment of the Consolidated  
5 Downtown DRI, and its associated development orders; and

6 **WHEREAS**, the Land Use and Zoning Committee has reviewed the  
7 abandonment of the Consolidated Downtown DRI, and its associated  
8 development orders, and made its recommendation to the Council; and

9 **WHEREAS**, a public hearing was properly noticed and held by the  
10 Council pursuant to Section 380.06, *Florida Statutes*; and

11 **WHEREAS**, after such public hearing and in consideration of the  
12 recommendations made and submitted to the Council, the Council desires  
13 to abandon the Consolidated Downtown DRI, and its associated  
14 development orders; now, therefore

15 **BE IT ORDAINED** by the Council of the City of Jacksonville:

16 **Section 1. Consolidated Downtown DRI Abandoned.** The  
17 Consolidated Downtown DRI, and its associated development orders, are  
18 hereby abandoned pursuant to Section 380.06(11), *Florida Statutes*.  
19 The Council finds that all conditions of Resolution 92-392-489, as  
20 amended, which approved the development orders for the Consolidated  
21 Downtown DRI have been met, are no longer applicable, or will continue  
22 to be implemented through the City of Jacksonville Comprehensive Plan  
23 and land development regulations, as described in **Exhibit 1, attached**  
24 **hereto**. Pursuant to Section 380.06(11), *Florida Statutes*, all  
25 development following abandonment shall be fully consistent with the  
26 Comprehensive Plan and applicable zoning regulations in place at the  
27 time of such future development.

28 **Section 2. Notice.** Pursuant to Section 380.06(11),  
29 *Florida Statutes*, the Office of General Counsel is directed to prepare  
30 and file a notice of the abandonment approved herein with the Clerk  
31 of the Circuit Court for Duval County.

1           **Section 3.           Effective Date.** The enactment of this Ordinance  
2 shall be deemed to constitute a quasi-judicial action of the City  
3 Council and shall become effective upon signature by the Council  
4 President and the Council Secretary.

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6 Form Approved:

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8       /s/ Shannon K. Eller      

9 Office of General Counsel

10 Legislation Prepared By: Shannon K. Eller

11 GC-#1400228-v1-2020-694\_Downtown\_DRI\_Abandonment

## CONSOLIDATED DEVELOPMENT ORDER

The following Consolidated Development Order language combines the regulatory provisions of each component DRI into one document. In consolidating the disparate provisions of each Development Order into a single Consolidated Development Order, it is the applicant's intent to fully preserve the relevant provisions of the component DRI's Development Orders. It is also the applicant's intent to have future changes to the Consolidated Development Order reviewed and assessed on the impacts or effects on each component DRI area.

Like the existing Development Orders, the proposed Consolidated Development Order is formatted to provide a General Conditions section and Specific Conditions section. The General Conditions portion of the Consolidated Development Order combines the general provisions of the three component DRIs (including annual monitoring report requirements) into a single section. The Specific Conditions section also combines and reflects by reference the adopted provisions of each of the component DRI Development Orders. Additionally, both the General Conditions and Specific Conditions sections of the Consolidated Development Order contain newly created language, which implement the changes proposed by this "Notice."

### Section A. The Council Finds as Follows

1. This Ordinance shall constitute the Development Order (hereafter referred to as the Consolidated Development Order) for the downtown development area. The downtown development area encompassed by this Consolidated Development Order is comprised of all lands incorporated into the previously approved Southside, Northside West and Northside East Development Orders and the additional 35.3 acre tract added to the Northside East (the legal descriptions of which are attached hereto as Attachments L-1, L-2 and L-3, respectively). Maps illustrating the Southside, Northside West and Northside East Component DRI Areas are attached hereto as maps 1, 2 and 3, respectively.

***Once the City of Jacksonville's Downtown Development of Regional Impact (DRI) is abandoned, development within the area once encompassed by the DRI must be consistent with the goals, objectives, and policies of the City's Comprehensive Plan, Zoning Code, Mobility Plan, and DIA Business Investment and Development (BID) Plan. The lands within the limits of the DRI are designated as the Central Business District (CBD) Future Land Use (FLU) category as shown on the City's adopted FLU Map. Text amendments (Ordinance 2020-277) to the FLU Element and other applicable elements of the Comprehensive Plan are being concurrently processed to maintain the development entitlements approved within this DRI and ensure development and redevelopment within the CBD FLU remains consistent with the City's goals and vision for development in the downtown area once the Consolidated DRI***

***and this Development Order are abandoned. These text amendments were approved by the City Council for transmittal to the Florida Department of Economic opportunity on August 11, 2020 and are expected to come back to the City Council for final approval in December 2020.***

***The lands within the limits of the DRI are designated as Central Commercial Business District (CCBD) or Planned Unit Development (PUD) on the City's adopted Zoning Atlas and regulated by the Downtown Overlay Zone and Downtown District Use and Form Regulations (Ordinance 2019-196-E, Zoning Code Sec. 656.361.1 – 656.361.9). These development standards will remain in place once the DRI is abandoned and do far more to shape the form and function of the downtown area than the DRI Development Order ever has.***

***The conditions addressing transportation issues in this Development Order were based on the transportation concurrency management system required at the time the D.O. was adopted. In 2011, Senate Bill 360 was passed which eliminated the need for transportation concurrency. The intent of the City of Jacksonville's 2030 Mobility Plan was to replace the transportation concurrency management system with a holistic mobility approach that applies a fee system to new development based upon the link between land development and transportation. The City's 2030 Mobility Plan and Ordinance Code Chapter 655, Part 5 – Mobility System establishes and implements a predictable and balanced system. The 2018 Mobility System Plan update is currently in the process of implementation.***

***The Mobility Plan consists of 10 Mobility Zones. Zone 10 covers the downtown area and its boundaries are consistent with the CBD FLU boundaries and the boundaries of the Consolidated Downtown DRI. A fee based on vehicle miles traveled (VMT) is established for each zone. The proposed new fee for zone 10 is \$19.79 per VMT. This fee is reassessed and adjusted as needed every five (5) years. In order to pass the legally required Rational Nexus test, money raised within each Mobility Zone must be spent within that same zone. The projects must also create additional capacity; therefore mobility fees cannot be used for maintenance or repair projects.***

***Projects funded by mobility fees are identified as either motorized or non-motorized projects. The proposed split between these two types of projects within Zone 10 is 32% Motorized and 68% Non-motorized. Funds are dispersed into Mobility Zone Special Revenue Fund accounts based upon this split per Ordinance Code Sec. 111.546 – Mobility Fee Zone Special Revenue Fund. Projects must be on the Projects Lists included in the Mobility Strategy Plan in order to be eligible for any mobility fee dollars.***

***The BID Plan consists of the Community Redevelopment Area (CRA) Plans for the North Bank Downtown and Southside CRAs. This Plan provides policy,***

***programmatic and fiscal direction for the CRA as the DIA sets forth to realize a world-class Downtown urban landscape and waterfront. The Plan is specifically designed to:***

- ***Establish a Community Redevelopment Plan that provides mechanisms to realize a bold vision for the North Bank Downtown CRA and Southside CRA characterized by attractive housing alternatives, welcoming parks, walkable streets, enticing retail, enhanced cultural institutions, and accessible parking.***
- ***Offer consistency over time, regardless of governmental and business leadership changes.***
- ***Comply with the statutory requirements pursuant to Section 163.362, Florida Statutes.***
- ***Establish relevancy and appropriateness of past downtown plans and incorporate priority elements from each that are still relevant.***
- ***Define the strategic framework, conceptual themes, goals, and objectives for the future of the North Bank Downtown CRA and Southside CRA.***
- ***Include a Residential Use Element that identifies any shortages of affordable housing and replacement and/or relocation remedies, if indicated.***
- ***Include a Neighborhood Impact Assessment of traffic and transportation, environmental quality, facilities, and matters affecting the physical and social quality of the neighborhood.***
- ***Identify specific priority redevelopment capital improvement projects and other recommended redevelopment project elements to be completed.***
- ***Provide projected costs of the recommended improvement projects; amount to be expended and any anticipated indebtedness to be repaid with the tax increment finance revenues from the three respective Redevelopment Trust Funds.***
- ***Fold in relevant principles and guidelines from the Downtown Master Plan.***

***Additionally, there are a number of other plans and strategies that define the City's goals for development in the downtown area, i.e. the LaVilla Neighborhood Development Strategy, the Jacksonville Parking Study, the Riverfront Design Guidelines and Activity Node Plan, the Riverwalk Design Standards, the Cathedral District Master plan, and the Downtown Riverfront Investment Strategy. Part of the BID Plan update recently advertised by the DIA, will be to incorporate and unify elements from these plans and strategies***



*into the BID Plan making it a more comprehensive and consistent document.*

2. The Consolidated Development Order shall not modify the previously established boundaries of the Southside and Northside West Downtown DRIs. The boundary of the Northside East DRI shall be modified as reflected in Attachments L-3 and Map 3. Wherein conditions of this Consolidated Development Order reference specific DRI areas within the downtown development area, such conditions shall be deemed to apply only to new development within that DRI area.

***Only properties within the DRI are designated as the CBD FLU as shown on the City's adopted FLU Map and the CBD FLU boundaries are not subject to change with the DRI abandonment.***

3. In the event that any provision of the Consolidated Development Order conflicts with any condition or restrictions incorporated into any of the documents described in Subsections B.1 (a-c) below, this Consolidated Development Order shall be deemed to supersede the same.

***Once the City of Jacksonville's Downtown Development of Regional Impact (DRI) is abandoned, new development within the area once encompassed by the DRI must be consistent with the goals, objectives, and policies of the City's Comprehensive Plan, Zoning Code, Mobility Plan, Business Investment and Development Plan, and other applicable design documents and/or master plans. For additional information on these policies and regulations, see the detailed response to Section A.1 above.***

4. All existing General and Specific Conditions of the component Development Orders shall remain, except as amended by this Consolidated Development Order.

***All General and Specific Conditions of the component Development Orders will also be nullified upon approval of this DRI Abandonment Application by the City of Jacksonville.***

5. The Northside East DRI Application for Development Approval and other supplemental documents referenced in Subsection B.1.a. below have been modified to combine Phase I and II into a new Phase I. Phase III is now Phase II and Phase IV is now Phase III. The buildout dates of Phases I, II, III are extended to December 31, 2010, December 31, 2015, and December 31, 2020, respectively.

The Northside West DRI Application for Development Approval and other supplemental documents referenced in Subsection B.1.b. below are hereby amended to extend the buildout dates of Phases I, II and III are extended [sic] to December 31, 2010, December 31, 2015, and December 31, 2020, respectively.

The Southside DRI Application for Development Approval and other supplemental documents referenced in Subsection B.1.c. below are hereby amended to combine Phase I and II into a single phase hereafter referred to as Phase I so that Phase III is now Phase II and to add a new Phase III. The buildout dates of Phases I and II are extended to December 31, 2010 and December 31, 2015, respectively, and the buildout date of Phase III shall be December 31, 2020.

This Consolidated Development Order shall terminate on December 31, 2020, which date reasonably reflects the time required to complete approved development within the consolidated development area.

The proposed revised phasing schedules for the DRIs are shown in Revised Tables 1 and 2 dated August 13, 2001 below:

**REVISED TABLE 2 (PHASES EXTENDED VIA EXECUTIVE ORDERS)**

DRI Area	Phase I	Phase II	Phase III
Southside	1982 – Nov. 29, 2019	Jan 1, 2017 - 1982 – Nov. 29, 2024	Jan 1, 2022 - 1982 – Nov. 29, 2029
Northside West	1982 – Nov. 29, 2019	Jan 1, 2017 - 1982 – Nov. 29, 2024	Jan 1, 2022 - 1982 – Nov. 29, 2029
Northside East	1982 – Nov. 29, 2019	Jan 1, 2017 - 1982 – Nov. 29, 2024	Jan 1, 2022 - 1982 – Nov. 29, 2029

***The entitlements approved by this DRI are available for utilization within the concurrently pending CBD FLU and are identified in Tables L-1.A, L-1.B, and L-3 within the proposed amendments to the Future Land Use Element of the Comprehensive Plan (Ordinance 2020-277) which are running concurrently with this DRI Abandonment application. Phasing will no longer be applicable to these entitlements. The Comprehensive Plan text amendments retaining these entitlements will be adopted prior to the expiration of this DRI.***

6. The land use trade-off mechanism attached as Supplement 1 is hereby adopted and incorporated into this Consolidated Development Order.

***Land use trade-off mechanisms will be included as Tables L-2 and L-4 to be incorporated into CBD FLU category description of the FLU Element of the Comprehensive Plan, as part of the proposed Comprehensive Plan text amendments (Ordinance 2020-277).***

7. All uses reflected in the land use trade-off mechanism incorporated herein as Supplement 1 area hereby authorized to occur within each of the component DRI areas, subject to the provisions of Supplement 1, or Sections 380.06(19) and (22), Florida Statutes, as appropriate.

***Land use trade-off mechanisms will be included as Tables L-2 and L-4 to be incorporated into FLU Element of the Comprehensive Plan, as part of the proposed Comprehensive Plan text amendments (Ordinance 2020-277).***

8. Applicant may proceed with any approved development of any proposed land use in any subsequent phase prior to the commencement dates specified for that phase in revised Table 2, subject to:

- a) All transportation improvements or transportation mitigation have been committed for construction or constructed, or Applicant has provided a traffic study, prepared in a manner consistent with generally accepted traffic engineering practices and consistent with the provisions of Table 3 of Section 16 of this development order, which indicates the amount of development which can proceed without adversely affecting the applicable level of service standards, and the proposed development either does not consume 10 percent or greater of the acceptable level of service standard of the applicable transportation link or does not exceed the amount of development which the traffic study indicates can be constructed without adversely impacting applicable level of service standards,
- b) Compliance with any provision of this Development Order regarding the specific land use including the provision of any required transportation improvements to accommodate such use,
- c) Administrative approval by the City of Jacksonville Director of Planning and Development or any subsequent designee of the City of Jacksonville; and
- d) Giving not less than 30 days' notice to the JPDD, DCA, and NEFRC prior to exercising any subsequent phase development rights.

If allocation agreements or building permits for all development within a phase have not been issued within the time period specified for that phase, any unused development rights may be carried forward to the next phase, provided that Applicant satisfies each of the conditions set forth in this paragraph 8(a), 8(b), 8(c), and 8(d) above.

The acceptable level of service standard is defined as level of service (LOS) "D" for principal arterials, LOS "E" for minor arterials, or as may be defined in the future.

As used herein, "committed for construction" means that the improvement is funded for construction within the first three (3) years of the current adopted First Coast Metropolitan Planning Organization (MPO) Five-year Transportation Improvement Program.

***Phasing will no longer be applicable to the CBD FLU category. Development within the area once encompassed by the DRI must be consistent with the City's adopted Mobility Plan and Mobility Fee system. For additional information on how the Mobility Plan is applicable to development in the downtown area, see the detailed response to Section A.1 in this document.***

9. The modified DRI is consistent with the City of Jacksonville 2010 Comprehensive Plan and the extension of the phasing schedules and buildout dates will not result in any additional regional impacts.

***Development within the area once encompassed by the DRI must be consistent with the goals, objectives, and policies of the City's Comprehensive Plan, Zoning Code, Mobility Plan, Business Investment and Development Plan, and other applicable design documents and/or master plans. For additional information on these policies and regulations, see the detailed response to Section A.1 in this document. The companion FLUE text amendments capture existing development rights. Therefore, there will be no change to the developments rights approved for the DRI.***

10. The public hearing to consider this Ordinance was properly noticed and held by the City Council pursuant to Section 380.06, Florida Statutes (2000).

***The City of Jacksonville City Council will take final action on the DRI Abandonment application in accordance with Chapters 163 and 380.06, Florida Statutes and Chapters 650 and 656 City Ordinance Code.***

## **Section B. General Conditions**

1. The following documents shall be made a part of this approval and Consolidated Development Order as defined in Chapter 380 F.S. and shall constitute conditions and restrictions under which development shall proceed:
  - a. The Northside East Downtown DRI Application for Development Approval (ADA) submitted October 20, 1989, and the commitments therein, as well as the Northside East Downtown Sufficiency Response Documents submitted October 12, 1990, and December 14, 1990.
  - b. The Northside West Downtown DRI Application for Development

Approval (ADA) dated October, 1984 and submitted July 3, 1985, the addendum delivered to the Northeast Florida Regional Planning Council on November 7, 1985 from the Project Coordinator, Jacksonville Downtown Development Authority, and the Commitments for the Northside West Downtown DRI submitted with the Application for Development Approval (which application, addendum and commitments area, collectively, the "ADA"), together with the draft Regional Impact Assessment Report 1986 dated February 6, 1986 and the conditions and recommendations contained therein prepared by the Northeast Florida Regional Planning Council staff (the "Draft Report"), all on file in the office of the Planning Department of the City; and

- c. The Southside Downtown DRI Application for Development approval dated May , 1982, as implemented by the letter containing responses to sufficiency review delivered to the Northeast Florida Regional Council July 21, 1982 from James J. Catlett, Project Coordinator, Jacksonville Downtown Development Authority, and additional information delivered to the Northeast Florida Regional Planning Council September 14, 1982 from James J. Catlett, Project Coordinator, Jacksonville Downtown Development Authority (which application, letter and additional information are, collectively, the "ADA").

***All documents included as part of the Consolidated DRI Development Order will also be nullified upon approval of this DRI Abandonment Application by the City.***

2. Any subsequent owner/developer or assignee shall be subject to the provisions contained in this Consolidated Development Order.

***Following abandonment of the DRI D.O., all development within the area once encompassed by the DRI must be consistent with the goals, objectives, and policies of the City's Comprehensive Plan, Zoning Code, Mobility Plan, Business Investment and Development Plan, and other applicable design documents and/or master plans. For additional information on these policies and regulations, see the detailed response to Section A.1 in this document.***

3. Development within the area encompassed by the Northside East DRI shall be subject to further review in the event significant physical development has not commenced within three years. The three-year time period shall be tolled during any period of time that the Applicant is prevented from commencing significant physical development due to state or federal licensure or judicial delays beyond the control of the Applicant. (Significant physical development includes land preparation, streets, and infrastructure, as defined in Section 380.06, Florida Statutes.

***All development within the CBD FLU will be reviewed in accordance with the City of Jacksonville's standard review procedures for the downtown area outlined in Chapter 656, Subpart H of the City's Zoning Code. Once the DRI is abandoned, the phasing and time frames outlined in this development order will no longer be applicable.***

4. The local official responsible for monitoring development and assuring compliance with the Consolidated Development Order shall be the Director of Planning and Development, Jacksonville Planning and Development Department (the "Development Official"). All determinations required or to be made by the Development Official pursuant to this Consolidated Development Order may be appealed by the Applicant/Developer, the Northeast Florida Regional Planning Council (NEFRPC) or the Department of Community Affairs to the Jacksonville Planning Commission and shall proceed as for appeals from decisions of the Building Official as described in the Zoning Code.

***Development within the CBD FLU area will be monitored by the Downtown Investment Authority, the Downtown Development Review Board, and the Jacksonville Planning and Development Department. Any appeals to development decisions within the CBD FLU shall follow the City's Zoning Code Sec. 656.361.7.1.***

5. Development within each Downtown DRI shall proceed in accordance with the compliance dates proposed and established in their respective ADAs, as amended in Subsection A.5 above.

***Entitlements identified in Comprehensive Plan FLU Element Tables L-1.A and L-1.B are available for utilization within the CBD FLU area upon adoption of the proposed Comprehensive Plan text amendments (Ordinance 2020-277, Approved for transmittal to the Florida Department of Economic Opportunity by City Council on August 11, 2020). Additionally, the entitlements identified in Table L-3 are only available for utilization within the Shipyards and Metropolitan Park areas of the CBD upon adoption of the proposed text amendments.***

6. This Consolidated Development Order shall not constitute a rezoning of any land within the Development Area, nor does it constitute a promise or commitment of the City to rezone any such land. The City of Jacksonville and its successors agree that the consolidated development area shall not be subject to down-zoning, unit density reduction or intensity reduction prior to the established termination dates applicable to each of its component DRI areas, unless the City can demonstrate that substantial changes in the conditions underlying the approval of this Consolidated Development Order have occurred or that this Consolidated Development Order was based on substantially inaccurate information provided by the Applicant/Developer or that the change is clearly established by the City to be essential to the public health, safety and welfare or is required pursuant to Section

163.3202, Florida Statutes.

***Entitlements for the CBU FLU area are identified in proposed Tables L-1.A, L-1.B, and L-3 of the FLU Element (Ordinance 2020-277) and are consistent with the existing development rights within the DRI. Development must be in accordance with the goals, objectives, and policies of the City's Comprehensive Plan, Land Development Regulations (Chapters 366, 650, 652, 654, 655, and 656, Jacksonville Ordinance Code), Mobility Plan, Business Investment and Development Plan, and other applicable design documents and/or master plans. For additional information on these policies and regulations, see the detailed response to Section A.1 in this document. The provisions of Chapter 380, Florida Statutes, governing DRIs will no longer be applicable to downtown development upon approval of the abandonment application by the City.***

7. The Applicant shall receive credit towards any future impact fees that may be adopted by the City of Jacksonville for any contribution made by the Applicant for public facilities. Credit towards impact fees should be determined by the City of Jacksonville under the guidelines stipulated in Section 380.06(16), Florida Statutes.

***A Mobility Fee Credit Contract (Ordinance 2020-110-E) has been approved for transportation improvements previously completed to mitigate for Phase I entitlements established by the DRI. The DIA will distribute these credits as deemed appropriate for future projects within the CBD FLU.***

8. Table A herein, reflects a conversion of land use categories from the previously authorized uses within the individual components DRIs to appropriate Florida Administrative Code, Chapter 28-24 land use categories. The land uses reflected in Table A comprise the "project description" and will serve as the basis for reviewing future changes to the project.

***Tables L-2 and L-4 within the proposed Comprehensive Plan text amendments (Ordinance 2020-277) establish trade-off mechanisms for the CBD FLU entitlements. The ITE codes listed in Tables L-2 and L-4 are consistent with the uses identified in proposed Tables L-1.A, L-1.B, and L-3 (also within Comprehensive Plan text amendments approved for transmittal by Ordinance 2020-277) which establish the entitlements.***

9. Future changes to the Consolidated Development Order will be reviewed and assessed on the impacts or effects on each component DRI area as such changes may impact the relevant provisions established for the component DRI areas.

***Once the Consolidated Downtown DRI Development Order is abandoned, any proposed changes will be reviewed and processed by the City as applicable, such as a Comprehensive Plan text amendment, code revision, or BID amendment.***

10. An annual monitoring report shall be prepared for the Consolidated DRI area by the Jacksonville Downtown Development Authority (DDA) in accordance with Section 380.06, Florida Statutes, and submitted to the Northeast Florida Regional Planning Council, Department of Community Affairs, Jacksonville Planning and Development Department, and the Metropolitan Planning Organization of the Jacksonville Urbanized Area (MPO), no later than March 1<sup>st</sup> of each year until buildout, commencing March 1, 1993. The annual report shall include:
  - a. A description of any change made in the plan of development, phasing, implementation of land use/transportation trade-off mechanism or in the representations contained in the Applications for Development Approval (ADA) since the DRI received approval, and any actions (substantial deviation or non-substantial deviation determinations) taken by the local government to address these changes.
  - b. A summary comparison of development activity proposed and actually conducted during the preceding calendar year, and projected for the ensuing calendar year, in include: site improvements, gross floor area constructed by land use type, location, and phase with appropriate maps.
  - c. An identification by location, size, and buyer of any undeveloped tracts of land in the development that have been sold to a separate entity or developer and the amount of development rights available to the purchaser, with map(s) which show the parcel(s) or sub-parcel(s) involved.
  - d. A cumulative summary of all development that has taken place within the project including gross floor areas constructed by land use type, and location. A cumulative summary of location, size (acreage), development rights purchase (land use type and square footage), and buyer of all parcels purchased within the project boundaries.
  - e. A description of any lands purchased or optioned within one mile of the original DRI component area by any individual having fee simple or lesser interest in the site as listed in the ADAs, subsequent to issuance of the Consolidated Development Order. Identify such land, its size, and intended use on a site plan and map.
  - f. A listing of any substantial local, state, and federal permits which have been obtained, applied for, or denied during this reporting period. Specify the agency, type of permit, parcel, location(s), and activity for each.



**NORTHSIDE EAST TABLE A ATTACHED TO BACK**

Table A: 1 of 3

Note: That property known as the Shipyards, an approximately 44.7 acre area located between Metropolitan Park and Berkman Plaza, shall be allowed to developed[sic] with the following Phase I development rights at any time through December 31, 2020, notwithstanding any limitations in this Development Order regarding phasing, buildout dates, or termination dates: 400 marina boat slips plus such additional amounts which may be approved without the need for modification of the DRI under Section 380.06(24)(k), Florida Statutes, 662 residential units, 100,000 square feet of commercial space, 1,000,000 square feet of office, 350 hotel rooms, 3,915 on-site parking spaces, and 4,160 offsite parking spaces. Such rights may be converted by the JEDC or its designated successor (which may include the developer of the Shipyards site) using Table 1 below (which is based on the ITE Trip Generation Manual, 7<sup>th</sup> Edition (see Table 2) by notifying the City, the DCA and the NEFRC of the conversion in writing, without a Notice to Proposed Change or other approval.

**Table 1  
Shipyards Land Use Transportation/Trade-Off Matrix**

		ITE Code	220	310	420	710	820
		Land Use/Units	Multi-Family Dwelling Unit	Hotel Room	Marina Berth	Gen Office 1,000 SF	Retail Com 1,000 SF
FROM	220	Multi-Family/Dwelling Unit	1.0000	1.0508	3.2632	0.4161	0.2500
	310	Hotel/Room	0.9516	1.0000	3.1053	0.3960	0.2379
	420	Marina/Berth	0.3065	0.3220	1.0000	0.1275	0.0766
	710	General Office/1,000 SF	2.4032	2.5254	7.8421	1.0000	0.6008
	820	Retail Commercial/1,000 SF	4.0000	4.2034	13.0526	1.6644	1.0000

Example: How many hotel rooms can be exchanged for 100,000 square feet of General Office? Answer:  $100 (1,000 \text{ SF}) \times 2.5254 = 253$  Rooms

**Table 2  
 Summary of PM Peak Hour Trip Rates for Land Uses Included  
 in Shipyards Land use Transportation/Trade-Off Matrix**

ITE Code	Land Use	Units	Average Trip Rate	Average Pass-by %	Average New Trip Rate
220	Multi-Family	Dwelling Unit	0.62	0%	0.62
310	Hotel	Room	0.59	0%	0.59
420	Marina	Berth	0.19	0%	0.19
710	General Office	1,000 SF	1.49	0%	1.49
820	Retail Commercial	1,000 SF	3.75	34%	2.48

Source: *Trip Generation, 7th Edition*, ITE

**NORTHSIDE WEST TABLE A ATTACHED TO BACK  
 Table A: 2 of 3**

**SOUTHSIDE TABLE A ATTACHED TO BACK  
 Table A: 3 of 3**

- g. Describe any moratorium on development imposed by a regulatory agency. Specify the type of moratorium duration, cause and remedy.
- h. Provide a synopsis of the operating parameters of the potable water, wastewater management, and solid waste facilities serving the development area for the preceding year.
- i. Provide an estimate of annual energy consumption for developments approved during the preceding 12 months.
- j. An assessment of the Applicant's, any successors, and local government's compliance with all conditions and commitments contained in the Consolidated Development Order and the commitments contained in the Applications for Development Approval.
- k. Any change to the previously reported stormwater plans, design criteria, or planting and maintenance programs shall be reported each year in the monitoring reports.
- l. All incremental DRI Applications for Development Approval or requests for a substantial deviation determination that were filed in the reporting year and to be filed during the next year.
- m. Any change in local government jurisdiction for any portion of the development since the Consolidated Development Order was issued.
- n. Copies of monitoring reports completed during the previous year on the created wetlands and stormwater/wetland systems as required by permitting agencies.
- o. Copies of air quality modeling program results for each of the component DRI areas, where required.
- p. Traffic reports shall be submitted to the Florida Department of Transportation (FDOT) District Urban Office in Jacksonville, as well as to the City of Jacksonville Planning & Development Department, the Metropolitan Planning Organization of the City of Jacksonville, the Northeast Florida Regional Planning Council, and the Department of Community Affairs (DCA). The first traffic report shall be due concurrently with the first annual report required subsequent to the adoption of the Consolidated Development Order and then annually thereafter until buildout of each component DRI has occurred, unless otherwise specified by the NEFRPC. The following information shall be included:

- 1) A description of current development by land use, type, location, and amount of square footage, along with the proposed construction schedule for the ensuing 12-month period, and appropriate maps.
- 2) Traffic counts, turning movement volumes, and levels of service, actual for the past 12 months and projected for the next 12 months. Traffic estimates for the following roads and intersections will distinguish between project related traffic and total traffic volumes.
  - 20<sup>th</sup> Street/Haines Street Expressway
  - I-95 from Trout River Bridge to University Boulevard
  - I-10 from Edgewood Avenue to I-95
  - Beaver Street (U.S. 90) from Edgewood Avenue to Jacksonville Expressway
  - Jacksonville Expressway from Haines Street Expressway to Arlington Expressway
  - SR 13 from Atlantic Boulevard (San Marco) to University Boulevard
  - Main Street from Main Street Bridge to Trout River
  - Riverside Avenue from Acosta Bridge to Edgewood Avenue
  - Acosta Bridge
  - Main Street Bridge
  - Fuller Warren Bridge
  - Hart Bridge

Note: Actual FDOT or City of Jacksonville traffic counts shall be used where possible. If actual FDOT or City of Jacksonville counts are not available for a particular road or intersection, the Applicant shall retain, at his expense, a traffic engineering firm to collect the necessary counts. FDOT seasonal adjustment factors shall be used when adjusting traffic counts.

- 3) A description of new and/or improved roadways, traffic control devices or other transportation facility improvements over the past 12 months and those that are programmed to be constructed over the next 12 months as provided by the DDA or other governmental entity to accommodate the total existing and anticipated traffic demands.
- 4) The Applicant shall provide a statement certifying that the NEFRPC, DCA, City of Jacksonville, MPO, and all affected agencies have been sent copies of the Annual Report, and all affected agencies have been sent copies of the annual report in conformance with Subsections 380.06(15) and (18), Florida Statutes. It is the responsibility of the

Applicant to guarantee that all appropriate agencies receive the appropriate number of copies of the annual report.

***The proposed Comprehensive Plan text amendments (Ordinance 2020-277, Approved for transmittal to the Florida Department of Economic Opportunity by City Council on August 11, 2020) require that the DIA prepare a report annually to monitor the status of entitlements within the CBD land use category and submit the report to the Planning and Development Department. No other agencies will receive the report. The Planning and Development Department may require some or all of the information described in Paragraphs 10.a. – p. of this Development Order. Additionally, a traffic analysis was prepared to support the proposed Comprehensive Plan text amendment application taking into account the proposed entitlements for the CBD FLU area. Future development within the CBD FLU must comply with the City's adopted Mobility Plan and Mobility Fee system. For additional information on how the mobility plan is applicable to development in the downtown area, see the detailed response to Section A.1 in this document.***

11. This Consolidated Development Order shall comply with all applicable regulations of the State Comprehensive Plan, State land Development Plan, Local Government Comprehensive Plan and the Local Government Land Development Regulations, pursuant to Chapter 92-2.025(3)(b)6., Florida Administrative Code.

***This requirement will still be applicable once the DRI and Development Order are abandoned.***

12. The property known as the Southside Generating Station Site (and any additional property adjacent to or near this Site acquired by the developer) located along the St. Johns River near the Duval County School Board building within the Southside portion of downtown, shall be allowed to be developed with up to the following development rights: 1,170 residential units, 200 hotel rooms, 125 marina slips (subject to DRI DO Exhibit E, Section C, Specific Condition 4(h)), 288,500 commercial retail square feet and 200,000 office square feet uses, (the "Southside Site Development Rights"). Notwithstanding any contrary provisions or limitations in this DRI Development Order, including, but not limited, to phasing, conversions, buildout dates or termination dates, the Southside Site Development Rights may be carried forward to subsequent DRI phases and the developer may accelerate the beginning date of DRI Phases, provided the developer complies with the Mobility Plan as to the Southside Site Development Rights for Phases II and III. The Mobility Plan is the 2030 Mobility Plan (including the 2030 Multi-Modal Transportation Study, as may be amended, and the provisions codified in Chapter 655 of the Ordinance Code (the "Mobility Plan")). The sole DRI mitigation for any project related impacts associated with the Southside Site Development Rights shall be the Mobility Plan for the DRI Phase I and Phase III Southside Site Development Rights and no additional DRI related exaction or mitigation of any kind, including but not limited to, concurrency,

is required for the DRI Phase II or Phase III Southside Site Development Rights notwithstanding anything contrary in the DRI Development Order. In addition, there are no DRI exaction or mitigation requirements of any kind, including but not limited to concurrency, associated with impacts for the DRI Phase I Southside Site Development Rights because the required mitigation/exaction has been satisfied.

***The entitlements described in this condition are accounted for in proposed FLU Element Table L-1.B as part of the proposed Comprehensive Plan text amendments (Ordinance 2020-277, Approved for transmittal to the Florida Department of Economic Opportunity by City Council on August 11, 2020). All development in the CBD FLU area must comply with the City's adopted Mobility Plan and Mobility Fee system.***

## Section C. Specific Conditions

### 1. Air Quality

Northside East DRI Area:

The Applicant shall be responsible for the following:

- a. Parking facilities in the Downtown shall be discouraged in order to increase automobile occupancy and transit usage. The Developer of any parking garage shall be required to submit a traffic and air quality report prepared by a qualified individual or firm to demonstrate that the proposed facility will not adversely impact air quality prior to applying for a building permit. This report shall be submitted for review and approval by NEFRPC (Northeast Florida Regional Planning Council), DER (Florida Department of Environmental Regulation), the City of Jacksonville Regulatory and Environmental Services Department, and the Metropolitan Planning Organization. Any identified exceedance to Federal or State Air Quality Standards shall require mitigation to offset the exceedance prior to the beginning of construction of the facility.

***At the time the DRI was approved, the City of Jacksonville was an air quality non-attainment area. The City is now meeting air quality standards. Air quality reports are no longer required unless mandated at some future time by state and/or federal agencies. Air quality is regulated by Chapter 403, Florida Statutes and Chapter 62-204, Florida Administrative Code.***

***Development in the CBD FLU area must comply with the City's adopted Mobility Plan and Mobility Fee system to mitigate for traffic impacts. For additional details on how the City's Mobility Plan is applicable to development in the downtown area, see the detailed response to Section A.1 in this document. Parking facilities within the CBD FLU shall be in accordance with the Jacksonville Parking Study and the Downtown Overlay Zone and Downtown District Use and Form Regulations in Zoning Code Chapter 656, Part 3, Subpart H.***

- b. New drive-thru businesses shall be prohibited.

***Specific uses in the Downtown Overlay Zone are regulated by the City's adopted Zoning Code, Chapter 656, Subpart H.***

- c. The planting of trees in and around roadway rights-of-way and parking lots shall be encouraged.

***Landscaping shall be in accordance with the Downtown Overlay Zone and Downtown District Use and Form Regulations in Zoning Code Chapter 656, Part 3, Subpart H and the BID Plan. For additional information on these policies and regulations see the detailed response to Section A.1 in this document.***

- d. The applicant is required to include air quality monitoring in its annual reports. Roadway links and intersections to be included in the annual monitoring report will be based upon a list proposed by the applicant and approved by the transportation review agencies. The list of proposed locations will be based on the level of service from the preceding monitoring report. On a periodic basis not to exceed five (5) years, a more comprehensive monitoring study will be performed in the Northside East DRI to determine the operating level of service.

If it is determined, based on the annual area traffic studies conducted that existing traffic counts, or projected traffic counts for the succeeding year, achieve a peak hour Level of Service of E or F for any intersection, the Applicant shall perform air quality monitoring and modeling for that intersection.

***The proposed Comprehensive Plan text amendments (Ordinance 2020-277, Approved for transmittal to the Florida Department of Economic Opportunity by City Council on August 11, 2020) require that the DIA prepare a report annually to monitor the status of entitlements within the CBD land use category and submit the report to the Planning and Development Department. The Planning and Development Department and DIA will establish the requirements for the annual report prior to the first submittal. Air quality monitoring will not be required on an annual basis unless mandated at some future time by State and/or Federal agencies. Air quality is regulated by Chapter 403, Florida Statutes and Chapter 62-204, Florida Administrative Code.***

- e. The modeling shall utilize FDEP approved guidelines and shall be based upon actual traffic counts and transportation improvements reported in the latest annual report. If the analyses show that there will be exceedances of Federal or State air quality standards and the project will have a significant impact on the intersection ( s ) , as defined by FDEP, then the Applicant shall remodel the critical intersection (s) for each year in the phase under study, and at the end of each subsequent phase of development. Following implementation of measures to reduce CO emissions in critical areas, additional modeling will be performed to confirm that the area in question is no longer critical.



***At the time the DRI was approved, the City of Jacksonville was an air quality non-attainment area. The City is now meeting air quality standards. Air quality monitoring will not be required on an annual basis unless mandated in the future by State and/or Federal agencies. Air quality is regulated by Air quality is regulated by Chapter 403, Florida Statutes and Chapter 62-204, Florida Administrative Code.***

- f. Any projected exceedance of the Federal or State Ambient Air Quality Standards for Carbon Monoxide (CO) at any of the listed intersections must be addressed by the following actions:
- (1) To avoid an actual exceedance of the CO standard, initiation of an action or improvement agreed upon by the JPDD, RESD-Air quality Division, FDEP, and the NEFRPC to be taken at least one year prior to the projected Exceedance, or
  - (2) Submission, at least one year prior to the projected exceedance, of updated modeling utilizing current CO monitoring data collected at the estimated exceedance site showing that CO concentrations are not such that a violation of the standard will occur through buildout of the project.

***At the time the DRI was approved, the City of Jacksonville was an air quality non-attainment area. The City is now meeting air quality standards. Air quality monitoring will not be required on an annual basis unless mandated in the future by State and/or Federal agencies. Air quality is regulated by Air quality is regulated by Chapter 403, Florida Statutes and Chapter 62-204, Florida Administrative Code.***

***The mixed-use development patterns encouraged by the CBD FLU have the potential to reduce vehicle miles traveled and thus reduce air quality impacts related to automobile usage.***

- g. If the FDEP approved model for carbon monoxide (CO) testing identifies or projects CO exceedances equal to or greater than the 9 parts per million standard, the City will authorize and enforce a moratorium on building permits which would contribute to the problem until the area is no longer critical.

***Any mitigation for air quality impacts will be in accordance with Chapter 403, Florida Statutes and Chapter 62-204, Florida Administrative Code. The standards outlined in these regulations meet or exceed the standards outlined in this D.O. condition.***

Northside West DRI Area:

- a. DDA's agreements with developers will require the use of conscientious cleanup practices and application of dust suppressants as necessary during construction.

***Construction site maintenance shall be regulated by the City's Ordinance Code Title VIII Construction Regulations and Building Codes. Additional conditions for specific development sites may be required during the development review process outlined in Zoning Code Sec. 656.361.***

- b. A street sweeping program consisting of at least three passes per week of a mechanical sweeper will be instituted on streets impacted by construction in the DRI area and on major approaches to the construction or the non-attainment area within ½ mile radius of the construction.

***Construction site maintenance shall be regulated by the City's Ordinance Code Title VIII Construction Regulations and Building Codes. Additional conditions for specific development sites may be required during the development review process outlined in Zoning Code Sec. 656.361.***

- c. A coordinated and computer monitored traffic signalization system to optimize the movement of traffic will be installed.

***Intersection signalization is operated and maintained by the City's Traffic Engineering Division of the Public Works Department.***

- d. Streets will be widened and direct lateral obstructions such as street parking eliminated as specified under Section C (Specific Conditions) Section 16, Transportation below.

***This condition is no longer consistent with the City's goals and vision for the downtown area, the Mobility Plan, and FDOT Roadway diet initiatives.***

- e. The Park & Shuttle from Union Terminal to the Central Business District (CBD) be continued until or unless replacement by the ASE or an equivalent system.

***All public transit routes are determined and controlled by the Jacksonville Transportation Authority.***

- f. The DDA will assist the Regulatory and Environmental Services Department in finding a location in the 100 block of West Adams Street to operate an existing CO monitor.

***At the time the DRI was approved, the City of Jacksonville was an air quality non-attainment area. The City is now meeting air quality standards. This monitoring is no longer required. Air quality is regulated by Chapter 403, Florida Statutes and Chapter 62-204, Florida Administrative Code.***

- g. DDA will eliminate all or most of the long-term monthly parking in the City's public parking garage #2.

***The City of Jacksonville no longer manages this parking facility.***

- h. The applicant is required to include air quality monitoring in its annual reports. Roadway links and intersections to be included in the annual monitoring report will be based upon a list proposed by the applicant and approved by the transportation review agencies. The list of proposed locations will be based on the level of service from the preceding monitoring report. On a periodic basis, not to exceed five (5) years, a more comprehensive monitoring study will be performed in the Northside West DRI to determine the operating level of service.

If it is determined, based on the annual area traffic studies conducted that existing traffic counts, or projected traffic counts for the succeeding year, achieve a peak hour Level of Service of E or F for any intersection, the Applicant shall perform air quality monitoring and modeling for that intersection.

***The proposed Comprehensive Plan text amendments (Ordinance 2020-277, Approved for transmittal to the Florida Department of Economic Opportunity by City Council on August 11, 2020) require that the DIA prepare a report annually to monitor the status of entitlements within the CBD land use category and submit the report to the Planning and Development Department. The Planning and Development Department and DIA will establish the requirements for the annual report prior to the first submittal. Air quality monitoring will not be required on an annual basis unless mandated State and/or Federal agencies. Air quality is regulated by Chapter 403, Florida Statutes and Chapter 62-204, Florida Administrative Code.***

- i. All monitoring and modeling as well as determination of the CO reduction obtained through institution of traffic control measures must be performed using accepted methodology and approval by the RESD and FDEP. The modeling shall utilize FDEP approved guidelines and shall be based upon actual traffic counts and transportation improvements reported in the latest annual report. If the analyses show that there will be exceedances of Federal or State air quality standards and the project will have a significant impact on the intersection (s), as defined by FDEP, then the Applicant shall remodel the critical intersection ( s) for each year in the phase under study, and at the end

of each subsequent phase of development. Following implementation of measures to reduce CO emissions in critical areas, additional modeling will be performed to confirm that the area in question is no longer critical.

***At the time the DRI was approved, the City of Jacksonville was an air quality non-attainment area. The City is now meeting air quality standards. Air quality monitoring will not be required on an annual basis unless mandated in the future by State and/or Federal agencies. Air quality is regulated by Chapter 403, Florida Statutes and Chapter 62-204, Florida Administrative Code.***

- j. Any projected exceedance of the Federal or State Ambient Air Quality Standards for Carbon Monoxide (CO) at any of the listed intersections must be addressed by the following actions:
  - (1) To avoid an actual exceedance of the CO standard, initiation of an action or improvement agreed upon by the JPDD, RESD-Air Quality Division, FDEP, and the NEFRPC to be taken at least one year prior to the projected exceedance, or
  - (2) Submission, at least one year prior to the projected exceedance, of updated modeling utilizing current CO monitoring data collected at the estimated exceedance site showing that CO concentrations are not such that a violation of the standard will occur through buildout of the project.

***At the time the DRI was approved, the City of Jacksonville was an air quality non-attainment area. The City is now meeting air quality standards. Air quality monitoring will not be required on an annual basis unless mandated in the future by State and/or Federal agencies. Air quality is regulated by Chapter 403, Florida Statutes and Chapter 62-204, Florida Administrative Code.***

***The mixed-use development patterns encouraged by the CBD FLU have the potential to reduce vehicle miles traveled and thus reduce air quality impacts related to automobile usage.***

- k. If the FDEP approved model for carbon monoxide (CO) testing identifies or projects CO exceedances equal to or greater than the 9 parts per million standard, the City will authorize and enforce a moratorium on building permits which would contribute to the 4 problem until the area is no longer critical.

***Any mitigation for air quality impacts that may be required in the future will comply with State and/or Federal requirements. Air quality is regulated by***

**Chapter 403, Florida Statutes and Chapter 62-204, Florida Administrative Code.**

2. Water Resources

Northside East DRI Area

- a. A long-term water quality monitoring program of Hogans Creek shall be conducted through project buildout. Sampling stations shall be Hogans Creek at Washington Street and the outfall of Hogans Creek at the St. Johns River. The sampling frequency shall be monthly, and the parameter list shall coincide with the list used by the City of Jacksonville Regulatory and Environmental Services Department in the monthly Master Stormwater Management Plan. Sampling shall be initiated within 90 days of issuance of the Consolidated Development Order. Quarterly reports and cumulative annual reports shall be submitted to the Northeast Florida Regional Planning Council, the Florida Department of Environmental Regulation (DER), the St. Johns River Water Management District (SJRWMD), the City of Jacksonville Regulatory and Environmental Services Department, and the City of Jacksonville Planning & Development Department within fifteen days of receipt of the monitoring data from the analytical laboratory. Reviewing agencies shall reserve the right to recommend changes in parameters, sampling locations, and sampling frequencies if warranted. Should sampling reveal violations of State water quality standards as a result of development or redevelopment activities, all development as defined under Section 380.04, Florida Statutes, which has the potential to contribute to the violation shall cease immediately and the Applicant shall take actions to reduce pollutants to meet State standards. The Applicant shall coordinate With DER, SJRWMD, and the City of Jacksonville Regulatory and Environmental Services Department in determining such actions.

***The Jacksonville Environmental Quality Division monitors water quality in Hogans Creek. Samples are taken on a quarterly basis at four locations: Broad St., Hubbard St., First St. (west of Laura St.), and 10<sup>th</sup> St. Testing parameters for all locations include water temperature, pH, Specific Conductance, Dissolved Oxygen, Salinity, and Percent DO Saturation. Additional parameters are included for the monitoring site at Broad St. Laboratory analysis includes FIB – Escherichia coli (fresh water) and FIB – Enterococci (marine water). Field Observations include stream appearance, stream depth, tidal condition, meteorological data, visual oil and grease, and canopy cover.***

- b. Within 3 months of issuance of the Consolidated Development Order, the Applicant shall submit a proposal for monitoring the stormwater sewer outfalls to the St. Johns River from all drainage basins within the Northside

East DRI area, to be continued through project buildout. The drainage basins are designated on Map G-2, Proposed Drainage System. Northside East Downtown DRI, included in the Application for Development Approval dated August 1989. The program shall be designed to determine, if feasible, at least six months baseline water quality conditions prior to initiation of development or redevelopment within a drainage basin and to provide a continuous, long-term evaluation of the effects of the development in each basin. The proposal shall be submitted to the NEFRPC, DER, SJRWMD, the City of Jacksonville Regulatory and Environmental Services Department, and the City of Jacksonville Planning & Development Department for comments and approval, and shall include sampling locations, sampling frequency, sampling procedures, parameters for analysis, and project quality assurance. The program shall be implemented upon receipt of written approval of the reviewing agencies. Quarterly reports and cumulative annual reports shall be submitted to the reviewing agencies within fifteen days of receipt of the monitoring data from the analytical laboratory. Reviewing agencies shall reserve the right to recommend changes in parameters, sampling locations, and sampling frequencies if warranted. Should sampling reveal violations of State water quality standards as a result of development or redevelopment activities, all development as defined under Section 380.04, Florida Statutes, contributing to the violation, shall cease immediately and the Applicant shall take actions to reduce pollutants to meet State standards. The Applicant shall coordinate with DER, SJRWMD, and the City of Jacksonville Regulatory and Environmental Services Department in determining such actions.

***Per the St. Johns River Water Management District, Bureau of Environmental Resource Regulation, Division of Regulatory Services monitoring is currently not required. Email can be provided upon request.***

- c. Erosion/sediment control measures to protect surface waters from water quality violations due to land development activities shall be implemented in the following manner:
  - (1) Prior to issuance of any individual building permit within the consolidated DRI boundaries, the project engineer shall provide engineering plans and specifications as part of the construction plans, which describe measures to be used to prevent discharges which contain turbidity in excess of 29 Nephelometric Turbidity Units during construction, and to prevent discharges of contaminants in the surficial aquifer if the construction is within a known contamination zone. If there is to be no discharge to surface waters (i.e. all dewatering and runoff will be retained on site), no monitoring will be required as part of the plan. If there will be off-site discharge, the plans and specifications shall describe the frequency and manner in which control mechanisms are to be operated and maintained, and the manner in which effluent quality is to be

monitored during construction.

- (2) The project engineer shall certify to the Applicant when control mechanisms have been installed, that installation and operation is in accordance with the plans and specifications.
- (3) Reports of analytical results of effluent monitoring shall be submitted to the Applicant within five days of receipt from an approved analytical laboratory. The Applicant shall submit analytical result to the City of Jacksonville Regulatory and Environmental Services Department and DER within five days of receipt from project engineer.
- (4) If analytical results reveal water quality violations are occurring as a result of land development activities, then activities shall immediately cease, and additional measures shall be implemented to prevent further violations of water quality standards.
- (5) A report with the project engineer's certification as specified in Specific Condition 2. above, with cumulative monitoring data and with a description of any additional measures that were taken to correct water quality violations shall be included in the Annual Monitoring Report, as required under General Condition 10.

***Construction site maintenance shall be regulated by the City's Ordinance Code Title VIII Construction Regulations and Building Codes, as well as Chapters 366 and 754. Additional conditions for specific development sites may be required during the development review process outlined in Zoning Code Sec. 656.361. The standards outlined in these regulations meet or exceed the standards outlined in this D.O. condition.***

- d. Within twelve months of issuance of the Consolidated Development Order, in cooperation with the City of Jacksonville Regulatory and Environmental Services Department and DER a map shall be developed of sites within the consolidated DRI area with known petroleum product contamination. The map shall be coded so that the status of each site is easily identified and shall be updated as new sites are determined or as the status of existing sites change.

In conjunction with the map, a list shall be maintained of all sites including physical address, date of notification of contamination, and a history of dates and statutes leading to the current status. This list and map shall be incorporated into a report which shall be included in the annual monitoring reports for the DRI.

***The map of known petroleum contamination sites is maintained online on***

***the Florida Department of Environmental Protection Department's Contaminated Site Locator page with links to the information specified for each site. The Environmental Quality Division works closely with the FDEP on all such sites and has been delegated authority to oversee all petroleum sites within the City.***

- e. Within six months of issuance of the Consolidated Development Order, a set of guidelines for redevelopment within areas of known petroleum product contamination shall be developed in cooperation with DER to be provided to owner/developer prior to initiation of redevelopment within a known petroleum product contamination area. The guidelines shall address measures to prevent the further spread of contamination and to protect the health, safety and welfare of the general public. Compliance with these guidelines shall be required prior to, during, and following construction activities associated with redevelopment.

The list and map developed in Specific Condition 2d. above shall be consulted for determining compliance with this condition.

***Development and/or redevelopment on sites with petroleum product contamination are regulated by Chapter 376, Florida Statutes, Chapter 62-780, Florida Administrative Code, and by Chapters 360, 365 and 366 of the Jacksonville Code of Ordinances and overseen by the City's Environmental Quality Division and the Environmental Protection Board. The properties encompassed in the DRI are also already within the City's designated Brownfield Area for downtown.***

- f. Petroleum product contamination of soils or groundwater may be detected during development activities in areas not previously known to be contaminated and therefore the specific sites may not be listed or shown on the map described in Specific Condition 2d. above at the time of authorization to initiate redevelopment. In this event, redevelopment activities shall immediately halt and compliance with Chapter 17-770, Florida Administrative Code, for initial remedial actions shall be required. The City of Jacksonville Regulatory and Environmental Services Department and DER shall be notified within 48-hour of the presence of contamination and of the actions taken. Compliance with further requirements of Chapter 17-770, FAC, which apply to the particular situation will be required. In addition, product compliance with the guidelines for known petroleum contamination sites as specified in Specific Condition 2e. above will be required.

The list and map of petroleum product contamination sites as specified in Specific Condition 2d. above shall be updated to include the newly discovered site.



***Preliminary environmental site analyses, i.e. Phase I and Phase II Environmental Analyses, often reveal any existing contamination. Development and/or redevelopment on sites with petroleum product contamination are regulated by Chapter 376, Florida Statutes, Chapter 62-780, Florida Administrative Code, and by Chapters 360, 365 and 366 of the Jacksonville Code of Ordinances and overseen by the City's Environmental Quality Division and the Environmental Protection Board. The properties encompassed in the DRI are also already within the City's designated Brownfield Area for downtown.***

- g. Prior to the development of any parcel of land within the current or past industrial area of the eastern portion of the project bounded geographically to the west by Catherine Street and to the north by Union Street, or the redevelopment of any isolated parcel of land outside of this described boundary, upon which records show that industrial activities occurred or are occurring, a site assessment and site remediation, if warranted, shall be conducted in coordination with DER.
- (1) The assessment shall include but not be limited to details of past and current site operations; identification of and storage procedures for any raw products, end products and general chemicals used for routine operations; historical and current disposal methods for solid and liquid "wastes; dates and locations of contamination events; and cleanup efforts to date. The assessment shall determine if soils, sediments, surface water and groundwater have been contaminated due to past or current site activities. A Quality Assurance Project Plan shall be included with the assessment.
  - (2) A proposal for the assessment must be reviewed and approved by DER prior to initiation of the assessment.
  - (3) An assessment report including the findings of the study, conclusions, and a proposal for remedial activities if warranted, must be reviewed and approved by DER prior to initiation of redevelopment at each site. If remediation is required, then a decision will be made as to whether construction can proceed, or if it will be necessary to complete remediation prior to initiation of redevelopment.
  - (4) Sufficient time for evaluation of each site shall be allowed prior to providing authorization to initiate redevelopment as an assurance that redevelopment activities will not impact the environment.

***Development and/or redevelopment on sites with petroleum product***

**contamination are regulated by Chapter 376, Florida Statutes, Chapter 62-780, Florida Administrative Code, and by Chapters 360, 365 and 366 of the Jacksonville Code of Ordinances and overseen by the City's Environmental Quality Division and the Environmental Protection Board. The properties encompassed in the DRI are also already within the City's designated Brownfield Area for downtown.**

- h. If redevelopment activities on any parcel of land not initially identified as having a past or present industrial use reveal the presence of contaminants in soils, sediments, surface water or groundwater, the redevelopment activities shall immediately cease and a site assessment and site remediation as described in Specific Condition g. above shall be required prior to completion of redevelopment activities. This applies to contaminants other than petroleum product contaminants which have specific guidelines listed above in Specific Condition e.

**Development and/or redevelopment on sites with petroleum product contamination are regulated by Chapter 376, Florida Statutes, Chapter 62-780, Florida Administrative Code, and by Chapters 360, 365 and 366 of the Jacksonville Code of Ordinances and overseen by the City's Environmental Quality Division and the Environmental Protection Board. The properties encompassed in the DRI are also already within the City's designated Brownfield Area for downtown.**

Northside West DRI Area:

- a. DDA will conduct a predevelopment conference with the developers for each project. At that meeting, DDA will inform each developer of the need to prevent water quality (Turbidity) violations as a result of erosion and/or runoff and discharge for dewatering of excavations during construction. For purposes of this commitment, the phrase "during construction" shall mean until bore soil is stabilized by vegetation and/or until pumped dewatering has ceased. DDA will present a handout on this subject, prepared by BESD to each developer.

**Predevelopment meetings with developers is standard DIA policy. Construction site maintenance shall be regulated by the City's Ordinance Code Title VIII Construction Regulations and Building Codes, as well as Chapters 366 and 754. Additional conditions for specific development sites may be required during the development review process outlined in Zoning Code Sec. 656.361.**

- b. Prior to the issuance of building permit, the project engineer will provide engineering plans and specifications, as part of the construction plans,

which describe measures to be used to prevent discharges which contain turbidity in excess of 29 Nephelometric Turbidity Units during construction. If there is to be no discharge to surface water (i.e. all dewatering and runoff will be retained on site) no monitoring will be required, as part of the plan. If there will be off-site discharge, the plans and specifications will describe the frequency and manner in which control mechanisms are to be operated and maintained and in which effluent quality is to be monitored during construction.

***Construction site maintenance shall be regulated by the City's Ordinance Code Title VIII Construction Regulations and Building Codes, as well as Chapters 366 and 754. The standards outlined in these regulations meet or exceed the standards outlined in this D.O. condition. Additional conditions for specific development sites may be required during the development review process outlined in Zoning Code Sec. 656.361.***

- c. The project engineer will certify to DDA when the control mechanisms have been installed and that installation and operation is in accordance with the plans and specifications.

***Construction site maintenance shall be regulated by the City's Ordinance Code Title VIII Construction Regulations and Building Codes, as well as Chapters 366 and 754. Additional conditions for specific development sites may be required during the development review process outlined in Zoning Code Sec. 656.361.***

### 3. Floodplains

Northside East DRI Area:

- a. Construction permits within the project shall not be issued for residential structures within the 100-year floodplain unless minimum floor elevations are at least 2 feet above the base flood elevation as determined by the Federal Emergency Management Agency. Occupancy permits shall not be issued to new residential structures within the 100-year floodplain if any residential floor is less than 2 feet above the base flood elevation.

***Development within the 100-year floodplain must comply with all applicable portions of the City of Jacksonville Comprehensive Plan including the Conservation / Coastal Management Element, and City Ordinance Code Chapters 366, 652, 654, 655, and 656, Chapter 373, Florida Statutes and related administrative regulations of the St. Johns River Water Management District, and National Flood Insurance Program Sec. 60.3 even when this condition is no longer in place. These regulations establish the required***

***minimum floor elevations for residential development in the floodplain areas. The standards outlined in these regulations meet or exceed the standards outlined in this D.O. condition.***

- b. Construction permits for high density residential development within the project shall be submitted to the City of Jacksonville Fire and Rescue Department, the NEFRPC and the DCA to determine impacts on evacuation times and shelter demand as defined in 9J-2.0256 of the Florida Administrative Code. Construction or occupancy permits shall not be issued to new high density residential development, within the 100 year floodplain as delineated in the regional hurricane evacuation study, if the cumulative effect of all project development within this area (100 year floodplain) is determined by the reviewing agencies to utilize twenty-five (25) percent or more of an identified hurricane evacuation route's level of service (LOS) E hourly directional maximum service volume and causes the level of service to fall below "E", or if the cumulative effect is determined to move the County into a shelter deficit of 200 spaces or more. Upon such determination the Applicant shall propose a plan of mitigation as provided in 9J-2.0256 of the Florida Administrative Code, for review and approval of the above referenced reviewing agencies.

***All development within the CBD FLU must comply with the City's adopted Mobility Plan and pay the calculated mobility fee. The paid fee then contributes to mobility system improvements in the City of Jacksonville. Public Safety is a key factor into the prioritization of mobility system projects. For additional details on how the City's Mobility Plan is applicable to development in the downtown area, see the detailed response to Section A.1 in this document.***

- c. Construction permit for hotel development within 100 year floodplain within the project shall be submitted to the City of Jacksonville Fire and Rescue Department, the NEFRPC, and the DCA to determine impact on evacuation times and shelter demand as defined in 9J-2.0256 of the Florida Administrative Code. Construction or occupancy permit shall not be issued to hotels within the 100 year floodplain as delineated by the regional hurricane evacuation study if the cumulative effect of all project development within this area (100-year floodplain) is determined by the reviewing agencies to utilize twenty-five (25) percent or more of an identified hurricane evacuation route's level of service (LOS) E hourly directional maximum service volume, and causes the level of service to fall below "E", or if the cumulative effect is determined to move the County into a shelter deficit of 200 spaces or more. Upon such determination the Applicant shall propose a plan of mitigation as provided in 9J-2.0256, Florida Administrative Code, for review and approval of the above referenced reviewing agencies.

**All development within the CBD FLU must comply with the City's adopted Mobility Plan and pay the calculated mobility fee. The paid fee then contributes to mobility system improvements in the City of Jacksonville. Public Safety is a key factor into the prioritization of mobility system projects. For additional details on how the City's Mobility Plan is applicable to development in the downtown area, see the detailed response to Section A.1 in this document.**

Northside West DRI Area:

- a. The Building and Zoning Inspection Division will assure that all new construction and substantial improvements shall have the lowest floor (including basement) elevated or flood proofed to an above• the-base flood elevation.

**Development within the 100-year floodplain must comply with all applicable portions of the City of Jacksonville Comprehensive Plan including the Conservation / Coastal Management Element, and City Ordinance Code Chapters 366, 652, 654, 655, and 656, Chapter 373, Florida Statutes and related administrative regulations of the St. Johns River Water Management District, and National Flood Insurance Program Sec. 60.3 even when this condition is no longer in place. These regulations establish the required minimum floor elevations for residential development in the floodplain areas.**

4. Vegetation and Wildlife

Northside East and Northside West DRI Areas:

- a. Plans for any marina development of any size within the project boundaries shall be submitted for review and approval by the NEFRPC and the Jacksonville Planning and Development Department. The information to be provided to the NEFRPC will include, at a minimum, the size (number of slips), location, design, amount of any dredging or filling that may be required, breakdown of the type of boating that is anticipated to utilize the marina (sail or power boat), identification of potential impacts to manatees by construction utilization of proposed marina and all measures proposed to mitigate any impacts to the manatee, whether or not any fuel will be dispensed or pump out facilities will be provided at the arena, identification of potential water quality impacts associated with construction and operation of any proposed marina, compliance with the Duval County Manatee Protection Plan, as well as, any other information which may be requested by reviewing agencies. All information related to any marina in the

consolidated DRI area will be submitted to all applicable state, regional and local reviewing agencies for review and comment.

Any marina which receives approval from the NEFRPC, along with any recommended mitigation for identified regional impacts associated with the marina shall be incorporated into the Consolidated Development Order prior to the commencement of development for that marina. This condition does not guarantee the right to develop any certain number of marina slips within the consolidated DRI project.

***The proposed Comprehensive Plan text amendments (Ordinance 2020-277, Approved for transmittal to the Florida Department of Economic Opportunity by City Council on August 11, 2020) include language that requires all new marina slips to comply with the Duval County Manatee Protection Plan and Boat Facility Site Plan (BFSP), and to secure all Federal, State, and Local permits and approvals. The BFSP is a part of the Manatee Protection Plan. Basically, the BFSP gives the downtown area a set number of slips to be used at various locations in the downtown DRI. Any new marinas will be governed by these City regulations as well as by the Florida Department of Environmental Protection and the Florida Board of Trustees of the Internal Improvement Trust Fund (Sovereign and Submerged Lands use and lease regulations).***

- b. The Metropolitan Park Marina consisting of a 70-slip transient docking facility is herein incorporated into the consolidated development order. The marina has been previously approved by all Federal, state and local permitting authorities and was issued a sovereignty submerged land lease by the Trustees of the Internal Improvement Trust Fund. All conditions associated with the approvals and subsequent renewals will still apply including compliance with the Duval County Manatee Protection Plan.

***The Shipyards and Metropolitan Park marina slips are included in the entitlements identified in Table L-3 of the proposed Comprehensive Plan text amendments (Ordinance 2020-277, Approved for transmittal to the Florida Department of Economic Opportunity by City Council on August 11, 2020). The proposed Comprehensive Plan text amendments include language that requires all new marina slips to comply with the Duval County Manatee Protection Plan and Boat Facility Site Plan and to secure all Federal, State, and Local permits and approvals. The BFSP is a part of the Manatee Protection Plan. Basically, the BFSP gives the downtown area a set number of slips to be used at various locations in the downtown DRI. Any new marinas will be governed by these City regulations as well as by the Florida Department of Environmental Protection and the Florida Board of Trustees of the Internal Improvement Trust Fund (Sovereign and Submerged Lands use and lease regulations).***

- c. The Applicant shall be required to conduct additional sampling and analysis of the St. Johns River for heavy metals and NH<sub>3</sub>-N if a turbidity violation is detected during permit required monitoring periods for the marina construction and disposition of sediments. The additional sampling shall be conducted immediately, prior to a change in tidal influence. The Florida Department of Environmental Services Division, and the City of Jacksonville Planning Department shall be contacted within twenty-four hours of the sampling event. Analytical results shall be submitted to the reviewing agencies within fifteen days of receipt of the results by the Developer from the contract laboratory. The reviewing agencies shall review the results and determine specific actions to be taken, relating to the evaluation of the data. The Developer shall comply with these specific actions within the time frame designated by the reviewing agencies.

***The need for monitoring and any subsequent monitoring requirements will be determined by the City of Jacksonville Environmental Quality Division in conjunction with the appropriate State and Federal review agencies.***

- d. The Berkman Plaza Marina consisting of a 54-slip docking facility is herein incorporated into the Consolidated Downtown DRI Development Order. The approval of the 54-slip docking facility is contingent on Berkman Plaza (Harbor Companies, Inc.) securing all Federal, State, and Local permits and approvals from applicable regulatory agencies and consent of use or submerged land lease by the Trustees of the Internal Improvement Trust Fund. All approvals associated with the required permits and approvals and subsequent renewals will apply including compliance with the Duval County Manatee Protection Plan.

***These slips are included in the existing entitlements identified in Table L-1.A of the proposed Comprehensive Plan text amendments (Ordinance 2020-277, Approved for transmittal to the Florida Department of Economic Opportunity by City Council on August 11, 2020). The proposed Comprehensive Plan text amendments include language that requires all new marina slips to comply with the Duval County Manatee Protection Plan and Boat Facility Site Plan and to secure all Federal, State, and Local permits and approvals. The BFSP is a part of the Manatee Protection Plan. Basically, the BFSP gives the downtown area a set number of slips to be used at various locations in the downtown DRI. Any new marinas will be governed by these City regulations as well as by the Florida Department of Environmental Protection and the Florida Board of Trustees of the Internal Improvement Trust Fund (Sovereign and Submerged Lands use and lease regulations).***

- e. The Shipyards Marina consisting of a 400-slip docking facility is herein incorporated into the Consolidated Downtown DRI Development Order. The approval of the 400-slip docking facility is contingent on the Shipyards (Tri-Legacy Group, LLC) securing all Federal, State, and Local permits and approvals from applicable regulatory agencies and, to the extent that Tri-Legacy Group, LLC does not have title to the submerged land under the docking facility, any necessary consent of use or submerged land lease by the Trustees of the Internal Improvement Trust Fund. All approvals associated with the required permits and approvals and subsequent renewals will apply including compliance 16 with the Duval County Manatee Protection Plan. The location of the Shipyards Marina is depicted on Map 18 H-1 attached to this Ordinance.

***The Shipyards and Metropolitan Park slips are included in the entitlements identified in Table L-3 of the proposed Comprehensive Plan text amendments (Ordinance 2020-277, Approved for transmittal to the Florida Department of Economic Opportunity by City Council on August 11, 2020). The proposed Comprehensive Plan text amendments include language that requires all new marina slips to comply with the Duval County Manatee Protection Plan and Boat Facility Site Plan, and to secure all Federal, State, and Local permits and approvals. Any new marinas will be governed by these City regulations as well as by the Florida Department of Environmental Protection and the Florida Board of Trustees of the Internal Improvement Trust Fund (Sovereign and Submerged Lands use and lease regulations).***

- f. The Strand at St. Johns Place Marina consisting of a 75-slip docking facility is herein incorporated into the Consolidated Downtown DRI Development Order. The approval of the 75-slip docking facility is contingent on the Strand at St. Johns Place's developers' (i.e., St. Johns Center, LLC and American Land Housing Group, Inc.) securing all Federal, State, and local Permits and approvals from applicable regulatory agencies and, to the extent that St. Johns Center, LLC and American Land Housing Group, Inc. do not have title to the submerged land under the docking facility, any necessary consent of use or submerged land lease by the Trustees of the Internal Improvement Trust Fund. All approvals associated with the required permits and approvals and subsequent renewals will apply including compliance with the Duval County Manatee Protection Plan. The location of the Strand at St. Johns Place Marina is depicted on Map H-1 attached to this Ordinance.

***These slips are included in the existing entitlements identified in Table L-1.A of the proposed Comprehensive Plan text amendments (Ordinance 2020-277, Approved for transmittal to the Florida Department of Economic Opportunity by City Council on August 11, 2020). These slips were never constructed. The entitlements were returned to the DIA for use anywhere***



*within the CBD FLU area. The proposed Comprehensive Plan text amendments includes language that requires all new marina slips to comply with the Duval County Manatee Protection Plan and Boat Facility Site Plan and to secure all Federal, State, and Local permits and approvals. The BFSP is a part of the Manatee Protection Plan. Basically, the BFSP gives the downtown area a set number of slips to be used at various locations in the downtown DRI. Any new marinas will be governed by these City regulations as well as by the Florida Department of Environmental Protection and the Florida Board of Trustees of the Internal Improvement Trust Fund (Sovereign and Submerged Lands use and lease regulations).*

- g. The South Shore Marina consisting of a 128-slip marina is herein incorporated into the Consolidated Downtown DRI Development Order. The approval of the 128-slip marina is contingent on the developer of the South Shore Marina securing all Federal, State and Local permits and approvals from applicable regulatory agencies and any necessary consent of use or submerged land lease by the Trustees of the Internal Improvement Trust Fund. All approvals associated with the required permits and approvals and subsequent renewals will apply to the South Shore Marina project. Any impacts to manatees will be reviewed as part of the permitting process for the South Shore Marina.

*These slips are included in the existing entitlements identified in Table L-1.A of the proposed Comprehensive Plan text amendments (Ordinance 2020-277, Approved for transmittal to the Florida Department of Economic Opportunity by City Council on August 11, 2020). These slips were never constructed. The entitlements were returned to the DIA for use anywhere within the CBD FLU area. The proposed Comprehensive Plan text amendments include language that requires all new marina slips to comply with the Duval County Manatee Protection Plan and Boat Facility Site Plan and to secure all Federal, State, and Local permits and approvals. The BFSP is a part of the Manatee Protection Plan. Basically, the BFSP gives the downtown area a set number of slips to be used at various locations in the downtown DRI. Any new marinas will be governed by these City regulations as well as by the Florida Department of Environmental Protection and the Florida Board of Trustees of the Internal Improvement Trust Fund (Sovereign and Submerged Lands use and lease regulations).*

- h. The Southside Generating Station Site project may include the development of no more than 125 marina slips. The approval of the 125- marina slips is contingent on the developer of the Southside Generating Station Site securing all Federal, State and local permits and approvals from applicable regulatory agencies and any necessary consent of use or submerged land lease by the Trustees of the Internal Improvement Trust Fund. Prior to construction of any or all of the marina slips, the Duval County Manatee Protection Plan, 3rd edition, and the Comprehensive Plan shall be modified to

include the 125 marina slips within the Southside portion of the Consolidated Downtown DRI for use as part of the Southside Generating Station Site project. All approvals associated with the required permits and approvals and subsequent renewals will apply to the Southside Generating Station Site Project. Any impacts to manatees will be reviewed as part of the permitting process for this project. This Condition shall control as to the development of the Southside Generating Station Site Marina notwithstanding anything contrary in the Consolidated Downtown DRI Development Order.

***These slips are included in the existing entitlements identified in Table L-1.A of the proposed Comprehensive Plan text amendments (Ordinance 2020-277, Approved for transmittal to the Florida Department of Economic Opportunity by City Council on August 11, 2020). These entitlements belong to The District project and must be utilized there. Any new marinas will be governed by the City regulations identified in responses above as well as by the Florida Department of Environmental Protection and the Florida Board of Trustees of the Internal Improvement Trust Fund (Sovereign and Submerged Lands use and lease regulations).***

5. Historical and Archaeological Sites

Northside West DRI Area:

The Jacksonville DDA will:

- a. Actively promote among developers the importance of the preservation of archaeological or historic finds.

***This D.O. condition is not necessary for the DIA to promote this action at pre-development meetings with developers. Development must also be consistent with the Jacksonville Ordinance Code Chapters 307 and 656 regarding historic and archaeological resources. The City of Jacksonville has existing programs that promote and implement preservation in the downtown area, i.e. the Downtown Historic Preservation and Revitalization Trust Fund, approximately 57 locally designated landmarks, and 169 acres included in the Downtown National Register Historic District which includes 32 individually listed sties. A trust fund is also established to compliment Federal tax incentive programs.***

- b. Require that developers with sites located in high probability areas of archaeological finds, as defined in the report "Zones of Cultural Resource Sensitivity for the Jacksonville Northside West DRI Area, Duval County, Florida" by Piper Archaeological Research, Inc., will undertake a survey of

the site before and during construction by a qualified archaeologist. Developers of sites of lesser probability will be required to halt construction if any potential artifacts of significance are uncovered. Developers of any site where surveys of construction activities reveal potentially significant archaeological sites, will conduct appropriate archaeological site excavations and investigations as may be recommended by DDA in conjunction with a qualified archaeologist and historian (as appropriate). No further construction shall take place in areas believed to be of archaeological or historic importance until appropriate measures have been taken to preserve or protect archaeological artifacts, site historical features, historical data, etc., recommended by a qualified archaeologist and historian (where appropriate) and confirmed by the Downtown Development Authority.

***The Florida Department of State Division of Historical Resources and the City of Jacksonville Historic Preservation Section of the Community Planning Division regulate the preservation of historical and archaeological materials on development sites within the CBD FLU. The DIA regularly seeks input from these agencies when a site is located within a high-probability area and will confer with the State agency to determine whether an archaeological survey is required and discuss with developers at the pre-development meeting. Development must also be consistent with the Jacksonville Ordinance Code Chapters 307 and 656 regarding historic and archaeological resources.***

- c. Halt construction for investigation and mitigation measures, if required for a time period necessary to complete excavation, removal or documentation of significant archaeological or historical remains. The DDA will determine the time to be allowed to complete these activities in relation to the following factors: site size, archeological or historical importance, type of excavation required, cost to developer, and recommendation of qualified archaeologist or historian in consultation with DAHRM.

***The Florida Department of State Division of Historical Resources and the City of Jacksonville Historic Preservation Section of the Community Planning Division regulate the preservation of historical and archaeological materials on development sites within the CBD FLU. Any required excavation, removal, or documentation of significant materials must comply with the established standards of these agencies, including Chapter 267, Florida Statutes and Jacksonville Ordinance Code Chapters 307 and 656 regarding historic and archaeological resources. The standards outlined in these regulations meet or exceed the standards outlined in this D.O. condition.***

- d. Accept as a "qualified archaeologist" a person who meets, or in the judgement of the State Archaeologist, is capable of meeting the criteria of training and experience necessary for registration in the Society of Professional Archaeologists as defined in the "Qualifications for Recognition as a Professional Archaeologist, of the Society." The archaeologist's work will be paid for by the developers or contractors unless funding is available from alternate sources as determined by the DDA.

***All definitions of qualified archaeological professionals will be in accordance with The Florida Department of State Division of Historical Resources standards outlined in Chapter 267, Florida Statutes.***

- e. Encourage individual owners of historic sites that are either already determined eligible or considered eligible for listing in the National Register of Historic Places, to pursue listing of these structures or districts through the Historic Landmarks Commission or successor agency.

***This D.O. condition does not require any specific action on behalf of developers within the CBD FLU. DIA personnel will operate under the direction of the City Council and the DIA CEO. The DIA can coordinate with other City Departments to accomplish this outcome without the requirement of this D.O. condition by utilizing existing programs within the City, i.e. the Downtown Historic Preservation and Revitalization Trust Fund, approximately 57 locally designated landmarks, and 169 acres included in the Downtown National Register Historic District which includes 32 individually listed sties. A trust fund is also established to compliment Federal tax incentive programs.***

- f. Promote programs which would inform and encourage developers to preserve and rehabilitate significant historic discoveries, through means of tax credits, deferred taxes, waivers of certain types of fees and charges, tax credits for contributions to community development projects, etc.

***This D.O. condition does not require any specific action on behalf of developers within the CBD FLU. DIA personnel will operate under the direction of the City Council and the DIA CEO. The DIA can coordinate with other City Departments to accomplish this outcome without the requirement of this D.O. condition.***

- g. Advise owners of significant Register-listed or Register-eligible structures, in writing, that undertaking interior or exterior alterations which are inconsistent with the Secretary of the Interior's Standards for Rehabilitation of historic structures may disqualify them for eligibility for tax incentives otherwise available to them.

***This D.O. condition does not require any specific action on behalf of developers within the CBD FLU. DIA personnel will operate under the direction of the City Council and the DIA CEO. The DIA can coordinate with other City Departments to accomplish this outcome without the requirement of this D.O. condition.***

- h. Investigate ways to generate funds to promote conservation and restoration/rehabilitation activities in the Northside West development area.

***This D.O. condition does not require any specific action on behalf of developers within the CBD FLU. DIA personnel will operate under the direction of the City Council and the DIA CEO. The DIA can coordinate with other City Departments to accomplish this outcome without the requirement of this D.O. condition. One option for funding is the City's Historic Preservation Trust Fund.***

Northside East DRI Area:

- a. If any historical and/or archaeological sites are discovered in the Northside East DRI area during -the development process, the Applicant shall immediately notify the Florida Division of Historical Resources, the Northeast Florida Regional Planning Council, and the City of Jacksonville Planning & Development Department. No disruption of the findings shall be permitted and no development as defined under Section 380.04, Florida Statutes, shall occur within the parcel of the discovery until such time as a report as to the significance of finding has been completed, by qualified individuals, along with any appropriate protection measures proposed, and this report has been reviewed and approved by the Florida Division of Historical Resources (DHR). Written notice from DHR stating their concurrency with the findings and protection measures prior to the recommencement of construction activities. The Applicant and any subsequent owner/developer or assignee shall be subject to all conditions determined by the Florida Division of Historical Resources, and the Northeast Florida Planning Council, as the Applicant has committed.

***The Florida Department of State Division of Historical Resources and the City of Jacksonville Historic Preservation Section of the Community Planning Division regulate the preservation of historical and archaeological materials on development sites within the CBD FLU. Any required excavation, removal, or documentation of significant materials must comply with the established standards of these agencies, including Chapter 267, Florida Statutes and Jacksonville Ordinance Code Chapters 307 and 656 regarding historic and archaeological resources.***

- b. The Jacksonville Downtown Development Authority shall enter into a "Programmatic Agreement" with the Division of Historical Resources which will aid in protecting historically significant resources within the area defined as the Northside East DRI. An executed copy of the agreement shall be submitted to the DCA, the NEFRPC, and the Jacksonville Planning and Development Department.

***A National Historic District was adopted for portions of the CBD FLU area. This area is recognized as the Jacksonville Downtown Historic District. As shown on the City of Jacksonville's online GIS mapping system, there are approximately 10 other National Historic Register sites in the CBD FLU area and hundreds of hundreds of historic structures as identified by the Florida Master Site File.***

- c. Based on the Cultural and Archaeological Assessments of the proposed 35.3 acre site for the Regional Service Center performed by the Florida Division of Historical Resources and Florida Archeological Services, Inc., (letter assessments attached hereto as Attachment H/A-1), the DDA will:

1. Submit plans and specifications for all construction on the site to the State of Florida Division of Historical Resources for review and determination of potential effects on significant resources;
2. Provide for an archaeological examination during the demolition process of the site in accordance with the State of Florida's Division of Historical Resources to determine if any archeological sites or features exist; and
3. Provide the State of Florida Division of Historical Resource with the archaeological report.
4. Subsequent to the removal of the existing Blodgett structures, under the supervision of professionally qualified archaeologists, the tract shall be systematically scraped with the appropriate type of earthmoving equipment.

Should any remains be identified during the scraping procedures, the archaeologists shall be empowered to direct the scraping to another area. The resultant archeological report shall be forwarded to the Division of Historical Resources.

***This project was completed in accordance with these D.O. conditions.***

6. Wastewater Management

Northside East DRI Area:

- a. Development within the project area shall occur concurrent with the provision of adequate central wastewater treatment service by a permitted regional wastewater treatment facility. Septic tanks shall not be allowed to occur in the project area, as the Applicant has committed.

***The City of Jacksonville Ordinance Code, Title XXI, Chapter 751, Sec. 751.101 requires development within the City, including the CBD FLU, to connect to a central wastewater system when available. Any special request not to connect will be reviewed by City staff during the development review process outlined in Zoning Code Sec. 656.361.***

Northside West DRI Area:

- a. Construction of the trunk sewer proposed within the project Application (running westerly from the Water Street Pumping Station to Lee, Bay and Myrtle Streets) will be completed by the end of 1994.

***This D.O. condition has been satisfied.***

Southside DRI Area:

- a. The imposition of any partial or total moratorium on sewer hook-ups by the Florida Department of Environmental Regulation within the project area which has not been removed within a reasonable length of time shall be reported by the Jacksonville Planning and Development Department to the appropriate committee of Northeast Florida Regional Planning Council. The notified committee shall introduce a resolution for Council consideration to determine whether such occurrence constitutes a substantial deviation from the projects DRI approval and this Consolidated Development Order.

***The City of Jacksonville Ordinance Code, Title XXI, Chapter 751, Sec. 751.101 requires development within the City, including the CBD FLU, to connect to a central wastewater system when available. Any special request not to connect will be reviewed by City staff during the development review process outlined in Zoning Code Sec. 656.361.***

7. Drainage

Northside East DRI Area:

- a. Within two years of issuance of the Consolidated Development Order, a master stormwater management plan shall be developed for the project area which will meet all requirements and criteria of the City of Jacksonville Regulatory and Environmental Services Department, St. Johns River Water Management District (SJRWMD), and the Department of Environmental Regulation (DER). Development/redevelopment of the project area shall occur concurrent with a contiguous, functioning, permitted stormwater management system after two years. Copies of the Hogan Creek Improvements Study shall be submitted to the Northeast Florida Regional Planning Council, City of Jacksonville Planning & Development Department, the City of Jacksonville Regulatory and Environmental Services Department, SJRWMD, and DER as soon as the study is complete.

***Stormwater management systems for all new developments within the CBD FLU must meet City's Ordinance Code Title XXI Chapter 754 Stormwater Management Utility Code, Chapter 62-330.010, Florida Administrative Code, as well as the SJRWMD Master Permit for the Downtown area (Permit #18269). The standards outlined in these regulations meet or exceed the standards outlined in this D.O. condition. Compliance with all these regulations will be analyzed during the development review and permitting process for each project.***

Northside West DRI Area:

- a. The drainage improvements proposed on Map G-2 (Proposed Drainage Plan) of the project DRI/ADA shall be constructed by the City to service each phase of development as needed.

***Stormwater management systems for all new developments within the CBD FLU must be consistent with the City's Infrastructure Element of the Comprehensive Plan, Ordinance Code Chapter 754 Stormwater Management Utility Code, Chapter 62-330.010, Florida Administrative Code, as well as the SJRWMD Master Permit for the Downtown area (Permit #18269). The standards outlined in these regulations meet or exceed the standards outlined in this D.O. condition. Compliance with all these regulations will be analyzed during the development review and permitting process for each project.***



Southside DRI Area:

- a. The drainage improvements proposed on Map G-2 (Proposed Drainage Plan) of the project DRI/ADA shall be constructed by the City to serve each phase of development as needed. Should the approval of any drainage system improvements, as depicted of Map G-2 of the ADA, be denied by either the Florida Department of Environmental Regulation pursuant to Chapter 17-25, Florida Administrative Code or by the St. Johns River Water Management District pursuant to Chapter 40C-4, Florida Administrative Code and approval is not obtained within a reasonable length of time after such denial, or, if obtained, would permit an increase in the land use densities projected by phase in the DRI/ADA, the Jacksonville Planning and Development Department shall report such occurrence to the appropriate committee of the Northeast Florida Regional Planning Council. The notified committee shall introduce a resolution for Council consideration to determine whether such occurrence constitutes a substantial deviation from the Southside DRI and this Consolidated Development Order.

***Stormwater management systems for all new developments within the CBD FLU must be consistent with the City's Infrastructure Element of the Comprehensive Plan, Ordinance Code Chapter 754 Stormwater Management Utility Code, Chapter 62-330.010, Florida Administrative Code, as well as the SJRWMD Master Permit for the Downtown area (Permit #18269). The standards outlined in these regulations meet or exceed the standards outlined in this D.O. condition. Compliance with all these regulations will be analyzed during the development review and permitting process for each project.***

8. Water Supply

Northside East DRI Area:

- a. Within 180 days of issuance of the Consolidated Development Order, the Applicant shall review the SJRWMD and the City of Jacksonville Regulatory and Environmental Services Department records for all recorded water wells on the property. Prior to any development/redevelopment activities on any parcel of land, a survey shall be conducted for existing groundwater wells. All existing wells and all wells discovered during the development/redevelopment process shall be reported immediately to the SJRWMD and the City of Jacksonville Regulatory and Environmental Services Department. No new Floridan wells shall be constructed on the project site, as the Applicant has committed. Prior to any construction activities on the project site, all wells shall be adequately identified and protected from construction activities by such means as notifying the

construction contractor of the well locations, identifying the well locations on construction plans, and fencing the wells. All existing wells and any wells discovered during development shall be properly plugged and abandoned by a SJRWMD licensed water well contractor and registered driller prior to any construction activity in each respective parcel of the site, unless otherwise stipulated by the SJRWMD or the City of Jacksonville Regulatory and Environmental Services Department. Within one year of issuance of the Consolidated DRI Development Order, the Applicant shall provide documentation that all wells have been plugged to the SJRWMD the City of Jacksonville Regulatory and Environmental Services Department, the Department of Environmental Regulation, the City of Jacksonville Planning & Development Department, and the Northeast Florida Regional Planning Council.

***The City of Jacksonville Comprehensive Plan Infrastructure Element, the Land Development Regulations, and Chapters 365, 366, and 751 of the City's Ordinance Code, require development within the City, including the CBD FLU, to connect to a central water supply system when available. The removal of any existing wells shall be in accordance with the City of Jacksonville Ordinance Code Sec. 366.301 and Chapters 62-532, 62-550, -62-555, and 62-560, Florida Administrative Code.***

- b. Treated wastewater effluent shall be the primary source of irrigation water when it becomes available, in accordance with the rules and policies of the SRWMD. Wastewater reuse distribution lines shall be constructed simultaneously with the construction of wastewater collection lines at such time as a firm commitment is made by the City of Jacksonville Public Utility Department to supply reuse water and extend distribution lines to the project from the wastewater treatment plant serving the project. Stormwater management ponds shall be the primary source of irrigation water for this project until wastewater reuse becomes available to the site. Individual Floridan aquifer wells shall not be used for irrigation on the project area. The use of the surficial aquifer is strongly discouraged and will only be allowed under certain circumstances due to the presence or the potential for the presence of petroleum product contamination.
- (1) If the redevelopment parcel is within the area of known petroleum product contamination as designated on the list and map developed according to Specific Condition 2d. above, or within a one mile radius from the boundary of the area, then the use of the surficial aquifer for non-potable purposes will not be allowed.
  - (2) If the redevelopment parcel is outside of the known petroleum product contamination area as designated on the list and map developed according to Specific Condition 2d. above and outside of a one mile radius around that area, then the use of the surficial

aquifer for non-potable purposes will be allowed as follows:

- (a) Prior to the installation of a well for surficial aquifer withdrawal, a positive demonstration that the surficial aquifer is free of petroleum product contamination shall be required.
- (b) Written approval for use of the surficial aquifer shall be received from the City of Jacksonville Regulatory and Environmental Services Department or DER prior to well installation.
- (c) All permitting requirements in effect at that time for any well installation shall be adhered to.
- (d) The owner/developer shall be required to analyze ground water from the well, using approved sampling procedures and analytical methods, on a quarterly basis, for evidence of contamination which may have migrated into the area. A report of the analytical results shall be submitted within 10 days of receipt from the analytical laboratory, to the Jacksonville Downtown Development Authority (DDA). The DDA shall submit the report to the City of Jacksonville Regulatory and Environmental Services Department and the Florida Department of Environmental Regulation for evaluation within 10 days of receipt from the owner/developer.
- (e) If the ground water is found at any time to be contaminated with petroleum product contamination, then the use of the well for non-potable purposes shall be discontinued. The well, however, shall be maintained for use by a regulatory agency for tracking the contamination plume. The site of contamination shall be added to the list and map of known petroleum product contamination as specified in Condition 2d. above.
- (f) A list of and a map showing the locations of all wells installed within the surficial aquifer for non-potable use by owner/developers shall be maintained. A report shall be developed for inclusion in the annual monitoring report which includes an update of the list and map, the status of each non-potable well and the cumulative quarterly monitoring reports for each well.

***The most appropriate water source for irrigation and/or other non-potable uses shall be determined by JEA during the development review and permitting process outlined in the City's Zoning Code Sec. 656.361. If reclaimed water is available nearby for irrigation, this will be the preferred source.***

- c. Water conservation measures shall be incorporated in all development and redevelopment at the project area. These measures may include the use of water-saving plumbing devices, drought resistant native vegetation for landscaping, limited irrigation during drought conditions, and all requirements of Chapter 553.14. Florida Statutes.

***All new developments within the CBD FLU must comply with all water conservation regulations in the Florida Building Code and City of Jacksonville's Ordinance Code Chapter 321.***

- d. Development shall occur concurrent with the provisions of adequate public supply potable water and minimum fire flow for the entire project.

***The City of Jacksonville Comprehensive Plan Infrastructure Element, the Land Development Regulations, and Chapters 365, 366, and 751 of the City's Ordinance Code require development within the City, including the CBD FLU, to connect to a central water supply system when available. Fire flow must be consistent with the standards identified by the Florida Building Code, Florida Fire Prevention Code and Jacksonville Ordinance Code Chapter 321.***

Northside West DRI Area:

- a. DDA will conduct a predevelopment conference with the developer for each project. At that meeting, DDA will inform each developer of the need to prevent water quality (Turbidity) violations as a result of erosion and/or runoff and discharge for dewatering of excavations during construction. For purposes of this commitment, the phrase "during construction" shall mean until bare soil is stabilized by vegetation and/or until pumped dewatering has ceased. DDA will present a handout on this subject, prepared by the City of Jacksonville Regulatory and Environmental Services Department to each developer.

***The DIA conducts pre-development meetings with developers for projects in the CBD FLU. The DIA informs the developers of all applicable local regulations that will impact each project. Proper site construction procedures for preventing erosion and/or runoff will be***

***determined as part of the development review and permitting process (Zoning Code Sec. 656.361) and must comply with Jacksonville Environmental Protection Board Rule 3 (Water Pollution), City's Ordinance Code Title VIII Construction Regulations and Building Code, as well as Chapters 366 and 754, and the Planning and Development Department's Land Development Procedures Manual.***

- b. Prior to the issuance of a building permit, the project engineer will provide engineering plans and specifications, as part of the construction plans, which describe measures to be used to prevent discharges which contain turbidity in excess of 29 Nephelometric Turbidity Units during construction. If there is to be no discharge to on-site surface water (i.e., all dewatering and runoff will be retained on-site) no monitoring will be required, as part of the plan. If there will be off-site discharge, the plans and specifications will describe the frequency and manner in which control mechanisms are to be operated and maintained and in which effluent quality is to be monitored during construction.

***Proper site construction procedures for preventing erosion and/or runoff will be determined as part of the development review and permitting process (Zoning Code Sec. 656.361) and must comply with Jacksonville Environmental Protection Board Rule 3 (Water Pollution), City's Ordinance Code Title VIII Construction Regulations and Building Code, as well as Chapters 366 and 754, and the Planning and Development Department's Land Development Procedures Manual.***

- c. The project engineer will certify to DDA when the control mechanisms have been installed and that installation and operation is in accordance with the plans and specifications.

***Proper site construction procedures for preventing erosion and/or runoff will be determined as part of the development review and permitting process (Zoning Code Sec. 656.361) and must comply with Jacksonville Environmental Protection Board Rule 3 (Water Pollution), City's Ordinance Code Title VIII Construction Regulations and Building Code, as well as Chapters 366 and 754, and the Planning and Development Department's Land Development Procedures Manual.***

9. Solid Waste

Northside East DRI Area

- a. The Applicant shall implement and promote, upon initiation of site activities,

a volume reduction/recycling program which complements and furthers the programs in effect by the City of Jacksonville.

***Developers in the CBD FLU will coordinate with the Public Works Department to determine the recycling programs available in accordance with Part 5 of Chapter 380, City Ordinance Code. Specifics about how these programs will be implemented can be worked out as part of the development review and permitting process (Zoning Code Sec. 656.361).***

- b. Within one year of the issuance of the Consolidated Development Order, the Applicant shall submit to FDER, NEFRPC, the City of Jacksonville Regulatory and Environmental Services Department, and the Jacksonville Planning and Development Department, a report detailing the quantity and types of industrial waste generated within the Northside East DRI area. This report shall be included in the first annual monitoring report and will include an explanation of the industrial waste disposal practices. Failure to submit this report shall constitute a violation of the development order.

***This D.O. condition has been satisfied.***

Northside East, Northside West and Southside DRI areas:

- a. If, at any time, the City of Jacksonville (Duval County) cannot meet the Level of Service (LOS) identified in the adopted Local Government Comprehensive Plan for solid waste management, then no new permits for new development shall be issued within the Consolidated DRI area until such time that the LOS can be re-obtained.

***The City of Jacksonville identifies projects within its Capital Improvements Element Schedule (Ordinance 2019-120) to ensure the City continues to meet or exceed the adopted Solid Waste LOS (6.7 lbs/capita/day) identified in the Comprehensive Plan, Capital Improvements Element Policy 1.1.5. This D.O. condition is not necessary to regulate the issuance of permits in such an instance.***

Northside West DRI Area:

- a. Uncommitted excess capacity at existing City landfills will be made available for off-site disposal by the City of solid waste generated within the Northside West DRI area. The City will provide new solid waste disposal facilities to serve these DRI areas in the event existing landfill sites reach their capacity.

***Landfills and solid waste are managed by the Public Works Department. The City of Jacksonville identifies projects within its Capital Improvements***

***Element Schedule (Ordinance 2019-120) to ensure the City continues to meet or exceed the adopted Solid Waste LOS (6.7 lbs/capita/day) identified in the Comprehensive Plan, Capital Improvements Element Policy 1.1.5. This D.O. condition is not necessary to regulate the issuance of permits in such an instance.***

10. Energy

Northside West DRI Area:

- a. The Jacksonville Downtown Development Authority will conduct a conference with each developer intending to develop within the area described in the ADA. At such conference, cost effective energy conservation measures intended to be undertaken by the developer are to be presented. These measures may include selection of mechanical equipment, interior and exterior lighting, type of construction and materials for the walls, ceiling and fenestration, and those items of energy conservation listed in the ADA. Life cycle costing will also be presented as an analytical tool which demonstrates cost effective applications.

***The DIA regularly conducts pre-development meetings for projects in the CBD FLU. DIA staff can inform developers about energy efficient building certification programs such as Florida Green Buildings or LEED. DIA staff also coordinate with JEA to obtain information on energy saving building and design practices.***

- b. Each project developer within the area described in the ADA will be asked to submit drawings of such development at the 50 percent completion stage of same to the Jacksonville Downtown Development Authority. Such drawings shall include the energy conservation features described in Subsection a. above. If the energy conservation goals as listed in the ADA have not been attained, the developer shall submit a written justification for such non-attainment to the Jacksonville Downtown Development Authority and the Northeast Florida Regional Planning Council.

***Building design and construction techniques as well as Florida Building Code requirements have become far more energy efficient than they were at the time the D.O. was approved. Energy efficient elements will be included as required by the City of Jacksonville Code of Ordinances and the Florida Building Code. Developers may also take advantage of any incentive programs or funding sources available for the inclusion of additional energy efficient elements.***

- c. Landscaping Plans will be required of developers by DDA for such developer's

project to assure that open areas are appropriately landscaped and shaded and that buildings are shaded where desirable and feasible.

***Landscape plans will be designed in accordance with the City's Zoning Code Chapter 656, Part 3, Subpart H Downtown Overlay Zone and Downtown District Use and Form Regulations, as well as Part 2 Landscape Regulations. The landscape plans will be reviewed for consistency with the City's requirements as part of the development review and permitting process (Zoning Code Sec. 656.361).***

Northside East DRI Area:

- a. Development Agreements between the DDA and developers shall require the use of lower high-pressure sodium vapor lighting systems or their energy efficient equivalent for all outdoor and exterior applications within the development area.

***LED lighting systems are now required by JEA. Energy efficient elements will be included in development conditions as required by the City of Jacksonville Code of Ordinances and the Florida Building Code. Developers may also take advantage of any incentive programs or funding sources available for the inclusion of additional energy efficient elements.***

- b. All new buildings within the area shall exceed the State Energy Code through the incorporation of energy efficient siting and design practices. The DDA shall work with developers during the design stages to propose cost effective energy conservation measures. The DDA should develop an incentive program to encourage developers to design and construct buildings which exceed the State Energy Code.

***Building design and construction techniques as well as Florida Building Code requirements have become far more energy efficient than they were at the time the D.O. was approved. Energy efficient elements will be included in development conditions as required by the City of Jacksonville Code of Ordinances and the Florida Building Code. Developers may also take advantage of any incentive programs or funding sources available for the inclusion of additional energy efficient elements.***

- c. The DDA shall cooperate with the Jacksonville Electric Authority (JEA) in preserving a parcel for the establishment of an electrical substation within the project area, as deemed necessary by the JEA.

***The City of Jacksonville and the DIA will continue to coordinate with JEA to ensure the proper infrastructure is in place, including electrical substations***



**and associated transmission lines and transmission easements, to adequately serve the CBD FLU. This D.O. condition is not necessary to ensure this coordination continues to take place.**

Southside DRI Area:

- a. The Jacksonville Downtown Development Authority shall use its best efforts to provide that all residential, commercial, office, recreation and open spaces shall be linked together through a system of landscaped sidewalks, or walkways, as proposed in the DRI/ADA.

***The DIA will coordinate with the City's Planning Department and developers to ensure developments within the downtown area are consistent with the CBD FLU designation, Downtown Overlay Zone and Downtown District Use and Form Regulations (Ordinance 2019-196-E, Zoning Code Sec. 656.361.1 – 656.361.9), and BID Plan. For additional information on these policies and regulations, see the detailed response to Section A.1 in this document.***

11. Recreation and Open Space

Northside West DRI Area:

- a. DDA and the City of Jacksonville will support and enhance, where needed, the existing recreational facilities in the site area including: 1) the J.S. Johnson Center and playground, and 2) the Brooklyn Park.

***By December 2021 the DIA will prepare a Parks Master Plan for the CBD FLU area. This master plan will identify existing parks as well as potential locations for new parks. The master plan will also take an inventory of existing and needed recreational facilities, equipment, and programs. Potential funding sources and timeframes will be included in the Downtown Parks Master Plan. This task was included in the Request for Proposals recently issued by the DIA (RFP P-37-220).***

- b. DDA and the City of Jacksonville will provide, as feasible, proposed new recreational facilities in the site area including:
  - a. 3.2-acre riverfront park at Forest Street, and
  - b. McCoys Creek Stream Valley Park.

***Land has been set aside for the riverfront park at Forest St. but the park has not been developed. Potential funding sources and timelines for park construction will be identified in the Downtown Parks Master Plan the DIA***

**will prepare by December 2021. McCoys Creek Boulevard Park is located near I-95 in the Brooklyn area of downtown.**

12. Open Space

a. The Consolidated DRI areas will include the following Open Space acreage.

**Open Space**

Northside East	51.20 ac ±
Northside West	6.35 ac ±
Southside	39.00 ac ±
Total	96.55 ac ±

***On August 10, 2020, the DIA issued a Request for Proposal (P-37-20) for Consultant Services to Update the North Bank Downtown & Southside Community Redevelopment Area Plans and the Business Investment & Development Strategy. Task 2 of this RFP is the development of a Parks Master Plan Element for the updated BID and CRA Plan. This master plan will inventory, assess, and plan for future park needs within the CBD FLU area to accommodate the growth contemplated by the BID and CRA plans. The Parks Master Plan will also ensure consistency with the City's adopted Level of Service for the provision of parks identified in the City of Jacksonville 2030 Comprehensive Plan, Recreation and Open Space Element, Policy 1.1.1.***

***Policy 1.1.1***

***The City shall maintain the following Level of Service (LOS) standards for the provision of parks in the City as shown in the Capital Improvements Element of this comprehensive plan:***

***The City shall provide 1.93 acres per thousand population of "Active/Passive" parks by Planning District.***

***The City shall provide 2.50 acres per thousand population of "Regional" parks Citywide.***

***However, in no event shall existing park and open space acreage be reduced in accordance with Section 122.408 of the Ordinance Code.***

13. Education

Northside East DRI Area:

Prior to the commencement of development for Phase III of the project, the Applicant shall provide verification to the NEFRPC, DCA, and the Jacksonville Planning

and Development Department that adequate facilities exist for the student population generated by the development through buildout of the project. If there are not adequate facilities for the project generated student population, no development of Phase III of the Northside East DRI may commence until there are adequate facilities as determined by the Duval County School Board.

***School concurrency is now controlled and monitored by the Duval County School Board. All residential developments are reviewed for consistency with school concurrency standards. Impact reviews are coordinated through the Concurrency and mobility Management Systems Office and development must be consistent with adopted levels of service or mitigate impacts. Any necessary mitigation will be determined during the development plan review and permitting process.***

14. Police

Northside West DRI Area:

- a. The City of Jacksonville shall provide the necessary personnel and associated equipment for the Sheriff's Office to man two to three additional beats when needed during Phase I, II and III.

***The Jacksonville City Council and the DIA regularly coordinate with the Sheriff's Office to ensure the downtown area has adequate officer and public safety coverage to maintain a safe environment for citizens and visitors. This D.O. condition is not necessary to ensure this ongoing coordination regarding public safety.***

- b. The City and/or DDA will assure that a site for a microwave communication is made available when needed.

***This D.O. condition is not necessary to ensure the City can locate a microwave communications tower within the CBD FLU if/when necessary.***

15. Fire Protection and Emergency Rescue

Northside East DRI Area:

- a. No construction permits for Phase IV or occupancy permits for Phase III of the project shall be issued until a third Advanced Life Support Rescue Unit is fully operational within the Fire Rescue Response Zones 012, 019, 025, 026, 041, 042, 044, 061, 064, and 065.

***Phase IV was eliminated from the DRI. Current development has yet to enter into Phase II entitlements. Jacksonville Fire and Rescue will have the opportunity to review development plans and provide comments during the***

***development plan review and permitting process.***

Northside West DRI Area:

- a. The City will continue to provide adequate fire protection services for the project area.

***This D.O. condition is not necessary to ensure adequate fire protection is provided within the CBD FLU. The Fire Marshall oversees all fire protection requirements within the downtown area.***

- b. The public water supply system capacity will be increased and water pressure increased beyond 3,000 gpm if demand exceeds the adequate current and projected capacity and pressure for fire safety needs.

***Developments within the CBD FLU must comply with Florida Fire Prevention Code (Chapter 69A-60, Florida Administrative Code) requirements. Project will be reviewed for consistency with the Florida Fire Prevention Code during the building permit review process by the Fire Marshall.***

16. Transportation

**General Consolidated DRI Transportation Improvements  
(All Component DRI Areas).**

- (a) Specific Transportation improvements to be completed by DDA/City are identified in Table 3 below by phase and component DRI area. These improvements must be committed to construction or under construction by the beginning of the noted development phase.

**CONSOLIDATED TRANSPORTATION IMPROVEMENT PROGRAM BY PHASE AND  
COMPONENT DRI AREA**

**Phase I (expires November 29, 2019):**

Northside East DRI, Northside West DRI, and Southside DRI:

- (e) No transportation conditions

***Mitigation has been completed for all Phase I transportation impacts.***

**Phase II (Begins January 1, 2017 and ends November 29, 2024):**

Prior to the beginning of Phase II, a transportation study in scope similar to the study prepared by Robinson Engineering Group as part of the 2001 Downtown DRI NOPC (Ordinance 2001-839) shall be conducted that analyzes the transportation conditions on regionally significant roadways in the vicinity of each of the Downtown DRI areas at the end of Phase I. Not later than December 31, 2009, a meeting with the reviewing agencies shall be held to discuss the proposed methodology for the transportation study. The methodology for this study shall be approved by the City of Jacksonville Planning and Development Department, First Coast Metropolitan Planning Organization, Northeast Florida Regional Planning Council, and the Florida Department of Transportation.

Appropriate transportation mitigation and conditions for Phase II of each of the Downtown DRIs shall be determined through this transportation study. The Development Order's transportation conditions for Phase II of each of the Downtown DRI areas shall be established consistent with the transportation study. No permits for Phase II of the Downtown DRIs shall be issued until the Development Order transportation conditions have been revised consistent with the transportation study.

***All DRI phases will be eliminated with the abandonment of the DRI D.O. All new development within the CBD FLU must be consistent with the City's adopted Mobility Plan and Mobility Fee system. For more information on how the City's Mobility Plan is applicable to development in the downtown area, see the detailed response to Section A.1 in this document.***

**Phase III (Begins January 1, 2022 and ends November 29, 2029):**

- (a) Prior to the beginning of Phase III, a transportation study in scope similar to the study prepared by Robinson Engineering Group as part of the 2001 Downtown DRI NOPC (Ordinance 2001-839) shall be conducted that analyzes the transportation conditions on regionally significant roadways in the vicinity of each of the Downtown DRI areas at the end of Phase II. Not later than December 31, 2014, a meeting with the reviewing agencies shall be held to discuss the proposed methodology for the transportation study. The methodology for this study shall be approved by the City of Jacksonville Planning and Development Department, First Coast Metropolitan Planning Organization, Northeast Florida Regional Planning Council, and the Florida Department of Transportation. Appropriate transportation mitigation and conditions for Phase III of each of the Downtown DRIs shall be determined through this transportation study. The Development Order's transportation conditions for Phase III of each of the Downtown DRI areas shall be established consistent with the transportation study. No permits for Phase III of the Downtown DRIs shall be issued until the Development Order transportation conditions have been revised consistent with the transportation study.

- (b) Except as provided in Section A (8), no permits for development of any portion of Phase II of the Northside East DRI and the Northside West DRI shall be issued until the improvements for Phase II have been committed for construction or constructed or implemented. No permits for development of any portion of Phase II of the Southside DRI shall be issued until the Applicant has prepared and submitted the special traffic study to the NEFRPC, DCA, and MPO which indicates the improvements which, when implemented will result in significant and adverse roadway links operating at an acceptable level of service. No permits for development of any portion of Phase III of the Northside East DRI, Northside West DRI or Southside DRI shall be issued until the Applicant has prepared and submitted the special traffic study to the NEFRPC, DCA, and MPO which indicates the improvements which, when implemented will result in significant and adverse roadway links operating at an acceptable level of service.

(c) Specific Transportation Conditions By A Component DRI Area

Northside East DRI Area:

Promotion of Alternative Modes of Transportation

To promote the transit alternatives and other alternatives to the use of the automobile, the DDA shall:

- (1) Build or will cause to be built peripheral park-and-ride facilities convenient to the terminal stations of the Automated Skyway Express (ASE) and to the inner ring road.
- (2) Work with the State of Florida and local agencies to insure the provision of frequent and reliable shuttle service from the above-mentioned parking facilities to various significant destinations in the urban core.
- (3) Identify ROW needed for future development of the ASE and ensure such ROW is available to the Jacksonville Transportation Authority (QTA) or a successor agency at minimal cost.
- (4) Discourage the construction of parking facilities in the urban core except at its edges, the effect of which will be a natural increase in parking costs and the discouragement of auto trips.
- (5) Encourage ridesharing and vanpooling and work with other City agencies to insure preferential parking for high occupancy vehicles in both public and private parking facilities within the downtown.

- (6) Work with building owners, tenants and managers to reduce and/or eliminate free parking as an employee benefit.
- (7) Work with building owners, tenants and managers to provide secure storage facilities for bicycles and mopeds and to provide the necessary support facilities for individuals wishing to travel to and from work on foot, by bicycle and/or moped.
- (8) Encourage use of waterborne transportation where possible through the provision of landing stages and publicity, but not including public subsidy for the purchase of vessels, or equipment and/or operation.
- (9) Prohibit the construction of drive-thru facilities in the downtown including but not limited to banks, fast-food restaurant, convenience stores and liquor stores.
- (10) Eliminate on-street parking during peak hours and increase the cost of permitted on-street/metered parking to exceed the cost of off-street parking and to thereby discourage its use.

***All DRI phases will be eliminated with the abandonment of the DRI and D.O. All new development within the CBD FLU must be consistent with the City's adopted Mobility Plan and Mobility Fee system. For more information on how the City's Mobility Plan is applicable to development in the downtown area, see the detailed response to Section A.1 in this document.***

Northside West DRI Area:

The City of Jacksonville will provide those transportation improvements within its jurisdiction listed on Table 3 of the Consolidated Development Order as feasible. It will also endeavor to assure the cooperation of State and federal agencies for proposed improvements by their respective jurisdictions.

***Mitigation has been completed for all Phase I transportation impacts. All DRI phasing will be eliminated with the abandonment of the DRI and D.O. All new development within the CBD FLU must be consistent with the City's adopted Mobility Plan and Mobility Fee system. For more information on how the City's Mobility Plan is applicable to development in the downtown area, see the detailed response to Section A.1 in this document.***

- 17. Affordable Housing  
Northside East DRI  
Area:

- a. At the end of Phase I, the Applicant shall verify that a minimum of 1,260 very low income and 892 low income housing units have been provided within a 20-minute commute of the project area as committed. These units may be rental or owner-occupied units.

***The City of Jacksonville and the DIA have incentivized affordable housing in the CBD FLU area and within a 20-minute commute. On August 10, 2020, the DIA issued a Request for Proposal (P-37-20) for Consultant Services to Update the Northbank Downtown & Southside Community Redevelopment Area Plans and the Business Investment & Development Strategy. Task 4 of this RFP is to review existing incentive programs and to recommend appropriate modifications, creation of new incentive programs, and elimination of ineffective programs. Affordable housing incentives may be included in this review. Examples of public private partnership developments to bring affordable housing to the CBD FLU area include Vestcor, Blue Sky, and Beneficial Communities.***

- b. Prior to any development activity in Phase II, and any subsequent phase of development, a study shall be completed, utilizing methodology approved by the DCA, which determines the expected affordable housing demand generated by the project area based on projected nonresidential development for all phases of the project. The study will also identify the extent to which that projected housing demand will be met through affordable housing opportunities on-site or off-site within reasonable access to the project, as defined by the DCA. No development activities for Phase II, or any subsequent phase for which a study is conducted, may occur until the analysis has been approved by the DCA and the NEFRPC.

If it is determined by the NEFRPC and the DCA, after review of the housing need and supply study, that there will be inadequate housing opportunities for very low and low income households employed within the Northside East DRI project area, then a Housing Affordability Implementation Plan (HAIP) will be completed which will identify measures to address and mitigate the deficit.

The HAIP, at a minimum, shall address the following issues:

Identify specific commitments to provide by phase or sub-phase that the need for affordable housing units, indicated by the study, will be available concurrent with the impacts of the development.

Proposals for development of housing units within the project that would promote affordability, such as, high density, smaller units, developer incentives for constructing affordable units, including, but not limited to, expedited review processes for affordable housing, deferral of financing or waiver of impact fees and other measures.



Identification of site for the construction of affordable housing units utilizing existing federal, state, and local aid programs.

Specific methods by which employers can notify employees within the project of the availability of affordable housing.

Site design and housing operational characteristics that would promote long term affordability, e.g., convenience to transit stops, access to work, shopping, and recreational centers.

Methods to coordinate transportation considerations such as ride-share programs, van-pooling, and other methods so as to provide access between affordable housing and the on-site employment opportunities.

Monitoring provisions to measure plan implementation and effectiveness.

The HAIP shall be subject to review by the JPDD and to review and approval by the DCA and the NEFRPC. No building permits for the applicable phase of development shall be issued until the HAIP is reviewed and approved by DCA and the NEFRPC and incorporated into the consolidated Downtown Development Order. If determined by DCA and the NEFRPC, that appropriate measures have been, or will be undertaken, in a timely fashion to implement the HAIP and address the identified need for affordable housing prior to the commencement of development activities for the phase of sub-phase in questions, the Applicant shall be responsible for causing the implementation of these measures.

The approved HAIP will be incorporated into the consolidated Downtown Development Order prior to the undertaking of any development activities within the particular phase.

The Applicant shall report on the status of its analysis and, if appropriate, all HAIP implementation activities in its DRI annual report or upon inquiry by the DCA or the NEFRPC. The annual report shall also contain a description of the housing costs in current dollar years for both rental and owner-occupied units on the project site and in areas adjacent to the project site.

***Current development within the CBD FLU area has not yet exceeded Phase II entitlements. The City of Jacksonville and the DIA have incentivized affordable housing in the CBD FLU area and within a 20-minute commute. On August 10, 2020, the DIA issued a Request for Proposal (P-37-20) for Consultant Services to Update the Northbank Downtown & Southside Community Redevelopment Area Plans and the Business Investment & Development Strategy. Task 4 of this RFP is to review existing incentive***

***programs and to recommend appropriate modifications, creation of new incentive programs, and elimination of ineffective programs. Affordable housing incentives will be included in this review. Examples of public private partnership developments to bring affordable housing to the CBD FLU area include Vestcor, Blue Sky, and Beneficial Communities.***

***The Housing Element of the City's adopted Comprehensive Plan also identifies incentives available for developers to provide affordable housing. Developers within the CBD FLU may choose to take advantage of one or more of these incentives.***

#### **Section D. Applicant Option to Transfer Land Use Entitlements between Component DRIs**

Implementation of a transfer of land use across boundaries of the Component DRI is conditioned upon the applicant (the Jacksonville Downtown Development Authority) processing a Notice of Proposed Change to a Previously Approved DRI in accordance with Chapter 380, Florida Statutes procedures. The transfer of land uses between component DRIs is further conditioned such that the amount of vehicle trips generated by the land use proposed to be shifted (singly or collectively) cannot exceed fifteen percent of the trip generation of the lesser of the two DRIs. Any resulting change in land use for each component DRI as a result of any approved transfer would be maintained by the applicant and included as part of the Annual Status Report.

***The CBD FLU entitlements identified in Table L-1.B and L-3 of the proposed Comprehensive Plan text amendments (Ordinance 2020-277, Approved for transmittal to the Florida Department of Economic Opportunity by City Council on August 11, 2020), will be available for use within the CBD FLU areas on the City's adopted Future Land Use Map. Land Use Trade-Off Matrices are included in the proposed Comprehensive Plan text amendments to allow for the exchange of use types within the CBD FLU based on trip generation rates. However, these matrices are not required to move where entitlements are located within the CBD FLU.***

#### **Section E. Consolidation and Time Extension of Phases**

The Consolidation and extension of the dates for the phases of the component DRIs does not modify the Applicant's requirement to maintain an acceptable level of service on the transportation facilities identified in Table 3 if development traffic consumes a 10 percent or greater of the acceptable level of service standard. The acceptable level of service standard is LOS "D" on principal arterials, LOS "E" on minor arterials, or as may be defined in the future if a Special Transportation Area is established within one or more of the Downtown component DRIs.

***DRI phasing and timeframes will be eliminated when the DRI and D.O. are abandoned. All CBD FLU entitlements are identified in the proposed Comprehensive Plan text amendments (Ordinance 2020-277, Approved for transmittal to the Florida Department of Economic Opportunity by City Council on August 11, 2020). The DIA will submit a report annually to the City's Planning Department that updates the remaining available entitlements. Additionally, new development must be consistent with the City's adopted Mobility Plan. For additional information on the Mobility Plan and how it applies to the downtown area, see the detailed response to Section A.1. of this document.***

**Section F. Applicant Option to Implement Changes to Previously Approved Land Use Types and Amount (implementation of a land use trade-off mechanism)**

The land use trade-off mechanism provided in Supplement 1 shall be utilized in assessing relative impacts caused by changes in land use type and amount based on gross floor area. Implementation of the land use trade-off mechanism shall be handled administratively by the Jacksonville Planning and Development Department. The applicant shall submit a traffic analysis to the JPDD, the MTPO and the City Traffic Engineer, to be structured so as to enable these agencies to determine whether the proposed trade-off constitutes a substantial deviation to any of the approved Downtown DRIs (either individually or in combination with previously approved land use changes). All land use trade-offs shall be reported in the Annual Status Report of the Consolidated DRI. The traffic analysis will include the following as a minimum:

- A comparison of trip generation per floor area from the approved land use versus the land use resulting from application of the trade-off. This must include a review of the trade-off impacts upon modal split, internal capture, and passer-by capture as appropriate.
- A comparison of the trip distribution and assignment of the approved land use versus the land use resulting from application of the trade-off mechanism.
- Additional analyses as necessary to determine that the requested trade-off does not create substantial additional adverse impact to regionally significant resources and public facilities.
- In addition to the assessment of transportation impacts and to insure that no additional impacts to public infrastructure and regional resources are created (including the need for affordable housing), the applicant will monitor proposed land use trade-offs and provide an analysis, if necessary, to determine if additional impacts will occur above those previously reviewed and addressed by existing component Development

Order requirement.

***Land Use Trade-Off Matrices are provided as Table L-2 and Table L-4 in the proposed Comprehensive Plan text amendments (Ordinance 2020-277, Approved for transmittal to the Florida Department of Economic Opportunity by City Council on August 11, 2020). These matrices allow for the exchange of use types within the CBD FLU based on trip generation rates. However, these matrices is not required to move where entitlements are located within the CBD FLU.***

**SUPPLEMENT 1  
LAND USE/TRANSPORTATION TRADE-OFF MECHANISM**

Potential changes in market conditions over the substantial (15 to 20 year) buildout periods of the three DRIs require the implementation of more flexible land use controls. The applicant seeks to implement a land use trade-off mechanism as the means of providing this flexibility. The trade-off mechanism would provide the tool to alter the type and amount of land use occurring within a given DRI area.

The trade-off mechanism is summarized in Table S-1 by a matrix of land use types and their equivalent areas in square feet based upon trip generation. The land uses in the table generally represent office, industrial, retail and institutional uses. Institutional land use is subdivided into government office, church, day care and medical office. The trip generation rates used to calculate the equivalent areas of use are as follows:

**Supplement 1a  
Table S-1  
Summary of PM Peak Hour Trip Rates for Land Uses Included  
in Revised Land Use Transportation/Trade-Off Matrix**

<b>ITE Code</b>	<b>Land use</b>	<b>Units</b>	<b>Average Trip Rate</b>	<b>Average Pass-by %</b>	<b>Average New Trip Rate</b>
110	Light Industrial	1,000 Square Feet	0.98	0%	0.98
220	Multi-Family	Dwelling Unit	0.62	0%	0.62
310	Hotel	Room	0.61	0%	0.61
560	Church	1,000 Square Feet	0.66	0%	0.66
565	Day Care	1,000 Square Feet	13.20	0%	13.20
610	Hospital	Room	0.92	0%	0.92
710	General Office	1,000 Square Feet	1.49	0%	1.49
710	Government Office/Institutional	1,000 Square Feet	1.49	0%	1.49
720	Medical Office	1,000 Square Feet	3.66	0%	3.66
820	Retail Commercial	1,000 Square Feet	3.74	34%	2.47

Source: *Trip Generation, 6th Edition, ITE*

These rates are from the Institute of Transportation Engineers Trip Generation Sixth Edition and apply separately to each of the three DRIs for potential trading off of land uses within a particular component DRI. The government office land uses shall also be included in the land use trade-off. The trip rate for this land use will be developed for the specific proposed use and may draw upon the Institute of Transportation Engineers Trip Generation report and other appropriate documentation. This will be documented through the preparation of a traffic report.

It is proposed that the use of the trade-off mechanism be handled administratively through the Jacksonville Planning and Development Department and conditioned upon the applicant submitting a traffic report to the JPDD to be reviewed by the appropriate agencies including the Jacksonville Planning and Development Department, the Metropolitan Planning Organization, and the City Traffic Engineer. The traffic report will provide the following information as a minimum:

- A comparison of trip generation from the approved land use versus the land use resulting from application of the trade-off. This must include a review of the trade-off impacts upon modal split, internal capture, and passer-by capture as appropriate within a component DRI.
- A comparison of the trip distribution and assignment of the approved land use versus the land use resulting from application of the trade-off mechanism.
- Additional analyses as necessary to determine the requested trade-off does not create substantial additional adverse impacts to the transportation system beyond those impacts originally reviewed.

The trade-off of land uses comprising a major portion of the development in the area shall be limited to ensure that the area retains a mixed use character and does not exceed the gross daily vehicle trips by phase and component DRI area identified in Table S-1A. Specific land uses are limited per Table 5-1B to the percentage of development as defined in Table S-1A that can be increased or decreased through the application of the trade-off mechanism. These percentage limitations apply to each phase of development and apply to the cumulative total of the gross daily vehicle trip generation allowed for that land use.

Supplement 1a  
Table S-2  
Revised Land Use Transportation/Trade-Off Matrix

		TO									
		110	220	310	560	565	610	710	710	720	820
		Lt. Industrial	Multi-Family	Hotel	Church	Day Care	Hospital	Gen Office	Gov't Office	Med Office	Retail Com
		1,000 SF	Dwelling Unit	Room	1,000 SF	1,000 SF	Room	1,000 SF	1,000 SF	1,000 SF	1,000 SF
ITE Code	Land Use/Units										
FROM	110 Light Industrial / 1,000 SF	1.000	1.581	1.607	1.485	0.0742	1.065	0.658	0.658	0.268	0.397
	310 Hotel / Room	0.622	0.984	1.000	0.924	0.0462	0.663	0.409	0.409	0.167	0.247
	560 Church / 1,000 SF	0.673	1.065	1.082	1.000	0.0500	0.717	0.443	0.443	0.180	0.267
	565 Day Care / 1,000 SF	13.469	21.290	21.639	20.000	1.000	14.348	8.859	8.859	3.607	5.344
	610 Hospital / Room	0.939	1.484	1.508	1.394	0.0697	1.000	0.617	0.617	0.251	0.372
	710 General Office / 1,000 SF	1.520	2.403	2.443	2.258	0.113	1.620	1.000	1.000	0.407	0.603
	710 Government Office/Institutional / 1,000 SF	1.520	2.403	2.443	2.258	0.113	1.620	1.000	1.000	0.407	0.603
	720 Medical Office / 1,000 SF	3.735	5.903	6.000	5.545	0.277	3.978	2.456	2.456	1.000	1.482
820 Retail Commercial / 1,000 SF	2.520	3.984	4.049	3.742	0.187	2.685	1.658	1.658	0.675	1.000	

TABLE S-1B Land use Trade-Off Limits Maximum Trade-Off Allowed <sup>1</sup>		
Land Use	Percentage Increase	Percentage Decrease
Office	0	15
Institutional	15	15
Retail	15	15
Industrial <sup>2</sup>	40	40
Hotel	100	50
Residential	100	0

Note: <sup>1</sup>These are general limitations and may be exceeded by providing a traffic analysis to demonstrate that the trade-off does not create an adverse impact. Said analysis shall be considered through a Notice of Proposed Change under 380.06(19) F.S.


<sup>2</sup>Any increase in industrial land use shall be traded-off against a commensurate reduction in office land use.

These percentages shall be applied by geographic area to all phases through that currently under development.

Future conditions may warrant the addition of other land uses which may be better defined or differ from those not provided for in the trade-off mechanism. A trade-off of approved land use for an equivalent amount of unspecified land use shall be allowed following review and approval of a report which addresses the information described above which is made a part of a Notice of Proposed Change pursuant to 380.06(19) F.S.. Residential and Hotel uses may also be part of a land use trade-off where other land uses are traded off for additional residential and or hotel uses. However, the residential use cannot be reduced through the mechanism. A trade-off involving residential or hotel uses will require a traffic report (and Notice of Proposed Change pursuant to 380.06(19) F.S.) described above as well as an assessment of non-transportation impacts as provided in the Consolidated DRI.

It is not anticipated that the land use trade-offs would create additional adverse impacts to regionally significant resources and public facilities. The applicant will monitor land use trade-offs, and if it is determined that there are additional impacts, the applicant will provide an analysis of additional infrastructure impacts (including the need for affordable housing), which will be submitted to the appropriate agencies for review and subsequent approval of the trade-off pursuant to 380.06(19) F.S.





The utilization of the land use trade-off procedure and equivalency ratios shall be subject to the following:

- Map "H" and Table 12-1 for the respective DRIs shall be modified, as necessary, reflecting a proposed change and submitted to the JPDD along with a written explanation of the change and request for review and approval by the JPDD.
- A resolution approving the proposed change or land use trade-off must be requested and approved by City Council subsequent to receipt of an advisory recommendation on same by the JPDD.
- Copies of the Resolution approving the change and the analysis supporting the change shall be submitted to the NEFRPC and DCA at the time the action is approved and will be included in the Annual Report.

**TABLE A: NORTHSIDE EAST COMPONENT AREA**

Land Use	Existing Pre-ADA	Phase I Approved Development	Total Phase I Development	Total Phase I Development After Conversions
Retail	753,900	434,602	1,188,502	1,188,502
Office	3,764,100	2,940,849	6,704,949	6,704,949
Industrial	0	93,522	93,522	93,522
Gov't/Inst.	1,744,000	1,640,247	3,384,247	3,384,247
Comm. Util	95,000	2,470	97,470	97,470
Residential	1,238	1,911	3,149	3,149
Attractions	102,042	7,958	110,000	110,000
Hotel Rooms		1,316	1,316	1,316
Marina Slips		524	524	524

Land Use	Total Phase II Development
Retail	250,000
Office	1,881,200
Industrial	50,000
Gov't/Inst.	250,000
Comm. Utilities	0
Residential	1,000
Attractions (seats)	10,000
Hotel Rooms	234
Marina Slips	0

Land Use	Total Phase III Development
Retail	1,787,815
Office	10,496,310
Industrial	99,594
Gov't/Inst.	1,123,653
Comm. Utilities	0
Residential	3,072
Attractions (seats)	0
Hotel Rooms	0
Marina Slips	0

**TABLE A: NORTHSIDE WEST COMPONENT AREA**

Land Use	Existing Pre-ADA	Phase I Approved Development	Total Phase I Development	Total Phase I Development After Conversions
Retail	1,329,346	338,418	1,667,764	1,792,364
Office	3,231,381	5,391,975	8,623,356	7,572,490
Industrial	557,150	61,581	618,731	618,731
Gov't/Inst.	633,300	460,092	1,093,392	1,723,312
Residential	78	1,804	1,882	1,882
Attractions	0	0	0	0
Hotel Roo	0	929	929	929
Marina Slip	0	0	0	0

Land Use	Total Phase II Development
Retail	100,000
Office	1,116,900
Industrial	0
Gov't/Inst.	0
Residential	200
Attractions (seats)	0
Hotel Rooms	0
Marina Slips	0

Land Use	Total Phase III Development
Retail	1,458,553
Office	3,227,007
Industrial	716,108
Gov't/Inst.	0
Residential	1,241
Attractions (seats)	0
Hotel Rooms	0
Marina Slips	0

**TABLE A: SOUTH SIDE COMPONENT AREA**

Land Use	Existing Pre-ADA	Phase I Approved Development	Total Phase I Development	Total Phase I Development After Conversions
Retail	35,000	176,348	211,348	211,348
Office	1,547,529	2,329,598	3,877,127	3,877,127
Industrial	5,000	0	0	5,000
Gov't/Inst.	0	36,000	36,000	36,000
Residential	0	1,633	1,633	1,633
Attractions	0	0	0	0
Hotel Roo	668	791	1,459	1,459
Marina Slip	62	328	265	390
Hospital B	523	180	703	703

Land Use	Total Phase II Development
Retail	100,000
Office	291,800
Industrial	0
Gov't/Inst.	0
Residential	0
Attractions (seats)	0
Hotel Rooms	102
Marina Slips	0
Hospital Beds	32

Land Use	Total Phase III Development
Retail	440,152
Office	824,151
Industrial	0
Gov't/Inst.	0
Residential	3,651
Attractions (seats)	0
Hotel Rooms	0
Marina Slips	0
Hospital Beds	0

NOTE: 50 UNCUMBERED MARINA SLIPS UNASSIGNED TO COMPONENT AREA EXIST