

PLANNING AND DEVELOPMENT DEPARTMENT



October 20, 2016

The Honorable Lori Boyer, President  
The Honorable Danny Becton, LUZ Chair  
And Members of the City Council  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report  
Ordinance No. 2016-631**

**2030 Comprehensive Plan Text Amendment**

Dear Honorable Council President Boyer, Honorable Council Member and LUZ Chairman Becton and Honorable Members of the City Council:

Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **Deferred** Ordinance 2016-631 on October 20, 2016.

P&DD Recommendation

APPROVE

PC Issues:

Concern about adding regulatory layers; concern as to why changes being proposed; desire for input from insurance and development community; interest in understanding the floodplain regulations and how flood zones are updated; concern about establishing a new AAA line/boundary without details; concern regarding how language impacts future development or redevelopment. Requested staff to reach out to the insurance and development community as well as to have the City's Floodplain Administrator present to explain the floodplain and flood zone issues.

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Respectfully,

A handwritten signature in cursive script that reads "Kristen D. Reed".

Kristen D. Reed, AICP  
Chief of Community Planning

**Staff Report on**  
**Proposed 2016B Series' Text Amendment**  
**to the Conservation/Coastal Management Element**  
**of the 2030 Comprehensive Plan**

**ORDINANCE 2016-631**

Florida Statutes Section 163.3178(2)(f)2 requires local government comprehensive plans to include principles to eliminate inappropriate and unsafe development in coastal areas when opportunities arise. The goal of these provisions is to limit the impacts of increased coastal flooding in vulnerable areas. As indicated in EXHIBIT 1 for Ordinance 2016-631, a text amendment is being proposed to amend the Conservation/Coastal Management Element (CCME) to add Goal 14, Objectives 14.1, 14.2 and 14.3 and associated policies to meet these requirements of the Florida Statutes.

The Department's research found that the City of Jacksonville already has a strong set of established programs, policies and regulations that address coastal flooding. Proposed CCME Policies 14.1.1 through 14.3.4 reflect this and are directly related to existing ordinances, comprehensive plan policies, hazard mitigation activities, and building code standards as well as continued participation in the National Flood Insurance Program.

Proposed CCME Policies 14.3.5 through 14.3.8 recognize that there will be potential future impacts of sea level rise (SLR) to low-lying coastal areas of Jacksonville. Section 163.3177(6)(g)(10) of Florida Statutes allows for the development, at local option, of an Adaptation Action Area (AAA) designation for these types of areas. The AAA is a policy tool that allows a local government to plan for sea level rise, designate vulnerable areas, and prioritize adaptation strategies. The new CCME policies implement an AAA for Jacksonville and include associated policies designed to increase coastal resilience.

The geographic boundaries of the AAA are based upon sea rise research from the US Army Corps of Engineers; the National Oceanic and Atmospheric Administration (NOAA); the Southeast Florida Regional Climate Change Compact; the University of Florida's Florida Climate Institute; and the Northeast Florida Regional Council's (NEFRC) Emergency Preparedness Committee on Sea Level Rise. The assumptions on the rates of rise above current sea level by 2060 ranged from 1-3 feet and 3-6 feet by 2110. The Department selected a medium range impact of a two foot sea level rise by 2060 to establish the geographic boundaries of the AAA.

After mapping areas which would be affected by a two foot sea level rise, it was found that the AAA and the Coastal High Hazard Area (CHHA) boundaries correlate to a high degree. As such, a reasonable policy approach would be to recognize the CHHA as also encompassing the AAA, which is achieved in Policy 14.3.5. A map of the CHHA boundary is attached to this report for reference.

Policy 14.3.6 states that the AAA designation will serve to prompt consideration and discussion of the implications of intensification and densification of lands lying within the area's boundary.

Policy 14.3.7 recognizes that the area within the planned AAA is already subject to existing policies, regulations and programs targeted at hazard mitigation related to flooding and storm surge and all serve the same essential purposes as the AAA designation.

The Department is also recommending, through Policy 14.3.8, that a working group be established to continue discussion on the AAA and to develop additional responses as deemed feasible and appropriate.

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### **Section 163.3178, F.S Coastal Management –**

(2) Each coastal management element required by s. 163.3177(6)(g) shall be based on studies, surveys, and data; be consistent with coastal resource plans prepared and adopted pursuant to general or special law; and contain:

(f) A redevelopment component that outlines the principles that must be used to eliminate inappropriate and unsafe development in the coastal areas when opportunities arise. The component must:

1. Include development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk in coastal areas which results from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise.

2. Encourage the use of best practices development and redevelopment principles, strategies, and engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency.

3. Identify site development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies issued in this state.

4. Be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60.

5. Require that any construction activities seaward of the coastal construction control lines established pursuant to s. 161.053 be consistent with chapter 161.






6. Encourage local governments to participate in the National Flood Insurance Program Community Rating System administered by the Federal Emergency Management Agency to achieve flood insurance premium discounts for their residents.

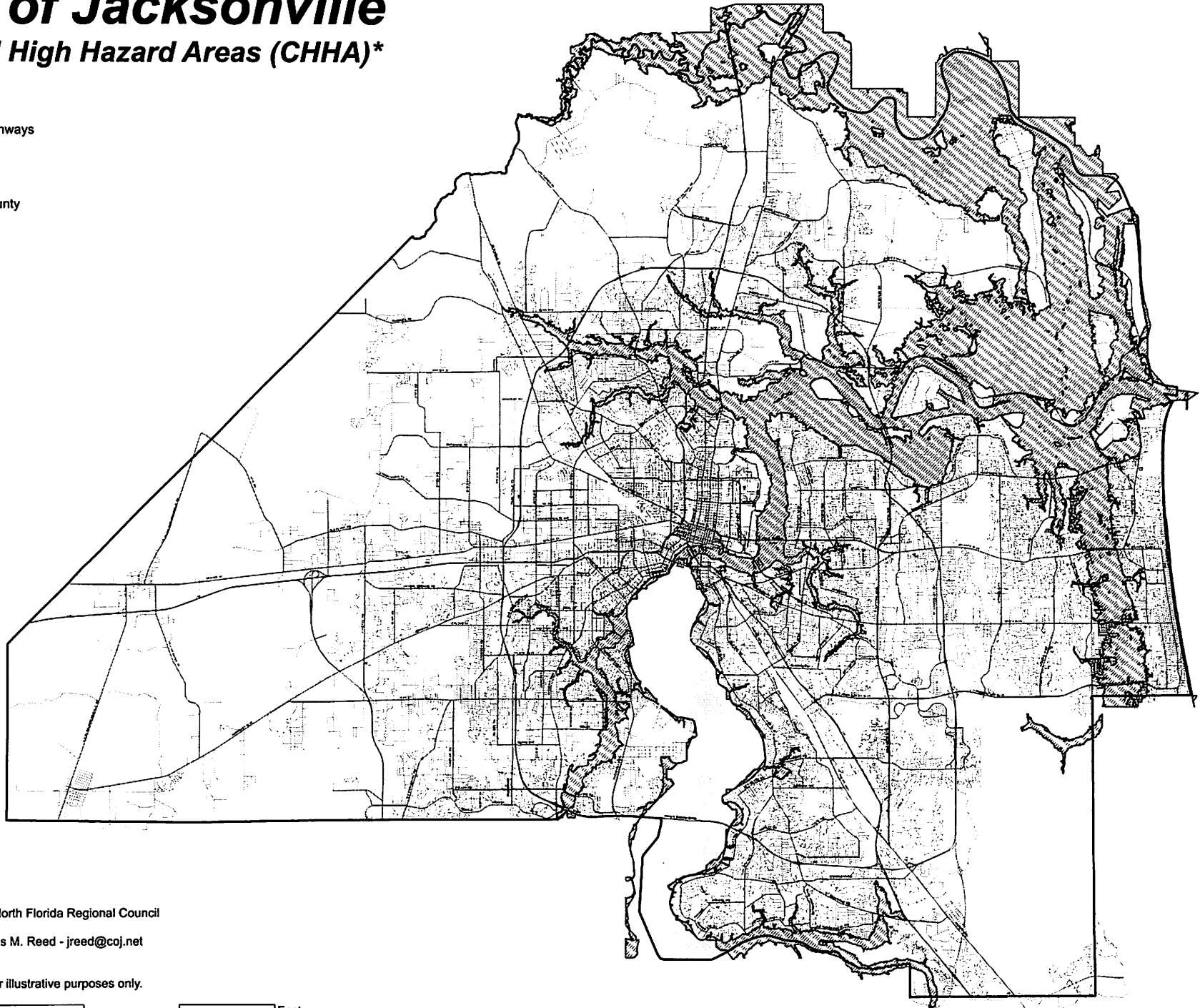
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The Planning and Development Department recommends **APPROVAL** of the text amendment in the attached **EXHIBIT 1** and submitted as **Ordinance 2016-631**.

# City of Jacksonville

## Coastal High Hazard Areas (CHHA)\*

-  CHHA
-  Major Highways
-  Roads
-  River
-  Duval County



\*Data provided by North Florida Regional Council

Developed by James M. Reed - jreed@coj.net  
August 26, 2016

Content intended for illustrative purposes only.

0 8,500 17,000 34,000 51,000 68,000 Feet



1 Introduced by the Land Use and Zoning Committee:  
2  
3

4 **ORDINANCE 2016-631**

5 AN ORDINANCE APPROVING FOR TRANSMITTAL TO THE  
6 STATE OF FLORIDA'S VARIOUS AGENCIES FOR REVIEW  
7 PROPOSED 2016B SERIES TEXT AMENDMENT TO THE  
8 CONSERVATION/COASTAL MANAGEMENT ELEMENT OF THE  
9 2030 COMPREHENSIVE PLAN OF THE CITY OF  
10 JACKSONVILLE TO ELIMINATE INAPPROPRIATE AND  
11 UNSAFE DEVELOPMENT IN FLOODPLAINS AND COASTAL  
12 AREAS WHEN OPPORTUNITIES ARISE AND TO ADD  
13 OBJECTIVES AND POLICIES TO SUPPORT SAME;  
14 PROVIDING AN EFFECTIVE DATE.  
15

16 **WHEREAS**, the Planning and Development Department has initiated  
17 certain revisions and modifications to the text of the 2030  
18 *Comprehensive Plan* in accordance with the procedures and requirements  
19 set forth in Chapter 650, Part 4, *Ordinance Code* to facilitate the  
20 appropriate and timely implementation of the plan, and has provided the  
21 necessary supporting data and analysis to support and justify the  
22 amendments determined to be required and accordingly has proposed  
23 certain revisions and modifications which are more particularly set  
24 forth in **Exhibit 1, attached hereto**, dated August 26, 2016 and  
25 incorporated herein by reference; and

26 **WHEREAS**, the Jacksonville Planning Commission, as the Local  
27 Planning Agency, held a public hearing on this proposed amendment to  
28 the 2030 *Comprehensive Plan*, with due public notice having been  
29 provided, and reviewed and considered all comments received during the  
30 public hearing, and made a recommendation to the City Council; and

31 **WHEREAS**, the Land Use and Zoning (LUZ) Committee held a public

1 hearing on this proposed amendment pursuant to Chapter 650, Part 4,  
2 *Ordinance Code*, having considered all written and oral comments  
3 received during the public hearing, has made its recommendation to the  
4 Council; and

5 **WHEREAS**, the City Council held a public hearing on this proposed  
6 amendment with public notice having been provided, pursuant to Section  
7 163.3184(3), *Florida Statutes*, and Chapter 650, Part 4, *Ordinance Code*,  
8 and having considered all written and oral comments received during the  
9 public hearing, the recommendations of the Planning and Development  
10 Department, the Planning Commission and the LUZ Committee, desires to  
11 transmit this proposed amendment through the State's expedited state  
12 review process to the Florida Department of Economic Opportunity, as  
13 the State Land Planning Agency, the Northeast Florida Regional Council,  
14 the Florida Department of Transportation, the St. Johns River Water  
15 Management District, the Florida Department of Environmental  
16 Protection, the Florida Fish and Wildlife Conservation Commission, the  
17 Department of State's Bureau of Historic Preservation, the Florida  
18 Department of Education, and the Department of Agriculture and Consumer  
19 Affairs; now, therefore

20 **BE IT ORDAINED** by the Council for the City of Jacksonville:

21 **Section 1. Approval of Amendment for Transmittal Purposes.** The  
22 Council hereby approves the proposed 2016B Series' text amendment to  
23 the Conservation/Coastal Management Element of the *2030 Comprehensive*  
24 *Plan* as set forth in **Exhibit 1, attached hereto**, dated August 26, 2016,  
25 for transmittal to Florida's various required State Agencies for  
26 review. The amendment adds a Goal, Objectives and Policies to the  
27 Element regarding the elimination of inappropriate and unsafe  
28 development in floodplains and coastal areas when opportunities arise.

29 **Section 2. Effective Date.** This ordinance shall become  
30 effective upon the signature by the Mayor or upon becoming effective

1 without the Mayor's signature.

2 Form Approved:

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5           /s/ Susan C. Grandin          

6 Office of General Counsel

7 Legislation Prepared By: Kristin Reed

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**Ordinance 2016-631**

**2016B Series Text Amendment**  
**City of Jacksonville 2030 Comprehensive Plan**

**Conservation/Coastal Management Element (CCME)**

**GOAL 14**

**Eliminate inappropriate and unsafe development in floodplains and coastal areas when opportunities arise.**

**Objective 14.1 The City of Jacksonville will encourage the use of best practices in development and redevelopment principles as well as strategies and engineering solutions that will result in limiting development in coastal and flood zone designations and reduce losses due to flooding and claims made under flood insurance policies.**

**Policies 14.1.1**

**The City shall protect appropriate floodplain areas for the public benefit and restore degraded floodplain areas by methods such as land acquisition or conservation easement acquisition; regulation, including setbacks, buffer zones, designated wildlife corridors; low density zoning, performance standards and open space requirements.(CCME 2.7.3)**

**14.1.2**

**Utilizing such programs as the Flood Mitigation Assistance Program (FMAP), Repetitive Flood Claims (RFC) and Severe Repetitive Loss (SRL), the City will continue to work with the State of Florida Division of Emergency Management (DEM), the Federal Emergency Management Agency (FEMA) and the National Flood Insurance Program (NFIP) to mitigate flooding hazards through the acquisition, elevation or relocation mitigation alternatives (Local Mitigation Strategy).**

**14.1.3**

**The City will create and maintain data and information to support redevelopment efforts which will include the following inventories: non-conforming land uses, vacant lands, high hazard areas, potential property acquisition/reuse, critical priority redevelopment areas and industrial preservation areas (Post Disaster Redevelopment Plan).**

**14.1.4**

**The City will develop and support public and private projects and programs to retrofit, relocate or acquire properties susceptible to repetitive flooding.**

#### **14.1.5**

The City shall minimize public and private losses due to flooding by implementing the following regulations:

- A. Requiring the use of appropriate construction practices in order to prevent or minimize future flood damage and managing development practices which may increase flood damage or erosion potential. (Ordinance Code, § 652.103(b and c))
- B. Designating a Floodplain Administrator to enforce the provisions of Chapter 652, Ordinance Code, the City's floodplain management ordinance.

#### **14.1.6**

The City shall meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22. (Ordinance Code, § 652.103(h))

#### **14.1.7**

The City will continue to participate in the National Flood Insurance Program (NFIP) and will make all reasonable efforts to maintain a Community Rating System score of 6 or higher.

**Objective 14.2 The City of Jacksonville shall be consistent with, or more stringent than, the flood resistant construction requirements of the Florida Building Code (FBC) and applicable flood plain management regulations (44 C.F.R. part 60). Construction activities seaward of the coastal construction control lines shall be consistent with Chapter 161, Florida Statutes.**

#### **Policies 14.2.1**

The Floodplain Management Ordinance (Ordinance Code, Chapter 652) shall be administered and enforced in conjunction with the Florida Building Code and shall be consistent with the requirements of the Federal Emergency Management Agency (FEMA) and Title 44 Code of Federal Regulations. Additionally, floodplain development permits or approvals shall be issued pursuant to Chapter 652 for any development activities not subject to the requirements of the Florida Building Code. (Ordinance Code, § 652.402)

#### **14.2.2**

Limit new construction to areas landward of the primary dune line, except as provided for by Florida's Coastal Construction Control Line regulation pursuant to Chapter 161, F.S. Prohibit the use of non-emergency or maintenance vehicles on the City's primary dune system except as provided pursuant to an approved beach management plan. (FLUE Policy 1.5.8)

### **14.2.3**

If extending, in whole or in part, seaward of the coastal construction control line and also located, in whole or in part, in a flood hazard area:

- A. Buildings and structures shall be designed and constructed to comply with the more restrictive applicable requirements of the Florida Building Code, Building Section 3109 and Section 1612 or Florida Building Code, Residential Section R322.
- B. Minor structures and non-habitable major structures as defined in F.S. § 161.54, shall be designed and constructed to comply with the intent and applicable provisions of this Chapter and ASCE 24. (Ordinance Code, § 652.1004)

**Objective 14.3 The City of Jacksonville shall adopt, implement, and encourage development and redevelopment principles, strategies and engineering solutions that reduce flood risk in coastal areas which results from high-tide storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise with the intent to increase the community's comprehensive adaptability and resiliency capacities.**

### **Policies 14.3.1**

The City's Land Development Regulations shall include standards and criteria for drainage and stormwater management in all types of development based on Level of Service Standards established in the 2030 Comprehensive Plan. (FLUE Policy 1.2.15)

### **14.3.2**

The City shall require all development within the 100 year flood plain to be in strict conformance with all applicable federal, State, regional and local development regulations. (FLUE Policy 1.4.4)

### **14.3.3**

The City shall adhere to the principles of the Local Mitigation Strategy from the Emergency Preparedness Division which will be reviewed, revised and updated every year in order to rate potential mitigation initiatives, consistency with adopted mitigation guiding principles, goals, objectives and funding availability.

### **14.3.4**

The City shall adhere to the procedures and criteria for development as set forth in the Floodplain Management Ordinance. The Floodplain Management Ordinance shall include standards, criteria and analysis submitted with a proposed development activity's site plan and construction documents to demonstrate the proposal will not increase the potential for flood damage. (Ordinance Code, Ch. 652)

**14.3.5**

The City of Jacksonville shall recognize the Coastal High Hazard Area (CHHA) identified in Map C-18 as also encompassing the Adaptation Action Area (AAA) for those low-lying coastal zones that may experience coastal flooding due to extreme high tides and storm surge and are vulnerable to the impacts of rising sea level. (§163.3177(6)(g)(10), F.S.) Land within the AAA is subject to potential high tide inundation under a horizon 2060 two foot sea level rise scenario.

**14.3.6**

The City shall consider the implications of the AAA when reviewing changes to the use, intensity and density of land lying within the AAA.

**14.3.7**

The City shall recognize existing regulations, programs and policies that overlap with the AAA and that are currently in place to limit public investment and address appropriate development and redevelopment practices related to flooding. These regulations, programs and policies include but are not limited to the floodplain management ordinance, CHHA policies, the Local Mitigation Strategy and the Post Disaster Redevelopment Plan and shall only be applied in cases where such regulation would otherwise apply to a development or redevelopment project.

**14.3.8**

The City of Jacksonville shall create a working group to review existing programs and policies in relation to the AAA to determine the need and appropriate timing for additional and financially feasible responses to the effects of coastal flooding within the Adaptation Action Area.