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## Growth Management Study

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# Growth Management study

*A Report to the Citizens of Jacksonville • Summer 1984*

## SCOPE OF THE STUDY

Acknowledging that northeast Florida is going to grow, what mechanisms are necessary to maintain and enhance the quality of life in Jacksonville?

The term "Growth Management" in this study refers to a conscious program intended to influence the rate, amount, type, location and/or quality of future development. Growth management, by our definition, is not synonymous with stopping or limiting growth. This study does not determine whether growth is good or bad or whether growth should be stimulated or discouraged. A major assumption made at the offset of this study is that growth will occur.

The scope of this study includes a review and analysis of:

- . The anticipated growth for Jacksonville.
- . The mechanisms or growth management tools available, necessary and/or desirable to control growth.
- . Problems that occur when these tools are applied.
- . Problems that occur when these tools are not applied.
- . Problems for which Jacksonville has no tools.

This study reviews the present growth management system and the interaction of the various components of the system. The study does not attempt to analyze the specific plans nor to make recommendations on how and where development should occur. Current issues which are subsets of growth management such as the development along J. Turner Butler Boulevard, are not included.

## HIGHLIGHTS

### MAJOR PROBLEMS

- . The growth management system lacks policy direction, commitment and coordination.
- . The Comprehensive Plan is not binding in land use decisions.
- . No mechanism exists to review the cumulative impact of many small developments in a geographical area.
- . An equitable and consistent funding mechanism is lacking for infrastructure for new developments.
- . Citizen involvement in the growth management system is inadequate.

### RECOMMENDED SOLUTIONS

- . Adopt and enforce a Comprehensive Plan including specific, short range sub-area plans.
- . Adopt a performance based development code.
- . Adopt an equitable funding structure for providing facilities to developing areas.
- . Increase media coverage of growth management.
- . Increase citizen awareness of system.



# FINDINGS

Findings represent the data base of the committee. They are derived from the published materials listed in the references, facts reported by resource persons or from a consensus of committee understanding as reported by resource persons.

## Population Growth

THE POPULATION OF JACKSONVILLE AND OF THE SURROUNDING AREA IS INCREASING AND WILL CONTINUE TO INCREASE IN THE FORESEEABLE FUTURE.

While the anticipated rate of growth varies considerably according to the source making the projections, the steady growth witnessed in recent years is expected by the most conservative sources to continue, although some say it could increase dramatically.

Northeast Florida (Baker, Clay, Duval, Nassau & St. Johns counties) experienced rapid growth in the 1970's by national standards, but a relatively slow growth rate by Florida standards. The population trends for Duval County, northeast Florida, the state of Florida, and the United States over the last three censuses are indicated in the table below.

In terms of net growth, Duval accounted for 35 percent of northeast Florida's growth

during the 1970's, mostly in the southeast sections of the county. In addition, growth patterns clearly indicate a flow of residents from Duval to the surrounding counties.

## Population Projections

Population projections are based primarily on historical trends. As has been shown in many small south Florida counties with previously slow growth rates, unforeseen circumstances can cause a substantial change in the predictions. Growth pressures experienced by the entire state could modify Jacksonville's projections, causing a greater increase than projected.

In 1983, the Bureau of Economic and Business Research of the University of Florida prepared county population projections. Its middle projections, considered most likely, predict Duval County's population will reach 632,100 by the year 2000. Projections developed for the United Way of Jacksonville predict that Duval

County's population will increase to 716,433 by 2000. The Chamber of Commerce "Jacksonville 2005" vision of the future indicates a desired growth rate of from 2 to 2.5 percent annually. As distinct from a projection, this is the growth rate toward which the Chamber intends to strive. Should Duval County grow at the rate of 2.5 percent per year, the county population would be approximately 936,000 in the year 2000.

The following chart indicates the range of population projections made for the years 1985, 1990, 1995, and 2000 by various sources. The low estimate specifies an additional 61,109 persons and the high estimate an additional 358,209 persons in Jacksonville by the year 2000. Whether the high or low projections prove correct, Jacksonville can expect significant growth.

JACKSONVILLE'S POPULATION GROWTH IS NOT, AND CANNOT BE EXPECTED TO BE, UNIFORM THROUGHOUT THE COUNTY.

## Population Trends (1960-1980)

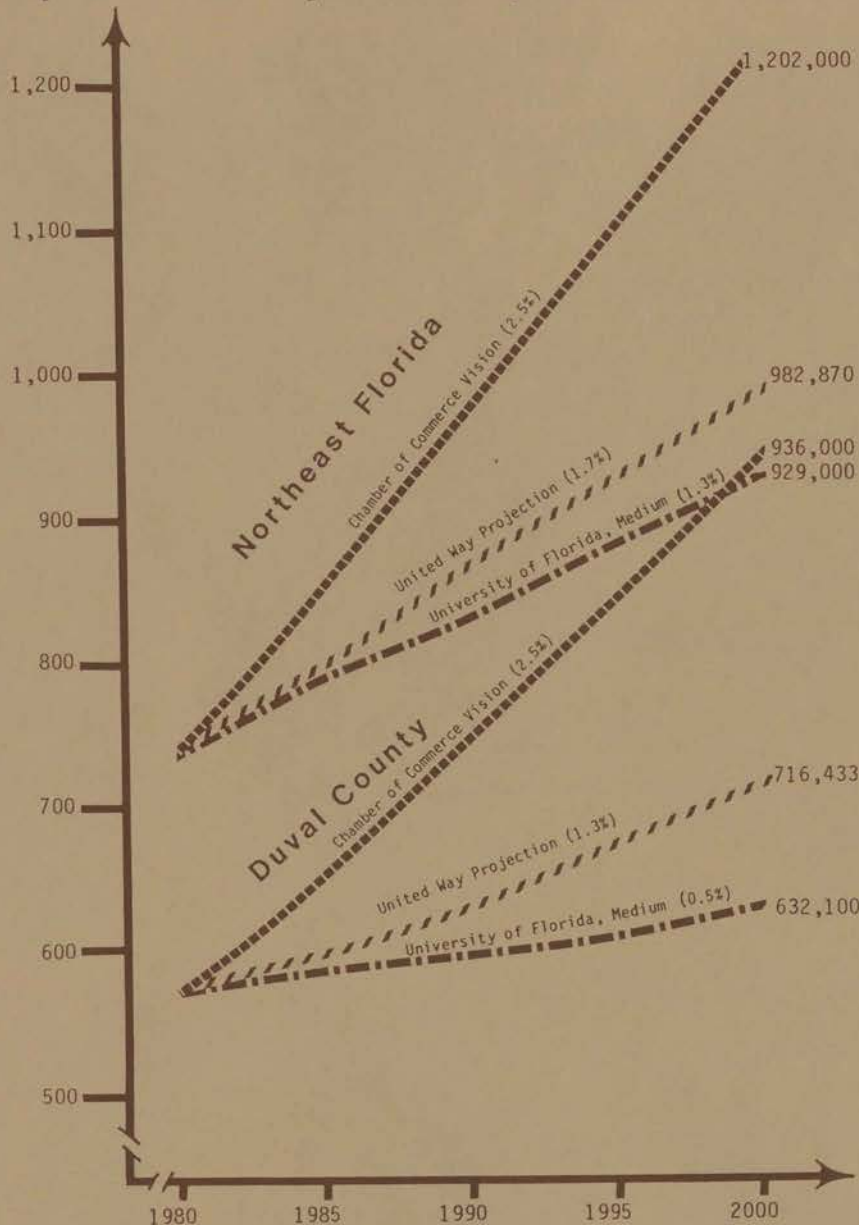
	1960	1970	1980	1960-70 Change	%	1970-80 Change	%
Duval County	455,411	528,865	570,981	+73,454	16.1	+42,116	8.0
North East Florida (Baker, Clay Duval, Nassau & St. Johns Counties)	529,532	621,827	737,519	+92,295	17.4	+145,692	18.6
Florida	4,951,600	6,791,418	9,746,424	+1,839,818	37.2	+2,955,006	43.5
United States	179,323,175	203,302,031	226,545,805	+23,978,856	13.4	+23,243,774	11.4

Source: U.S. Bureau of Census, 1960, 1970, 1980

Although the overall population of Jacksonville is expected to increase, the increase will be at an uneven rate with some areas growing rapidly, others growing slowly, and some areas not growing at all. Some major projects, such as the J. Turner Butler Boulevard or the proposed Dames Point Bridge will have a significant effect on how and where growth occurs.



## Population Projections (1980-2000)



During the last decade, the beaches and the southeastern section of Jacksonville have grown markedly. In the fastest growth area, the Mandarin-Loretto census division, the population increased by about 21% (approximately 1,400 persons) per year between the 1970 and 1980 census. This rapid increase strained the street system beyond its capacity, and caused overcrowding of schools. Strip commercial areas sprang up along the major thoroughfare, causing

traffic congestion and creating visual pollution. Mandarin residents complain of a shortage of parks and are concerned that fire and police services have not kept pace, and that the area is being developed without adequate consideration for good zoning or for existing plans.

In contrast, the northwest area of Jacksonville, primarily a low-income section, has lost population during the decade, and is experi-

encing the problem of attracting growth to a greater extent than that of managing growth.

## Growth Management System

FLORIDA'S STATE POLICY ENCOURAGED UNRESTRAINED GROWTH UNTIL THE LAST TWO DECADES. NORTHEAST FLORIDA, WITH ONE OF THE SLOWER GROWING METROPOLITAN AREAS IN FLORIDA, STILL ENCOURAGES GROWTH WITH MINIMUM RESTRAINT.

In its early days as a rural state, infested by mosquitos, snakes and alligators, Florida experienced little growth. The state sought to attract people to this harsh environment by encouraging swamp drainage and canal building, by promoting railroads and by giving away land. Growth eventually began to occur as a result of diverse technological and social changes. Air conditioners helped to conquer climatic problems; social security, medical payments and private sector pension plans created a new type of retiree; and improved transportation facilities and increased leisure time encouraged an unprecedented migration into the state.

Citizens have only recently become concerned about the potential harmful effects of uncontrolled growth. Responding to this increased awareness, elected officials at federal and state levels have enacted significant legislation designed to respond to environmental problems resulting from growth. This legislation provides a basis for a growth management system.



## Federal

A number of federal programs exist which influence the land use activities of states, local governments, private enterprise and individuals. Beginning in 1969, the federal government began to respond to environmental problems through organizational and legislative actions. These actions resulted in programs designed to manage coastal resources, to protect against floods and hurricanes, to control wetlands and soil erosion, and to control air, noise and water pollution. In addition, housing and transportation programs provided federal support for the use of land for open space, recreation, and wildlife.

## State

Responding to a severe drought, and with the recommendation of the Environmental Land and Water Management Study Committee (ELMS), the state legislature enacted a series of major laws to manage growth. These new laws were the Environmental Land and Water Management Act of 1972, Water Resources Act of 1972, Comprehensive Planning Act, and the Land Conservation Act. Since then, the state has added the Local Government Planning Act (Chapter 163), the Environmental Reorganization Act in 1975 (which established the Department of Environmental Regulation), and, in 1976, a constitutional amendment allowing the water management districts to obtain funding through ad valorem taxes. These laws mandate comprehensive planning, require regional consideration for

large-scale developments and place limitations on many water-related activities to protect Florida's natural resources.

According to many state experts, this package of legislation gives the state all of the mechanisms needed to manage growth effectively. As designed by the state legislation, the majority of these mechanisms are to be controlled at the local level. Throughout the state today, the local use of these mechanisms varies considerably. In 1983, Governor Graham appointed a second Environmental Land and Water Management Study Committee (ELMS II) to review the growth management mechanisms in place in Florida, and to recommend further improvements.

## Sub-State Districts

Since many growth-management issues demand an approach based on geographic rather than political boundaries, the state has created various types of sub-state, regional districts such as Regional Planning Councils and Water Management Districts. Sub-state districts are designed to decentralize and simplify the delivery of a wide range of governmental services and to alleviate jurisdictional disputes between government entities. The Northeast Florida Regional Planning Council includes seven counties: Flagler, Putnam, St. Johns, Clay, Duval, Baker, and Nassau. The regional office is located in Jacksonville.

Regional Planning Councils often do not have adequate funding to fulfill all the duties assigned to them, and have limited regulatory

authority to implement their suggestions except through appeal action to the state. The Environmental Land Management Study Committee (ELMS II) has suggested a growth-management trust fund to provide grants to such regional agencies.

Water Management District boundaries follow natural water basins in the state, often transcending county lines. The districts have responsibility for managing both surface water and ground water systems, and in support of these responsibilities, have the power to tax and to levy fees. Duval County is included in the St. Johns River Water Management District, headquartered in Palatka; it comprises all or part of 19 counties from Indian River and Okeechobee in the South to Nassau County in the North. The area of almost 15,000 square miles is larger than the state of Vermont.

The Department of Environmental Regulation (DER) uses six sub-state districts. Although these districts were intended originally to follow drainage basins, the boundaries have been adjusted to coincide with county lines. The DER District which includes Duval County contains eight of the St. Johns River Water Management District counties, plus counties to the west in the Suwannee River basin.

Duval County is also located in District Two of the Florida Department of Transportation (DOT) and belongs to the federally mandated Metropolitan Planning Organization (MPO). The DOT and MPO jointly share the responsibility for transpor-



tation planning. The Department of Transportation District Two covers 16 counties; the MPO consists of Duval and parts of Clay and St. Johns counties.

Overlapping geographical boundaries and fragmented functional responsibilities among various sub-state districts and local governments indicate the need for close coordination; without it gaps and oversights can occur in the growth-management process.

## Local

Public sentiment in some parts of Florida has apparently turned against growth, making growth management in these areas synonymous with slowing or stopping growth. In contrast, most Jacksonville residents appear to view growth positively. The majority of City Council members and the Mayor campaigned on a platform of encouraging economic growth for Jacksonville. The general population, especially those in low-income districts, appear to support this desire for growth. According to a survey conducted for the Jacksonville Area Chamber of Commerce in 1983, 59 percent of area residents prefer to see growth at the present, or a more rapid level; only 19 percent prefer to see Jacksonville change very slowly, or not at all. It is not clear, however, whether the citizens of Jacksonville fully understand and accept the controls required to manage growth properly.

Federal and state legislation has been the primary stimulus for Jacksonville's adoption of various growth-management mechanisms, and nearly all land-use provi-

sions and planning activities currently in use are designed to influence growth and development patterns. Consolidation of city and county governments in 1968 gave Jacksonville an advantage over other counties which are struggling to manage growth with a multiplicity of municipal governments. The Downtown Development Authority was established to plan, coordinate, and assist in the development of Jacksonville's downtown area. The Chamber of Commerce has designed programs to attract new growth to the community. Both organizations assist developers in working with governmental agencies which regulate growth.

## Present System Effects

IN JACKSONVILLE, A NUMBER OF EXISTING AGENCIES FORM A GROWTH MANAGEMENT SYSTEM WHICH AFFECTS THE QUANTITY, TYPE, COST, LOCATION, TIMING, AND QUALITY OF GROWTH.

The mechanisms created by the federal, state and local governments to address growth issues affect land use by providing elements needed for controlling growth, and for regulating how and where it should occur. For example:

1. Quantity -- The amount of new growth and development in a community can be encouraged or discouraged.
2. Type -- Land can be developed in residential, commercial, industrial, or other uses. A residential development can range from single-family detached homes on large lots to high density, multi-family high-rise structures.

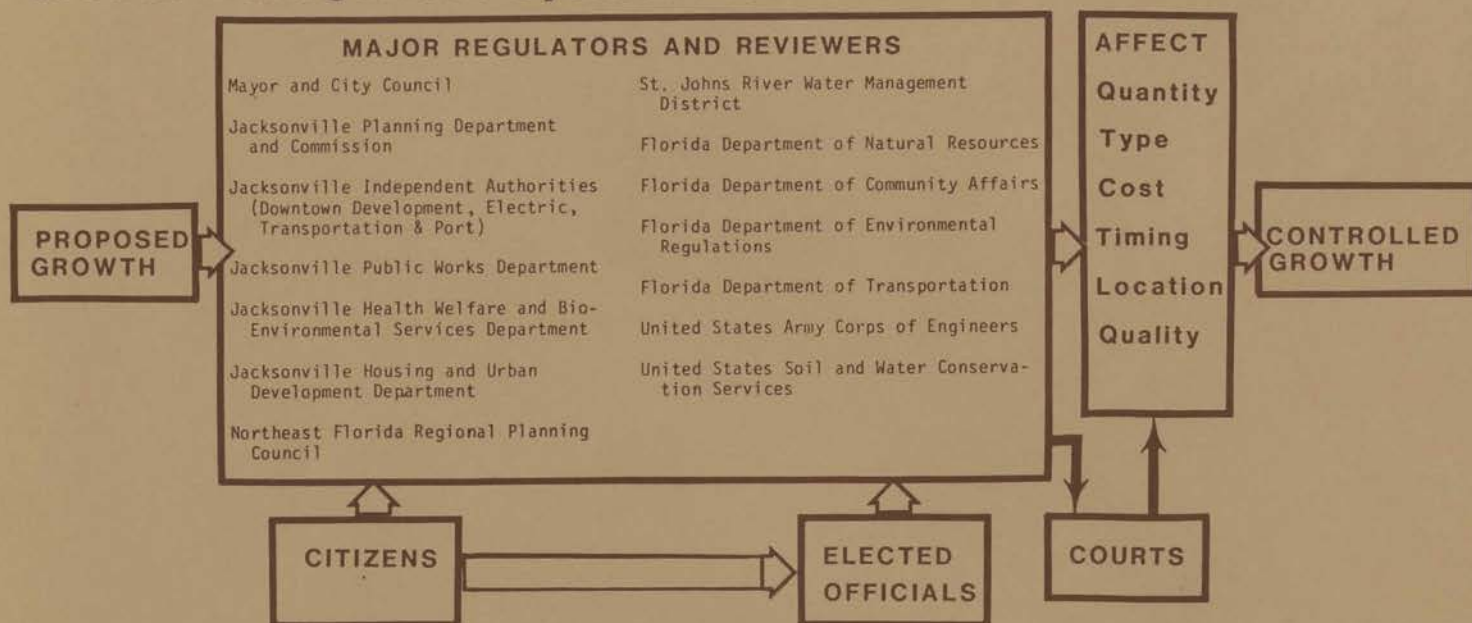
3. Cost -- Developments can cost more because of governmental standards or other requirements, or may be subsidized by governmental programs and tax provisions.
4. Location -- Growth can be controlled so that development is encouraged where it is desired, and discouraged in less favorable locations.
5. Timing -- Government programs and provision of infrastructure can time-phase the development or redevelopment of land.
6. Quality -- The attributes which give new development a peculiar and essential character and degree of excellence can be affected by manipulation of the previous five factors, especially type and cost.

The flow chart on the following page illustrates the effects of the major components of Jacksonville's existing growth-management system. When development is proposed, the regulations or reviews by federal, state, and local governments create a filter which affects the quantity, type, cost, location, timing, and quality of the development.

The regulations and review procedures required for a proposed development depend on the type, size, and location of the development. For example, building a house on an existing lot with available utilities in an urbanized area of Jacksonville might require contacting only the Building and Zoning Inspection and the Code Enforcement Division of the Department of Housing and Urban Development, plus the Department



# Growth Management System Flow Chart



of Public Works. Additional agencies come into play as the size of the development increases. A 3,000-dwelling

unit development in Duval County might be affected by all of the agencies listed.

The table below describes the principal programs each agency uses to guide growth.

## Programs of the Major Regulators and Reviewers

### City Councils and Mayors

- . All Local Regulation

### Jacksonville Planning Department and Commission

- . Local Comprehensive Planning
- . Zoning Regulation
- . Subdivision Regulation
- . Impact Fees
- . Development of Regional Impact Regulation
- . Capital Improvements Planning
- . Variances and Exceptions

### Jacksonville Public Works Department

- . Supplying Infrastructure
- . Fees for Hook-ups
- . Subdivision Regulation

### Jacksonville Health, Welfare and Bio-Environmental Services Department

- . Air Quality Regulation
- . Water Quality Regulation

### Jacksonville Housing and Urban Development Department

- . Building Codes

### Independent Authorities

- . Planning
- . Supplying Infrastructure

### Northeast Florida Regional Planning Council

- . Development of Regional Impact Regulation
- . Regional Planning
- . Intergovernmental Coordination and Review

### St. Johns River Water Management District

- . Wetlands Regulation
- . Land Purchase Program
- . Water Quality/Quantity Regulation
- . Storm Water Management

### State Legislature (Duval Delegation)

- . All State Regulations

### Florida Department of Natural Resources

- . Coastal Construction Controls
- . Water Quality/Quantity Regulation
- . Land Purchase Program

### Florida Department of Community Affairs

- . Development of Regional Impact Regulation
- . Comprehensive Planning (State, Regional & Local)

### Florida Department of Environmental Regulation

- . Wetlands Regulation
- . Air Quality Regulation
- . Water Quantity/Quality Regulation

### Florida Department of Transportation

- . Supplying Infrastructure (Roads and Bridges)

### United States Army Corps of Engineers

- . Wetlands Regulation
- . Water Quality/Quantity Regulation
- . Dredge and Fill Permitting

### United States Soil and Water Conservation Service

- . Soil Sampling



# Issues in the Growth Management System

## Comprehensive Planning

STRONG COMPREHENSIVE PLANNING CAN ASSIST DECISION MAKERS IN MANAGING GROWTH. IN JACKSONVILLE, HOWEVER, THE COMPREHENSIVE PLAN, A BROAD POLICY DOCUMENT, IS NOT COMPLETELY EFFECTIVE IN GUIDING LAND USE.

The Local Government Comprehensive Planning Act of 1975 requires all cities in Florida to adopt comprehensive plans and to submit them to the state. These plans must be reviewed every five years. The plans must contain at least nine elements:

- . Land Use
- . Traffic Circulation (and Mass Transit for larger cities)
- . Sanitary Sewers, Solid Waste, Drainage, and Potable Water Systems
- . Conservation
- . Recreation and Open Space
- . Housing
- . Coastal Zone Protection
- . Utilities
- . Intergovernmental Coordination

The legislation provides that these plans have the force of law, and all development is required to be consistent with the adopted plans. Amending the plan requires the same steps used for adoption of the plans including full public notice and public hearings as well as review by state, regional and local planning agencies. However, the law provides for exceptions in the amending process where the changes proposed affect less than five percent of the land area. Five percent of Duval County is 26,880 acres or 42 square miles.

According to the Department of Community Affairs (DCA), some comprehensive plans prepared by local governments elsewhere in the state are excellent, while others are inadequate. Local plans vary in the degree of specificity; some plans are very general, lack land-use maps, and use vague and imprecise language, which permits inconsistent action and does little to bind local decision makers. The state itself has not yet adopted a state-wide comprehensive plan, nor have most of the Regional Planning Councils adopted the regional plans which were originally intended. Thus, there is neither a clear standard for review of local plans, nor clear guidelines to help local governments. The Governor's ELMS II Committee is addressing this point with recommendations as to how the state should plan, and what should be included in the plan.

The legislature intended that local government comprehensive plans have the force of law and guide local land-use regulation. Many plans, however, have been adopted as resolutions rather than as ordinances, suggesting that the plans are advisory only. A recent opinion from Florida's Attorney General indicates that local plans do have the effect of law and, in cases where a zoning code is not consistent with the plan, the plan overrides the zoning code.

Pursuant to the state legislation, Jacksonville's plan-

ners developed a comprehensive plan called the "2005 Plan." It was written in three parts: 1) a report containing growth projections, goals, objectives, policies, recommendations and strategies; 2) a map section showing existing and proposed conditions; and 3) an appendix with all data.

When City Council reviewed and approved the plan in 1980, only the report was adopted, not the maps or data. Because the plan was adopted by resolution instead of by ordinance, and the maps were not included, the plan is only a general document for use in guiding land-use decisions. Historically, planning has not been accepted as enthusiastically by elected officials in Jacksonville as it has elsewhere. There has apparently been a lack of consensus within the community and a fear that planning might interfere with the rights of property owners. Because there has always been an abundance of land, Jacksonville has been able to enjoy an unrestrained attitude--that is, there is always plenty of land available for development.

Jacksonville's size, approximately 840 square miles, presents difficulties for those attempting to develop a comprehensive plan. In smaller communities and rural counties, elected officials have been able to develop comprehensive plans that address site-specific land uses. The sheer size of Duval County makes such planning much more complicated although the consolidated governmental structure is a mitigating factor. The Planning Department has



divided Duval County into six sub-areas, working within each to develop more specific plans with shorter time frames. The first of these plans, an Arlington/Beaches area plan, is now being considered for adoption by the City Council. The Planning Department intends to have other sub-area plans consolidated as part of the Comprehensive Plan.

## Changing Attitudes and Procedures in Planning

RECENT CHANGES HAVE BEEN MADE IN THE PLANNING PROCESS WHICH INDICATE THAT MORE EMPHASIS MAY BE PLACED ON THE PLANNING DEPARTMENT AND THE USE OF PLANNING IN JACKSONVILLE.

The Jacksonville Community Council, Inc. (JCCI) completed a study of planning in Jacksonville's government in 1979. This study found that Jacksonville had a poor record in the implementation of existing plans. The reasons given for this poor record included:

- . Attitudes towards planning had not been strongly positive.
- . The planning function was located out of the mainstream of Jacksonville's government, not linked with the decision-makers.
- . There was inadequate funding for capital projects to implement the plans.
- . The advisory function of the Planning Board did not encourage its members to exercise strong advocacy for its plans.
- . The plans produced by the

Jacksonville Area Planning Board were voluminous and often difficult to comprehend.

- . During the plan development there had not been adequate public input regarding policies.

Following the study, a Department of Planning was established under the Mayor. It is responsible for a planning assessment and review before work begins on any major project, and for providing coordination of physical and fiscal planning. The rezoning process was also streamlined, and the zoning board eliminated during the reorganization. Under the present structure, the Planning Commission, a body of nine citizens appointed by the Mayor, reviews comprehensive plans and site plans. The City Council is also responsible for reviewing, and ultimately for adopting, the Comprehensive Plan.

In the limited time since the reorganization, the planning function has been slowly becoming more directly linked to the decision-makers in Jacksonville's government. There are indications that the situation may be improving further under the new Planning Director hired in the fall of 1983. The Mayor has said that he will increase the use of his veto in zoning legislation not supported by planning professionals. Another indication of the increased emphasis on planning is the present short-range, sub-area planning, which, having been developed with neighborhood and City Council participation, may be more effective than the present, broad comprehensive plan.

## Citizen Participation

ONE OF THE PROBLEMS IN CONTROLLING GROWTH IS THE DIFFICULTY IN OBTAINING CITIZEN PARTICIPATION AND THE LACK OF CITIZEN AWARENESS.

Citizen participation is an important element in the planning process, and is mandated by the planning legislation.

Opportunities for citizens' views are provided as plans are being developed by the Planning Department, and when plans are adopted by the Planning Commission. In addition, citizens have an opportunity to speak when the plans come before City Council for approval. Citizens are often apathetic however, until an issue of immediate personal concern reaches a final decision. Without a crisis that affects the immediate neighborhood, most citizens normally do not speak out.

Some citizens claim they do not have adequate opportunity for involvement in the rezoning process. Citizens do have opportunities to speak on re-zoning matters at the bi-weekly meeting of the Urban Affairs Committee of the City Council. However, the effectiveness of citizen participation is diminished when a developer or property owner seeking a zoning change opposed by neighbors, can request that a bill be deferred if substantial opposition is foreseen. The developers can wait until a later committee meeting when less opposition may appear.



## Zoning

ZONING IS CURRENTLY THE MOST POWERFUL GROWTH MANAGEMENT TOOL USED IN JACKSONVILLE. SOME CONSIDER IT THE ONLY MECHANISM FOR GROWTH MANAGEMENT.

Zoning is the division of the municipality into districts for the purpose of regulating land use. Within each district, the zoning ordinance specifies the permitted uses, the building restrictions, the required spaces between buildings and property lines, and, if necessary, off-street parking requirements or other prerequisites. Zoning necessarily limits the rights of the landowner to some uses of a parcel of land. Courts have determined this limiting to be legal in order to protect the general welfare of the public.

Zoning policies were established on a community-wide basis in Jacksonville immediately following consolidation in 1968. A zoning map and ordinance delineating the permitted land uses and the exclusions for each area of town was established. A rezoning process exists to provide a way for any property owner to appeal for a zoning change.

BECAUSE THERE IS A NON-SPECIFIC COMPREHENSIVE PLAN IN JACKSONVILLE, AND A LACK OF CLEAR CONSENSUS AS TO HOW THE COMMUNITY SHOULD DEVELOP, EACH REZONING APPLICATION IS CONSIDERED ON AN INDIVIDUAL BASIS.

Newly elected Council members may be uninformed about land use and zoning, and since the emotions of neighbors at rezoning hearings are often intense, good land use or

good zoning may become less of a factor than the number of people present and their rhetoric. In addition, developers have an impact on the decision because of their political savvy and economic interest in the land.

The City Council decides on zoning changes after considering the recommendations of its Urban Affairs Committee and the Planning Department, and forwards the bill to the Mayor for his signature. While there may be cases in which the Council overrules the Planning Department for sound reasons, there are, unfortunately, numerous conflicts between the planning recommendations and the Committee action. Over the last year, the Council has sided with the Committee and against the planning staff recommendations about 30 percent of the time (90 of 323 total applications in 1983). At the same time, elected officials and the local planning staff have noted that zoning is the primary mechanism for managing growth in Jacksonville; some consider it to be the only effective tool.

The Planning Commission alone is responsible for making decisions on zoning variances and exceptions. These do not allow for a change of land use to one not permitted in a zone but only for flexibility in special cases.

Several communities in Florida have used the Institute of Government in local universities to prepare seminars to inform new City Council members, new appointees to Planning Commission and other city officials of planning, zoning and other growth management issues. In its seminars, the city of

Miami has required attendance of citizens appointed to serve on Boards dealing with growth management issues. The Institute of Government at the University of North Florida has been working with the Florida Planning and Zoning Association of Northeast Florida, an association of public and private planners and officials, to provide such a seminar for northeast Florida.

## Developments of Regional Impact (DRI)

THE DEVELOPMENT OF REGIONAL IMPACT (DRI) IS DESIGNED TO MANAGE PROJECTS OF AREAWIDE IMPORTANCE, BUT THE PROCESS CAUSES SOME PROBLEMS FOR DEVELOPERS BY REQUIRING COSTLY STUDIES AND DELAYS AS WELL AS CONFUSION AS TO WHETHER A PROPOSED DEVELOPMENT MEETS THRESHOLD REQUIREMENTS. NUMEROUS SMALL DEVELOPMENTS MAY HAVE A MAJOR REGIONAL IMPACT WITHOUT ANY ONE PROJECT REACHING THE THRESHOLD AND REQUIRING A DRI REVIEW.

A Development of Regional Impact (DRI) is generally any development which affects the citizens of more than one county because of the character, magnitude, or location of the development. When the impact of a development extends beyond local jurisdictions, a regional and state perspective must be introduced into the land-use decision-making process. Local government makes the initial decision to approve or deny a DRI.

In 1972 the Florida Legislature passed legislation establishing DRI review (Chap-



ter 380.06). This law established guidelines to define when a development reached a significant size to require a DRI review. The threshold applied is a function of a county's population. Other considerations may be taken into account in determining whether or not a project is a DRI. In the case of Ft. George Island, environmental concerns caused the project to be designated a DRI. DRI's are required and standards defined, for airports, recreational facilities, facilities for generating electricity, transmission lines, hospitals, industrial plants and parks, mining operations, office parks, petroleum-storage facilities, port facilities, residential developments, schools, and shopping centers.

The DRI process requires comprehensive review of the environmental impact, transportation, water availability, etc., and a developer may be required to make improvements to the project and the surrounding area to address the impacts found by this study. Donations of land for schools or recreational facilities may also be required. The reviews are costly and time-consuming, and, some developers claim, the threshold rules may be confusing. Small developments fall below the threshold limits set for DRI review; some are deliberately planned to fall below in order to avoid the costly process.

In an area where numerous developments are occurring below the DRI thresholds, there is no mechanism for assessing the impacts of growth and it is more difficult to require developers to make improvements out-

side of their developments. Thus, a new park, school, fire station, or a road improvement may be needed because of a large number of new homes in an area. Under a DRI, a single developer might be required to provide the needed facilities. However, if an area is being developed in small projects, no single developer can be expected to provide the land or funds for the improvements.

## **Regulations for Environmentally Sensitive Areas**

IN CERTAIN ENVIRONMENTALLY SENSITIVE AREAS DEVELOPMENT OF ANY KIND WOULD BE HARMFUL. SLIGHTLY LESS SENSITIVE AREAS EXIST WHICH COULD BE DEVELOPED WITHOUT HARM ONLY WITH REGULATED, LOW-INTENSITY USE. LAND-PURCHASE PROGRAMS ARE OFTEN USED BY GOVERNMENT TO PRESERVE ENVIRONMENTALLY SENSITIVE AREAS.

Historically, Florida has encouraged the filling in and developing of wetlands and estuaries as well as the developing of barrier islands. The beauty and recreational value of Florida's waterfront often contribute to the destruction of these environmentally sensitive areas. Eighty-two percent of Florida's population growth is expected to occur on the delicate ecological systems found in the coastal zone.

## **Wetlands**

Like most of Florida, Jacksonville has a significant percentage of land classified as wetlands. The county (approximately 490,048 acres) includes approximately 48,000 acres of salt-water marshes

(over 9.5% of the total land area) and almost 54,000 acres of fresh-water marshes (over 10.5% of the total land area). Scientific research has identified many benefits that wetlands provide to a community, including water filtration and storage, a fish and wild life habitat, recreation, ground water recharge, flood control, climate moderation, and aesthetic experiences. Wetlands may be variously defined by criteria of tidal action, inundation by surface water or flood waters, vegetation, soils, and horizontal distance from the highwater mark.

Currently, no single level of government directly regulates the conservation and use of wetlands. The U. S. Army Corps of Engineers regulates wetlands under its authority to regulate dredge-and-fill activities in navigable waterways and has authority under the Clean Water Act over discharge of fill into wetlands. The Florida Department of Environmental Regulation regulates dredge-and-fill activities on navigable waters and wetlands. The state-authorized Water Management Districts regulate surface water; Regional Planning Councils may also adopt protective policies for designated wetlands. The state legislature passed a new wetlands bill in 1984 which clarified the use and regulators of wetlands.

## **Coastal Zone**

The beaches and land in northeast Florida between the Intracoastal Waterway and the Atlantic Ocean are barrier islands and considered within the Coastal Zone. The Coastal Zone comes under review by 16 agencies following 25 different laws at the state and federal levels, although the



state of Florida provides little funding for coastal zone protection. The Coastal Zone Management program is sponsored at the federal level and carried out by state agencies. The program manages development on the coasts by identifying geographical areas in need of preservation, restoration, or special-use designation, and by structuring a process to control the use. The program requires that ports, marinas, and other projects which use waterfront property be planned. The state attempts to foster coordination among the interested public and private agencies and local governments.

## Land Purchase Programs

One method of preserving environmentally sensitive areas is purchase by private conservation groups or public agencies. The proper protection of these areas can preclude almost any economic use by individual land owners. Florida has the largest land-acquisition program of any state; it is presently larger than the federal land acquisition program. The Land Conservation Act provides for acquisition of \$800 million worth of land by the state in this century. Recently the state has successfully purchased Guano River, a large tract of land including an estuary and several miles of beach-front in St. Johns County and a portion of Big Talbot Island.

The St. Johns River Water Management District also has a land acquisition program. Its program is aimed at preserving wetlands in the headwaters of the St. Johns River. The Water Management District presently owns about 150,000 acres of wetlands, mostly in the St. Johns River

marsh. The District recently approved the sale of bonds totalling about \$25 million to ensure adequate financing for future acquisitions.

## Water Regulations

IN CONTRAST TO OTHER PARTS OF FLORIDA, JACKSONVILLE NOW HAS SUFFICIENT POTABLE WATER AVAILABLE FROM THE FLORIDAN AQUIFER. HOWEVER, SOME SHALLOW WELLS USED FOR PRIVATE WATER SUPPLY HAVE BECOME CONTAMINATED, SALT WATER INTRUSION IS OCCURRING AT THE BEACHES, AND THE FUTURE WATER SUPPLY FOR THE COUNTY IS NOT ASSURED.

Jacksonville has an abundance of good, potable water available from the Floridan aquifer, an underground water-bearing zone consisting of porous and cavernous limestone and dolomite. In Jacksonville, there is also a shallow, non-artesian aquifer which is recharged by rain and surface water seeping through the soil. Below this shallow aquifer is a relatively impermeable formation which separates the shallow aquifer from the deep, Floridan system in which water is contained under pressure (artesian).

All of the drinking water in Jacksonville supplied by the city or by major private utilities is pumped from deep wells (over 200 feet) reaching the Floridan aquifer. There is an enormous amount of good, clean water available from this source for Jacksonville's present needs and any future needs. The Floridan aquifer is one of the most productive aquifers in the world and may contain as much water as the Great Lakes. It is extremely broad and deep in northeast Florida, where fresh water can extend as much as 2,000 feet

below the land surface. In contrast, south Florida has problems because the aquifer is shallow, is in more danger of contamination from the surface, and is in danger of contamination from sub-surface salt-water intrusion. Along the beaches in northeast Florida where the Floridan aquifer is generally shallower, wells also are subject to salt-water intrusion.

Individual private wells typically obtain water from the shallow aquifer. There are some 70,000 of these shallow wells in Duval County. Most of them produce good quality water but they are subject to contamination from landfills, septic tanks or other polluting sources. The increasing number of modern chemicals added to our environment, many of which cannot be broken down by natural actions in septic tanks, cause increasing problems with contamination of the shallow aquifer. Although many people assume these troubles cannot extend to the deep Floridan aquifer, pollutants may eventually endanger this source as well.

In some areas it is possible to guide growth by supplying or withholding water services from undeveloped areas, or by pricing the water to encourage or discourage growth in selected parts of the community. Since private utilities in Jacksonville can reach large sources of inexpensive water, the provision of water by government is not yet practical as a growth management tool.

Federal and state laws have created a regulatory complex in response to concerns about good quality water. The issuing of permits for wells is conducted by the St. Johns River Water Management District, or by the Jacksonville



Division of Bio-Environmental Services, depending on the size and type of well. The State Department of Health and Rehabilitative Services coordinates with the Water Management District in issuing permits for public water-supply wells. The Department of Environmental Regulation and the Water Management District both require the retention of storm water, aiding aquifer recharge and reducing contaminated run-off. The Corps of Engineers is similarly involved under the Clean Water Act.

In 1983, the Florida Legislature passed the Water Quality Assurance Act to establish new monitoring systems for water quality. For the first time, the new law requires the state to inventory the contents of the state's water.

## Sewage Disposal Regulations

THE USE OF SEPTIC TANK SYSTEMS IN INAPPROPRIATE AREAS CAN LEAD TO CONTAMINATION OF SURFACE WATERS AND THE SHALLOW AQUIFER.

The original core city of Jacksonville developed with traditional city services including sewers. The areas outside the city limits developed with the use of septic tanks. During the rapid suburban growth following World War II, subdivisions were built surrounding the city, and state and federal regulations required that most of these subdivisions have sewer service. Where city utilities were not available, each subdivision developed its own small treatment plant. Many of these plants dumped inadequately treated water into the tributaries of the St. Johns River, as did the city

itself. In 1974, as part of an Environmental Protection Agency program, Duval County began consolidating sewer service into a few large regional utilities in order to control the surface waters. The city acquired many of the small subdivision systems and consolidated some of these into the regional systems. Some of these small plants, both public and private, are still in operation.

Much of present-day Jacksonville still depends on septic tanks. In rural areas where the lot size is sufficient, where the water table is not too high, and where the type of soil is adequate, septic tanks are ecologically sound for residential use. On small lots, in low-lying areas with high water tables, where certain types of soil are present, or for multi-family or commercial uses, septic tanks are inappropriate. Because septic tanks operate by eliminating harmful bacteria through a biological breakdown process and were never intended to deal with today's household chemicals, many septic tanks are rendered ineffective. The Public Health Division in Jacksonville issued approximately 4,000 permits for septic tanks last year. Although permit requests are investigated for compliance with regulations, some experts say that regulations do not adequately protect the environment.

The lack of an available method of sewage disposal can halt the growth of an area. While downtown Jacksonville had a moratorium on sewer hook-ups prior to the major renovations in 1974, it now has excess capacity at the regional waste treatment plants to accommodate most types of growth. Plans are being made for fur-

ther expansion of two of the facilities.

Because of their age, some of Jacksonville's sewer lines become filled with storm water during the periods of intense rain, causing the treatment facilities to exceed capacity. During these times, some of the effluent reaching the St. Johns River is not treated to EPA standards. The city has recently increased the budget and staff for the continuing replacement of sewer lines.

## Cost of Regulations

DEVELOPERS AND BUILDERS MAINTAIN THAT GOVERNMENT REGULATION AT THE LOCAL LEVEL IS A SIGNIFICANT CAUSE OF ESCALATING HOUSING COSTS, AND IS DISCOURAGING GROWTH.

Direct regulatory effects (including permit fees, sewer and water hook-up charges, building codes, the mandatory dedication of land and time-consuming permitting procedures) increase housing costs. Although the additional costs vary considerably by area, a study for the National Association of Homebuilders suggests that government regulations may account for as much as 20% of the cost of a \$50,000 home.

Requirements to finance public facilities at the time a subdivision plat is filed can be particularly expensive to a developer. If the fees are charged to and ultimately paid by home buyers directly, developers would not have to commit large sums of money before any lots were available for sale.

Charges for "closed-end" systems (such as water, sewer, and access roads directly beneficial to the homebuyer) are



more acceptable to builders and developers than are charges for "open-ended" improvements (i.e., highways, schools, parks, and police and fire protection) which are difficult to relate to individual homebuyers. Since each new owner increases the need for the service, some type of fee to the new owner is one way to ensure that facilities will be provided.

## Infrastructure

WHO SHOULD PAY FOR THE COST OF GROWTH? SOME SUGGEST THAT GROWTH PAYS FOR ITSELF AND EVEN SUBSIDIZES EXISTING INFRASTRUCTURE. OTHERS MAINTAIN GROWTH DOES NOT PAY FOR ITSELF AND ADDITIONAL FUNDING SOURCES ARE NECESSARY TO SUPPLY NEEDED INFRASTRUCTURE TO SERVE THE NEW POPULATION.

Infrastructure includes all of the physical facilities needed to serve a community (i.e., the road network, water supply system, sewage disposal system, storm drainage system, prisons, airports, schools, parks, fire stations, libraries, etc.). New residential development, as indicated by a national study for the Department of Housing and Urban Development, does not fully pay for all of the infrastructure necessary to serve the new population. However, new commercial and industrial developments can increase local government tax revenues enough to help both old and new residents.

The cost of serving residential development depends on the density, the type, and the location of the development. Developments with the highest costs are those which:

- sprawl.
- . Develop in outlying areas away from existing facilities.
- . Consist of smaller, less expensive houses which do not generate as much tax revenue. (Especially with the \$25,000 homestead exemption.)
- . Develop in small subdivisions where fewer public improvements are made by the developer.

Some homebuilders and developers claim that infrastructure for new residential growth is paid for immediately by the purchaser through his builder/developer, since the developer will be required to make certain improvements which meet city standards. These include: streets, sidewalks, street lights, water lines and meters, sewer facilities (or septic tanks), and storm water facilities (which may or may not be tied to the public system). In some cases, a variance may be requested of the Planning Commission to remove some of these requirements (about one-third of the local subdivisions are built without sidewalks). Developers also pay connection fees for water and sewer services to city utilities (if the development is in an area where service is available) and may be required to donate money for an acceleration lane and traffic signals to allow cars ready access to roads outside of the development. With respect to public service improvements such as prisons, schools, libraries, and airports, it is much more difficult to assign the need to specific small development. A 100-unit development, for example, might not require major infrastructural outlays, but with many small subdivisions, a new school, park, library, or other major

facility may be needed. A two-lane road which accommodates the traffic generated by one subdivision may prove to be inadequate for the increased traffic generated by a rapidly growing, multi-subdivision community. In this respect, the public sector has a serious problem in attempting to provide facilities in synchronization with private sector land development. The need occurs at the time of development, but the resources to pay for it may not be available for some time.

## Capital Outlay Program

LOCAL GOVERNMENTS CAN EXERT INFLUENCE ON WHERE GROWTH WILL OCCUR BY THE CONSTRUCTION OF INFRASTRUCTURE FUNDED THROUGH THE CAPITAL OUTLAY PROGRAM. IN JACKSONVILLE, AS IN MOST COMMUNITIES, THIS PROGRAM HAS BEEN REACTIVE RATHER THAN ANTICIPATORY.

The infusion of major capital improvements into an area encourages growth in that area. Conversely, withholding capital improvements can discourage growth. Jacksonville's Capital Outlay Program requires annual review and update of certain capital improvement projects (those items constructed or purchased with useful life extending beyond five years and involving a cost in excess of \$25,000). This process was established to consolidate and coordinate requests from city departments, to place a priority on each of the proposals in terms of public needs, and to schedule implementation over a five year period according to priority. Priorities are determined after discussion with city departments, the



Mayor, and independent agencies. The document is presented to the City Council for a final decision on priorities and implementation.

In the past, funding has been severely limited and many Capital Outlay Projects with top priorities have not been funded. The present Mayor has increased the amount of Capital Outlay Funding with the dedication of one mill of property tax (about \$7 million per year). Thus, many community needs which have been neglected for a number of years are now receiving attention. Because of the backlog of need, however, this system is still reactive and deals primarily with maintenance of existing systems instead of anticipating future growth. The city has had to react to growth rather than plan for growth. To anticipate capital improvements, public officials must agree on what the community is to be like in 5-10-20 years. Economic, social, physical, and environmental factors must be considered. Once the goals of the community are well defined, improvements can be determined and prioritized consistent with these goals. Zoning regulations can also be reviewed on the basis of their influence on capital improvement planning.

ALTHOUGH JACKSONVILLE REQUIRES A WELL DEVELOPED, COORDINATED, AND PLANNED CAPITAL OUTLAY PROGRAM, SOME PROJECTS MAY NOT BE ADEQUATELY COORDINATED AND PLANNED.

As an example, the Jacksonville Public Works Department, Sewer Division plans to spend \$2.5 million to extend sewer service along J. Turner Butler Boulevard for anticipated developments in

that area. There is a need for extending sewer and water service into already developed areas but this is apparently not a priority for the Public Works Department. The Public Works Department controls its own fee structure and does not require funding from taxes, thus, its projects may be analyzed in a different manner than other capital projects. The Department has decided that population projections from the Planning Department are inadequate and has not used these figures for determining the need to extend this sewer service. This sewer extension could be a factor encouraging unplanned growth in an area. Because the Jacksonville comprehensive plan is broad and policy-oriented, it is difficult to determine whether or not a project such as this is consistent with the plan.

## Innovative Solutions

IN COMMUNITIES WHERE GROWTH MANAGEMENT IS CONSIDERED MOST SUCCESSFUL, THE SYSTEMS USED TO GUIDE GROWTH ARE NOT UNIQUE BUT THE COMMUNITIES HAVE A FULL UNDERSTANDING AND COORDINATED USE OF THE EXISTING MECHANISMS.

The growth management mechanisms listed below, with some of their advantages and disadvantages, are used in some communities in Florida. The communities cited as making best use of these mechanisms integrate them into a strong, coordinated system. The mechanisms included here are not a complete listing, but an overview of some innovative approaches to guiding growth.

## Incentive Approach

Most growth management mech-

anisms include regulations which are considered a burden by developers. These regulations usually require certain steps prior to development and tell the developer what he cannot do with a property. Better cooperation has been obtained from developers when regulations outline what may be done with the land, and offer incentives to encourage development in the way planned by the municipality. A common example is tax incentives to encourage businesses to locate in the community. A less-common example is to protect a sensitive part of a developing parcel of land (i.e., wetlands) by allowing higher densities on other parts of the land.

## Impact Fees

Impact fees are intended to cover government's increased cost in providing services and infrastructure for new developments. The fees are usually added to the cost of the building permit for new construction. The courts have found impact fees illegal unless they are specifically targeted to improvements for the new owners who pay the fee. In communities where a financial study has been undertaken to determine the service cost to a new home, and where the money is set aside for providing service specifically to that new development, impact fees have been successfully defended and upheld by the courts. Broward County imposes and has successfully defended a park impact fee of approximately \$125 per unit. Palm Beach County imposes and has successfully defended a road impact fee of \$300 per unit. Where impact fees have been charged on an arbitrary basis, or where impact fees are co-mingled in general



revenues, the courts have found them to be unconstitutional taxes.

In rapidly developing sections of Florida, impact fees have become increasingly attractive to local governments as a political expedient to avoid burdening existing taxpayers. An alternative method of assessing impact costs is to require a land dedication or a cash equivalent to be used for parks or other public service needs. This works well when applied evenly among all developments, when tied directly to the number of people or units expected to be developed in the proposed subdivision, and when based on community standards. In some cases, contributions and dedications are determined without community standards, by negotiation between the developer and the government, which can cause unequal treatment. Dedications and impact fees are not used extensively in northeast Florida.

## Development Codes

Performance-based development codes have been adopted by many municipalities to regulate construction while allowing more creative use of land. The City of Largo has adopted a land-development code which recognizes that the city's specific land use map regulates land uses, and which imposes a set of performance standards to regulate how the land is developed.

The development code combines and coordinates the many applicable ordinances such as subdivision regulations, building codes, and zoning regulations. Rather than stating specifically how the private sector should respond to governmental requirements, the performance-oriented code

sets goals. Some communities have virtually eliminated the need for a zoning code through the use of a specific land use map and a performance-based development code.

## Special Taxing Districts

Special taxing districts can be created to finance public services resulting directly from new growth, through taxation and charges or assessments against those landowners and residents with the need for such facilities. Municipal Service Taxing Units are allowed by state law. There are two kinds of districts--dependent and independent. The dependent district can be created and controlled by a single county to provide a flexible method to coordinate financing with capital improvements and land-use decisions in a part of the county. Independent districts, such as community development districts, water control districts, and special districts are set up by the legislature (i.e. Reedy Creek Improvement District or Disney World). These independent districts are useful for large developments under a single ownership, but are less useful than the dependent county districts for funding infrastructure. Independent districts, in contrast to dependent districts, can cross county lines and usually have a governing body distinct from the local elected officials. The Jacksonville City Council opposed an independent district for the Argyle Forest development. A separate governing body with taxing power would be needed to oversee the district which would have removed prerogative from the City Council.

## Tax Increment Financing

Tax increment financing is a method of providing funds for infrastructure in an area of large-scale development. The development of an area is financed using funds provided by the sale of tax-increment bonds. These bonds are paid off with the tax increment above the level of tax established prior to development. The government can encourage large-scale developments by agreeing to supply infrastructure through this method. By committing future tax revenue from an area, tax-increment financing may reduce the tax benefits of commercial growth to the city as a whole. Most of the governmental costs of residential growth (i.e., parks and street improvements) are offset by the accompanying commercial growth; with these funds committed to pay off bonds, there may be a reduction or loss of this offset. However, tax increment financing encourages growth in areas where it would not otherwise occur and can immediately increase the general tax revenue if all additional taxes generated are not needed to pay for the new infrastructure.

## Transfer of Development Rights

Transfer of Development Rights (TDR) is a relatively new growth management tool which allows a landowner with sensitive lands (i.e., wetlands) which are undesirable for development to sell the density rights to another landowner to increase density elsewhere. TDR's give a marketable value to land, allowing the landowner economic benefit while protecting the property for public benefit.



## **Planning Impact Statements**

Some communities require private developers to prepare impact statements (similar to the DRI review) for local developments that will have significant effects on the community but do not reach the size requiring a DRI review. Through this process the local government can require that the developer mitigate the impacts of the development and coordinate the actions of all involved agencies. In Dade County, legislation has been passed requiring an impact statement for developments of 500 or more units whereas a DRI review would not be required until the development reached 2,000 units.

## **Areas of Critical Concern**

A mechanism can be created by a local government to declare

specific geographical areas of the city as an area or corridor of critical concern. This designation can be applied to areas of environmental concern, areas where rapid growth is expected, or areas which are expected to be affected by a major public facility. Land-use controls such as setbacks, sign legislation, buffering, etc. can be required within these areas. This method has been suggested to deal with rapidly growing strip developments such as those occurring on State Road 13.

## **Land Accumulation**

Governments may purchase land or negotiate with developers for the donation of lands for future needs such as roads, parks, protecting sensitive areas, etc. Land banking is a method whereby land is assembled by the government and preserved for future use. The

Hogans Creek section of Jacksonville was purchased by the city and is being held until proper development can be brought to the area.

## **Strengthening Plans**

Some communities in Florida have found that the adoption of comprehensive plans with specific land-use maps can make the use-regulating aspects of zoning redundant. When specific, short-range land use plans are worked, developed and accepted by the elected officials and citizens, the plans constitute a form of development control that goes beyond zoning. A common feature of communities with this strong planning is agreement on the overall community goals and how the citizens want the community to grow. The local elected officials consider the directing and controlling growth of key importance, and give it appropriate emphasis.



# CONCLUSIONS

Conclusions express the value judgments of the committee, based on the findings.

## Policy and Commitment

- Growth in Jacksonville has reached proportions which merit a sophisticated and effective growth management system. The uneven growth in different areas of the city will require varying responses from this system.
- The present growth management system consisting of a broad mix of federal, state, regional and local agencies and controls is in place and generally is aimed at managing growth. This mix contains the tools necessary to adequately manage growth but lacks policy direction, commitment and coordination.
- Jacksonville lacks an overall policy for growth management.
- The weak commitment to growth management on the part of public officials exists partially because of a low level of demand for it by the citizens of Jacksonville. A strong commitment to implement policy and to enforce plans is essential for an effective growth management system. A greater degree of public knowledge and participation is needed.

## Comprehensive Planning

- The most effective comprehensive plans are strong, specific, periodically updated plans developed by and adhered to by local public officials. Jacksonville's Comprehensive Plan is a broad policy document that is not effective for managing growth.
- Clear, specific, short range plans such as the sub-area plans being developed by the Planning Department, with maps which guide growth into desired areas and preserve sensitive areas, are a promising way to manage growth if they are developed with consideration of the overall plan for the city.
- An inordinate amount of rezoning inconsistent with the city's plans is carried out. There appears to be a gap between the Comprehensive Plan and the zoning in

Jacksonville, evidencing weakness in and/or limited acceptance of the plan and the present zoning.

- Even though state law provides that comprehensive plans have the force of law and all development is required to be consistent with the plan, a simple majority vote of the City Council can amend the plan in practically all cases, making it possible to circumvent the comprehensive plan when making land use decisions.
- The city needs to have a mechanism for addressing the cumulative impact of many small developments in a geographical area. Rapidly developing areas with numerous subdivisions smaller than the DRI threshold cause growth problems that are not addressed by the present growth management tools.
- A state comprehensive policy plan is needed as well as adequate funding to assist Regional Planning Councils and local governments with their comprehensive plans.
- The regional approach to growth problems provided by agencies such as the Regional Planning Council and the St. Johns River Water Management District is essential to improve and maintain the quality of life in northeast Florida.

- There are overlaps and oversights among the city, regional, state and federal agencies which may be detrimental to effective growth management.

## Water and Sewer

- Jacksonville presently has adequate potable water for future growth but must diligently conserve and protect the available water resources.
- Shallow wells are a source of potable water that must be protected to safeguard against contamination from chemicals from landfills, septic tanks, pesticides and other sources.
- The laws with regard to septic tanks do



not adequately address the long term problems of water pollution.

## Infrastructure

- The placement of service infrastructure such as roads and utilities influences the direction of growth.

## Incentives

- The rules and regulations controlling growth can more efficiently be used and accepted by developers if they are combined in a development code based on positive incentives.

## Funding

- Some method of funding capital outlay projects, most notably parks, schools and fire stations, is needed to ensure that

growth does not occur in the absence of these facilities.

- Equitable and consistent funding sources are needed to assist the City in providing public improvements for new development.
- The present administration's policy of dedicating funds for capital outlay projects is an excellent method to catch up with past neglect and provide for future needs of the community. Funds are needed to provide for the purchase of future rights of way, critically sensitive areas, parks and access to beaches and waterways.
- Outright purchase of environmentally valuable lands by the City or State is an effective way to control development completely, but as a practical matter, only a limited number of properties can be acquired.

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# RECOMMENDATIONS

Recommendations are the committee's specific suggestions for change, based on the findings and conclusions.

1. Jacksonville is presently developing the required five year update for the 2005 Comprehensive Plan. The Planning Department, Planning Commission, Mayor and City Council should work together to ensure that this plan contains an overall vision of how the city should grow. The plan should also be specific enough to guide the local public officials in managing growth to enhance the quality of life.
  - The City Council should adopt the entire plan by ordinance.
  - The Comprehensive Plan should include specific, short range, sub-area plans for each of the six sub-areas in Duval County.
  - This plan should include maps indicating the location and type of proposed growth.
  - The City Council should adopt a policy of reviewing the Zoning Atlas and rezoning land so that it conforms with the maps in the plan.
2. The City Council should amend the rules to require a two-thirds vote on all amendments to the Comprehensive Plan. The City Council should consider limiting the number of times each year that amendments to the comprehensive plan can be proposed. This will enable them to evaluate the overall impact of numerous amendments.
3. The Mayor and City Council should consolidate the growth management regulations into a performance-based development code. This code should contain the various existing growth tools such as the Building Code, Zoning Code and subdivision regulations as well as new tools. Where possible, the regulations should give incentives to encourage development in a well planned fashion rather than regulations that outline what cannot be done with the land. This development code should include:
  - standards for residential, commercial, industrial, institutional and recreational uses as well as resource protection, landscaping, buffers, signs and transportation systems.



- . a mechanism to determine the cost and environmental impact for major private and public developments within Duval County.
  - . a system for declaring areas of critical city concern to allow more stringent standards for areas that are environmentally sensitive, where rapid growth is expected or where major public facilities are planned.
4. The Planning Department should determine the cost of providing new roads, schools, parks, fire stations, libraries and utilities to serve proposed developments. The city should determine an appropriate formula for the proportion of new infrastructure to be funded by the city and by the private developer. An equitable funding structure or land dedication structure should then be established to ensure that these new facilities are provided to the developing area.
  5. The city should develop a plan for expanding its land purchase activity and provide funding to ensure the future availability of open space and to protect environmentally sensitive areas.
  6. Because septic tanks can be a hazard when placed on small lots, where water tables are too high or in inappropriate soils, the Jacksonville Health, Welfare, and Bio-Environmental Services Department should evaluate the present regulations regarding septic tank systems. The City Council should adopt new more stringent local standards if the need is identified by the Department.
  7. The Duval County Legislative Delegation and City Council should support ongoing funding to assist the Regional Planning Council and the local Planning Department with their comprehensive planning activities.
  8. The Duval Delegation should encourage the state to adopt a state-wide comprehensive policy plan.
  9. The City of Jacksonville should continue to support the activities of the Regional Planning Council and the St. Johns River Water Management District to ensure that regional concerns affecting Duval County are adequately addressed.
  10. Jacksonville citizens should expect and demand that public officials strongly support an overall policy of growth management. At the same time, citizens have an obligation to become better informed about and more actively involved in the growth management process. A stronger commitment on the part of citizens and officials can be accomplished through the following:
    - . Prior to the meetings, the City Council should publish the agenda of the Urban Affairs Committee in the newspaper of widest circulation.
    - . The neighborhood civic organizations and other citizens concerned about growth management should contact the Planning Department and become involved in the advisory committees assisting in the development of plans. The Planning Department should identify other groups necessary to adequately represent the community and solicit representatives for these advisory committees.
    - . Neighborhood civic groups should review growth management voting records of the elected officials and inform the public through the local media, especially prior to elections.
    - . Because of the tremendous importance of growth management to the community and the complexity of the growth management system, the City Council should take advantage of the seminar being prepared by the Institute of Government at the University of North Florida. To keep new officials informed, this seminar should be available on a regular basis, possibly every year. The City Council members, all citizens appointed to the Planning Commission and other City officials who deal with growth management issues should attend this seminar.



. The media should expand efforts to increase public awareness of growth management issues and of the growth management impact of proposed developments and zoning changes, especially those which alter the local comprehensive plan.

. The membership of the Planning Commission should always include representation of neighborhood civic groups.

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## RESOURCE PERSONS TO THE COMMITTEE

The JCCI process relies upon information supplied by knowledgeable resource persons in addition to published reference materials. We wish to thank the following resource persons for meeting with the committee and making very valuable contributions to this report.

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Sonny Vergara, Executive Director, St. Johns River Water Management District

Allen Williams, Deputy Director, Jacksonville Department of Public Works



## COMMITTEE MEMBERSHIP AND WORK

The Committee met weekly from November, 1983 through May, 1984 for a total of 22 meetings. In addition, the Management Team met numerous times to guide the study. The committee received information from 27 knowledgeable resource persons and additional written materials researched by JCCI staff. The Conclusions and Recommendations were discussed in April and May.

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Kenneth Eilermann

Ted Johnson  
Hy Kliman  
Anne McIntosh  
Rudolph McKissick  
Espie Patrinely  
Pamela Y. Paul  
Andrew Robinson  
Julie Woodruff

## JCCI STAFF

Marian Chambers, Executive Director

PROFESSIONAL: John L. Hamilton  
Frances L. Kling  
Carol Adams

SUPPORT: Marcia Whaley  
Penny Edwards



# THE JACKSONVILLE COMMUNITY COUNCIL, INC.

The Jacksonville Community Council, Inc. (JCCI) was formed to anticipate, identify and address the complex issues of urban life. JCCI is a community-based nonpartisan, nonprofit organization providing the vehicle for in-depth, objective, citizen analysis of community problems and issues. It seeks broader community awareness and understanding of the issues and provides Jacksonville a diverse citizen forum reaching across the traditional dividing lines of a complex and diverse urban community.

The primary goal of JCCI is a better quality of life in Jacksonville through positive change. It has a short but impressive record for the quality, objectivity, clarity, and practicality of its studies of community problems, and its advocacy for the solutions it develops. Jacksonville has experienced the benefits of numerous improvements growing from these citizen studies. Through its support of the Human Services Coalition, and work for the United Way, JCCI promotes the

planning and coordination of human services.

Other JCCI goals grow largely from its focus on positive change. High on the list are the education and dialogue the studies themselves provide to participants. The work of JCCI strengthens citizen competence and awareness, provides for ongoing dialogue among diverse elements of the community, and serves as a catalyst for bringing together decision-makers.

JCCI is founded on a deep faith in the ability of citizens to set aside their differences and join together to learn and reason about problems of mutual concern. Its growth and success offer renewed hope for this basic democratic concept as a means of addressing the complex issues of modern urban communities.

JCCI receives funding from the United Way of Jacksonville, the City of Jacksonville, corporations, and individual members.

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## PREVIOUS STUDIES

### Studies

*Local Government Finance.....	Robert D. Davis
*Housing.....	Thomas Carpenter
*Public Education (K-12).....	Robert W. Schellenberg
*Public Authorities.....	Howard Greenstein
*Strengthening the Family.....	Jacquelyn Bates
Capital Improvements for Recreation.....	Ted Pappas
Citizen Participation in the Schools.....	Susan Black
Youth Unemployment.....	Roy G. Green
Civil Service.....	Max K. Morris
Planning in Local Government.....	I. M. Sulzbacher
But Not in My Neighborhood.....	Pamela Y. Paul
The Energy Efficient City.....	Roderick M. Nicol
Coordination of Human Services.....	Pat Hannan
Higher Education.....	R. P. T. Young
Disaster Preparedness.....	Walter Williams, Jr.
Teenage Pregnancy.....	Mari Terbrueggen
Downtown Derelicts.....	Earle Traynham
Mass Transit.....	David Hastings
Indigent Health Care.....	Linda McClintock
Jacksonville's Jail.....	Eleanor Gay

\*Copies no longer available for distribution

### Chairmen





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**A JCCI STUDY: GROWTH MANAGEMENT**

**United Way**