

Introduced by: Council Member Chris Hoffman

1st Reading: June 1, 2020

2nd Reading: June 15, 2020

ORDINANCE NO. 2020-8144

AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, ADOPTING AMENDMENTS TO THE JACKSONVILLE BEACH 2030 COMPREHENSIVE PLAN COASTAL MANAGEMENT ELEMENT TO ADOPT NEW POLICIES AND OBJECTIVES TO MEET THE PERIL OF FLOOD REQUIREMENTS OF SECTION 163.3178(2)(f), FLORIDA STATUTES, PROVIDING DIRECTIONS TO THE PLANNING AND DEVELOPMENT DEPARTMENT; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Jacksonville Beach (“City”) City Council adopted a Comprehensive Plan for the City by Ordinance No. 7474; and

WHEREAS, pursuant to Section 163.3178(2)(f), Florida Statutes, the City is required to amend the adopted Comprehensive Plan Coastal Management Element to include “Peril of Flood” policies that provide a redevelopment component that outlines principles that must be used to eliminate inappropriate and unsafe development in coastal areas when opportunities arise; and

WHEREAS, the City has initiated an amendment to the 2030 Comprehensive Plan in order to incorporate new objectives and policies to the Coastal Management Element of the Comprehensive Plan to meet the “Peril of Flood” requirements of Section 163.3178, Florida Statutes; and

WHEREAS, Section 163.3184, Florida Statutes, provides that a local government shall, following an advertised public hearing, transmit by affirmative vote of not less than a majority of the members of the governing body present at the hearing, proposed comprehensive plan amendments to the applicable reviewing agencies and local governments; and

WHEREAS, on March 9, 2020, the City Planning Commission, acting as the Local Planning Agency at an advertised public hearing, unanimously recommended transmittal of the proposed amendments in application PC#5-20, to the Florida Department of Community Affairs; and

WHEREAS, on April 6, 2020, the Jacksonville Beach City Council adopted Resolution No. 2057-2020, tentatively approving the proposed amendment to the 2030 Comprehensive Plan, application PC#5-20, and authorized the transmittal of same for review by the Florida Department of Economic Opportunity (DEO) and other State agencies; and

WHEREAS, after receiving comments from the reviewing agencies, Section 163.3184(3)(c)1., Florida Statutes, requires a local government to hold a second public hearing on whether to adopt one or more comprehensive plan amendments; and

WHEREAS, the application has been reviewed and the changes proposed therein are deemed to be consistent with the overall adopted 2030 Comprehensive Plan, and the City has been instructed by the DEO that it may proceed with the adoption of the proposed Comprehensive Plan Text amendments.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF JACKSONVILLE BEACH AS FOLLOWS:

SECTION 1. That the proposed amendments to the Coastal Management Element of the 2030 Comprehensive Plan, as set forth in "Exhibit A" to this Ordinance, are hereby approved.

SECTION 2. If any provision or portion of this amendment is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions or portions of this amendment shall remain in full force and effect.

SECTION 3. The Planning and Development Department is directed to transmit the comprehensive plan amendments as set forth in "Exhibit A", as adopted by City Council, to all necessary and required agencies, in accordance with Florida law.

SECTION 4. This comprehensive plan amendment shall become effective 31 days after the state land planning agency notifies the City that the plan amendment package is complete.

AUTHENTICATED THIS 15 DAY OF June, 2020.



William C. Latham, MAYOR



Laurie Scott, CITY CLERK

**Draft City of Jacksonville Beach
Comprehensive Plan Amendment
Responding to Peril of Flood Statutory Requirements
(s. 163.3178(2)(f), Florida Statutes)**

Goal CM.3 (existing)

The vulnerability of the people and property of Jacksonville Beach to coastal hazards such as hurricane damage and coastal flooding shall be minimized.

Objective CM 3.4 (proposed)

The City shall adopt and implement policies, regulatory standards, administrative procedures, incentives or other strategies to reduce vulnerability to sea level rise, high-tide events, storm surge, stormwater runoff and flash floods.

Policy CM3.4.1 (proposed)

The City shall consider in all decision-making processes whether the action or decision will increase, reduce or mitigate flood potential from sea level rise, high tide and storm surge, including:

1. Comprehensive Plan and Land Development Code amendments. The City shall evaluate its policies and regulations on a periodic basis to consider amendments to reduce and/or mitigate flooding impacts and shall ensure amendments do not increase the extent and depth of flood potential.
2. Land use and zoning amendment decisions. Density offsets in the Coastal High Hazard Area shall not result in an increase in density or intensity within areas forecasted to flood due to sea level rise or high tide events forecasted through 2060 based on high risk scenario.
3. Subdivision, Planned Unit Development and Site Plan reviews. The City shall ensure all applicable policies and regulations are enforced during development review procedures, shall encourage approaches to

reduce and/or mitigate flood impacts, and shall evaluate opportunities for offering incentives for exceeding minimum standards.

4. Budgetary Process, Strategic Plans and Departments. The City shall consider opportunities to reduce and/or mitigate flood impacts in preparing its budget, evaluating public projects and determining priorities by Department.
5. Infrastructure Improvements. The City shall give high priority to infrastructure improvements and other engineering solutions that will increase public health and safety by improving flood resiliency. The City shall evaluate the use of green infrastructure designs, such as low impact stormwater designs, where deemed feasible and effective.

Policy CM3.4.2 (proposed)

The City shall implement the following redevelopment and development principles, strategies and engineering solutions to reduce flood risks from events identified in Objective 3.4 and to reduce the extent of real property and structures located in designated flood zones:

1. The City shall evaluate land acquisition opportunities based on the following guiding principles:
 - a. Identify and prioritize sites that are determined most susceptible to flooding based on modeling and/or recorded repetitive structural damage.
 - b. Prioritize sites that maximize public benefits, including shoreline access, recreation, conservation and other objectives of the Comprehensive Plan.
 - c. Reduce acquisition costs by seeking out willing sellers through voluntary land acquisition.
 - d. Coordinate with regional, state and federal agencies and non-profit programs on funding acquisition priorities.
 - e. Pursue options to aggregate acquisition lands to maximize effectiveness and reduce infrastructure demands.

- f. Identify properties with higher vulnerability populations such as elderly and low income.
2. The City shall identify opportunities to reduce density/intensity of development in flood zones:
 - a. Prioritize potential sites appropriate for less than fee simple purchase of partial development rights following the same principles as for fee simple acquisition.
 - b. Prioritize sites that are suitable for conversion to less susceptible and or lower value land uses (i.e., commercial to light industrial) in conjunction with fee simple purchase of partial development rights.
 - c. Evaluate opportunities for public/private partnerships to implement drainage improvements, selective seawall construction or other engineering solutions in conjunction with reduction of density/intensity.
3. The City shall amend its floodplain regulations to require the elevation of new structures and substantially repaired/improved structures located in flood zones to a minimum of 1.5 feet above applicable base flood elevation standards.
4. The City shall amend its floodplain regulations to require a cumulative calculation of improvement costs over a two-year period in determining whether improvements result in a substantial improvement to a nonconforming structure below required base floor elevation.
5. The City shall limit public expenditures that would facilitate development within areas susceptible to projected flooding from sea level rise through 2060 and high tides, and shall encourage local governments, agencies and service providers to implement the same strategy.
6. The City shall ensure that drainage swales, ditches, stormwater retention areas and urban conveyance systems are maintained to

achieve maximum design capacity and flow. The City shall conduct periodic inspections of private drainage systems under its regulatory jurisdiction to ensure enforcement of permitting conditions relating to operation and maintenance of drainage systems, and shall encourage the St. Johns Water Management District to conduct inspections for systems under its jurisdiction.

7. The City shall coordinate with the Florida Department of Transportation, Duval County, the Duval County School District and other government agencies that own development sites, control right-of-way or provide services in order to evaluate opportunities for partnering on drainage improvements and to encourage designs that minimize and mitigate flood impacts.

Policy CM3.4.3 (proposed)

The City shall evaluate and adopt regulations to require or incentivize the following site development techniques and best management practices to reduce losses due to flooding and resulting insurance claims:

- a. Evaluate the feasibility of adopting more stringent drainage level-of-service standards as related to duration, frequency and recovery design criteria.
- b. Evaluate the feasibility of revising regulations to reduce the extent of required impervious surfaces, including minimum and maximum off-street parking ratios, options for compact parking spaces, bicycle storage parking credits, specific shared parking ratios for uses with different peak periods, and use of pervious materials for driveways, parking and sidewalks.
- c. Require shared access points and cross-connections between developments where feasible and where result would reduce impervious surfaces.
- d. Reduce minimum pavement width requirements for curb and gutter roads to 22' plus 1.5' curb and gutter for collector and local roads.

- e. Support regulatory and financial incentives for elevating the first floor of structures on pilings in A-zones to allow for parking beneath the structure. Implement the same strategy for elevating the first floor structures above minimum regulatory requirements in V-zones as necessary to locate parking below structures.
- f. The City shall coordinate with the UF/IFAS Extension office to seek assistance in amending the City's development standards and landscaping standards to increase flood attenuation.
- g. The City shall continue to provide public education on flood protection, best management practices and the National Flood Insurance Program via its website, pamphlets workshops, and other outreach methods.

Policy CM3.4.4 (proposed)

The City shall maintain flood-resistant construction requirements that are consistent with, or more stringent, than the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R., Part 60.

Policy CM3.4.5 (proposed)

Construction activities seaward of the coastal construction control lines established pursuant to s. 161.053 shall be consistent with Chapter 161, Florida Statutes.

Policy CM3.4.6 (proposed)

The City shall continue to participate in the National Flood Insurance Program Community Rating System and shall periodically evaluate program options for improving its rating to maximum insurance premium discounts.