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14775 Old St. Augustine Road • Jacksonville, Florida 32258

January 7, 2022

Mr. Thad Crowe, AICP – PEO Director  
Nassau County  
Department of Planning and Economic Opportunity  
96161 Nassau Place  
Yulee, FL 32097

**RE: Project Name: ENCPA Wildlight Future Land Use Map Amendment, Submittal #2**  
**Application: CPA 21-009**  
**ETM No.: 19-239-01-026**

Dear Mr. Crowe:

Since our meeting December 3, 2021, the proposed Future Land Use Map amendment has been modified to add back in one of the two Village Centers removed in the proposal, more closely matching existing Village Center acreage between existing and proposed plans, increasing the acreage of the Resort Land Use category and decreasing the requested acreage change to the Tier 2 Residential Neighborhood. As stated, the ENCPA Sector Plan boundary remains as adopted and the approved entitlement of 24,000 units and 11,000,000 square feet of non residential uses remain as adopted.

In response to staff comments from our submittal, we have repeated “Completeness Comments” in **bold** below and highlighting responses in *italics*. In addition to the detailed responses, the narrative has been expanded to cite the relevant policies from each element in the Comprehensive Plan. Lastly, as we discussed during our meeting, we’ve included a map graphic in the narrative to aid in measuring spatial land use distribution. The spatial land use distribution map measures ¼ mile and 1 mile distances from each Village Center and is a useful data tool to support our analysis of the proposed ENCPA Master Land Use Plan (FLUMs – 6 Map).

We trust these changes will enable you to determine our amendment application complete and therefore ready to be scheduled for the transmittal hearings. Please contact me at 904-642-8990 or via email at [hagal@etminc.com](mailto:hagal@etminc.com) should you require additional information or have any questions.

Sincerely,

ENGLAND-THIMS & MILLER, INC.

Lindsay Haga, AICP  
Land Development – Planning Manager

Attachments:

1. Large Scale Land Use Amendment document:
  - a. Narrative
  - b. Required Attachments
    - i. Application form, o/a form, deeds
    - ii. Appendix A Environmental
    - iii. Appendix B Transportation
    - iv. Appendix C Cultural
  - c. Referenced Attachments

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### Response to Comments

1. Pursuant to § 163.3184(2)(c) Florida Statute, application CPA21-009, is subject to the state coordinated review process found in § 163.3184(4) Florida Statute.

Application CPA21-009 was reviewed by County departments for completeness and was found to be deficient (incomplete). The below comments provide a detailed list specifying with particularity the additional data, analysis, and documentation necessary for the application to be complete. These comments shall not be construed to evaluate the quality of data that was provided.

Until such time the deficiencies are cured, or other remedy has been realized, the application is deficient (incomplete) and County staff is unable to conduct a proper review of application CPA21-009.

*Response: This resubmittal includes supplemental information to expand on the initial application and exhibits. This resubmittal provides a complete Large Scale Comprehensive Plan Amendment application to modify the ENCPA Master Land Use Plan (FLUMs – 6 Map) in order to create a more efficient ENCPA Mobility Network and refine the ENCPA land use categories in order meet the ENCPA Sector Plan planning requirements. No changes to the ENCPA boundary are proposed as a result of this application. In addition, there is no change to the overall ENCPA entitlement of 24,000 residential units and 11 million square feet of nonresidential uses. Given this, there should be no change to the level of service analysis completed when the ENCPA was originally approved approximately 10 years ago. Notwithstanding this, the application includes a level of service analysis for the subject property and additional data and analysis to demonstrate continued compliance with Section 163.3245(3)(a), Florida Statutes, and the ENCPA Sector Plan policies in Comprehensive Plan Future Land Use Element Objective FL.13.*

2. Comprehensive Plan Amendment application CPA21-009 proposes an amendment that is inconsistent with the Transportation Element and correlating Future Transportation Map Series (FTMS) of the adopted Nassau County 2030 Comprehensive Plan. As such, an amendment to the Transportation Element/FTMS must travel concurrently with application CPA21-009.

Application CPA21-009 cannot move forward with any other recommendation than denial as it would create an internal inconsistency within the adopted Nassau County 2030 Comprehensive Plan. Thus, approval of CPA21-009 is contingent upon adoption of an amendment to the Transportation Element/FTMS.

Further, an amendment to the adopted Transportation Element/FTMS will necessitate an update and modification of the comprehensive mobility plan/network, e.g., Mobility Zones 1, 2 and 3. The comprehensive mobility network is interconnected and interdependent. A modification to one Mobility Zone could impact the other two Mobility Zones. CPA21-009 proposes a significant alteration to Mobility Zone 2 which has the potential to impact Mobility Zones 1 and 3 and the overarching framework of the Transportation Element/FTMS.

This brings to light the critical deficiency in application CPA21-009; the overarching context of the application and the related narrow focus. The requested Comprehensive Plan Amendment must be viewed in the context of the ENCPA Sector Plan [as a whole] and the supporting mobility network, e.g. Mobility Zones 1, 2, and 3, and other infrastructure/requirements. As presented, CPA21-009 is viewed through a narrow focus on a portion of the ENCPA Sector Plan [a potential future DSAP] and fails to address the comprehensive impacts to the greater ENCPA Sector Plan, comprehensive mobility network, and other related infrastructure. Application CPA21-009 and application DSAP21-001 are two distinct and separate applications that are, as appropriate, analyzing the ENCPA Sector Plan and supporting infrastructure/services from two very different perspectives and scales.

*Response: As discussed during the December 3, 2021 meeting, the County Planning Staff will prepare the amendment to the FTMS map series. The GIS shapefiles were provided to County Planning staff December 14, 2021. To aid in this review, we have provided the ENCPA Mobility Zone Map to document that the proposed internal realignments do not modify the external connections to Mobility Zones.*

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*This application as filed, and revised herein, is not critically deficient. The amendment does not modify other areas outside of the subject property or outside of the ENCPA Sector Plan, the amendment does NOT increase or decrease the approved ENCPA development program and this amendment does not modify any of the ENCPA Sector Plan Comprehensive Policies. This is the overarching, critical aspect to drive the professional review of the amendment.*

3. **Related to comment #2, the overarching and critical deficiency with application CPA21-009, a Comprehensive Plan Amendment intended to amend the ENCPA Master Land Use Plan/FLUM-6, and, by extension, the Transportation Element/FTMS of the Comprehensive Plan, is that the application does not contain supporting data and analysis unique to the application but, rather, references material submitted with an application to establish a new DSAP within the ENCPA. As a result:**

**(1) the context of application CPA21-009 and its supporting materials is narrowly focused, inappropriately so, to a portion of the overall ENCPA Sector Plan [a future DSAP] as opposed to the ENCPA Sector Plan [as a whole], the supporting mobility network [Mobility Zones 1, 2 and 3], and other related infrastructure/services; and,**

**(2) the utilization of exhibits/data intended for an application for a new DSAP is 'muddying the waters'/'blurring the lines' of what should be analyzed and provided at the Comprehensive Plan Amendment level vs. the DSAP level.**

**Further, application CPA21-009 is a separate and distinct application with unique criteria for evaluation. Application CPA21-009 must stand on its own merit separate and apart from application DSAP21-001 [a request for a new DSAP]. The material submitted for review of CPA21-009 intertwines with the material associated with DSAP21-001. There must be a bright line between the separate and distinct applications as their purpose are substantively different.**

**As such, provide supporting data and analysis for application CPA21-009. The data and analysis shall be of a scale and context appropriate for review of an amendment to the Master Land Use Plan of the ENCPA Sector Plan, the supporting comprehensive mobility network, e.g. Mobility Zones 1, 2 and 3, and other related infrastructure/services. As submitted, the application is incomplete and cannot be reviewed.**

*Response: This proposed amendment does not increase or decrease the approved entitlement for the Sector Plan, does not modify the land use distribution policy or change any connections of the ENCPA Mobility Network to the other mobility zones. Please also see Response to Comment 1. While this application is a separate land use application from the proposed DSAP 2 application, the application is a companion to the DSAP 2 application in order to demonstrate consistency within the ENCPA Sector Plan and proposed draw down of ENCPA entitlements in DSAP 2.. Notwithstanding the above, the application has been revised to consolidate the provided data and analysis in a form typical for standalone amendments.*

4. **Related to comment #3, the material submitted fails to acknowledge the ENCPA Sector Plan is supported by the comprehensive mobility network which is inclusive of all three Mobility Zones. The exhibits and material provided do not adequately depict the existing mobility network or the future network improvements/projects defined in FTMS-5 and the correlation comprehensive mobility plan, e.g. Mobility Zones 1, 2 and 3.**

**In all exhibits, depict the existing mobility network and the transportation projects defined in the adopted FTMS-5 and the three Mobility Zones. Nassau County staff can provide you with the applicable shapefile/line files that are inclusive of all the projects adopted as part of FTMS-5 and the projects adopted in all three Mobility Zones 1, 2 and 3.**

*Response: The ENCPA Sector Plan and Mobility Zone is not supported by, nor responsible for, Transportation Improvements proposed in the Non-ENCPA Mobility Zones. Transportation mitigation for the ENCPA entitlements is set forth in the ENCPA Mobility Fee Agreement. Further, the amendment as filed and revised herein clearly demonstrates the external network connections remain as adopted on FTMS-5 and also maintains the same entitlement program adopted for the ENCPA Sector Plan. Please refer to the comment response to #1 above.*

5. **As part of the required supporting data and analysis for CPA21-009, clearly articulate in narrative, tabular, and graphical form all changes to the adopted Transportation Element/FTMS and comprehensive mobility network. Provide data and analysis identifying impacts of any proposed changes to the comprehensive mobility network/plan, e.g. Mobility Zones 1, 2 and 3. This data and analysis shall be conducted at scale and scope encompassing the entire ENCPA Sector Plan.**

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**There are numerous inconsistencies throughout the material provided as it relates to both ENCPA Mobility Network and other roadways. There are inconsistencies both within the DSAP # 2 boundary and across the whole of the ENCPA Sector Plan. This further illustrates why CPA21-009 must have separate and distinct data and analysis performed at the scale and scope of the entire ENCPA Sector Plan and, by extension, the FTMS and comprehensive mobility network, Mobility Zones 1, 2, and 3. Based on the material provided, a professional review cannot be conducted.**

*Response: As discussed during the comment review meeting December 3, 2021, the County Planning staff will prepare the amendment to the Transportation Element, FTMS-5. The proposed changes to the Mobility Network Improvements subject to this amendment have been provided in GIS shapefile format to the County Planning staff on December 14, 2021.*

*Second, this amendment is limited to land uses within the defined subject area and does not change any other portion of the ENCPA Sector Plan, including the overall entitlement program and the land use distribution policy requiring minimum non residential intensity and maximum residential density by land use category. No changes are contemplated to the other County Mobility Zones.*

*The Proposed ENCPA Mobility Improvement Map clearly shows this amendment maintains the existing, approved connections to the ENCPA Mobility Network and shifts the Non-ENCPA Mobility Road CR108/Chester Road connection south to protect the character of the Roses Bluff neighborhood to the north. The proposed changes to the mobility network address internal re-alignment. See Appendix B, Transportation Impact Analysis and the Proposed ENCPA Mobility Improvement Map.*

6. **Related to comment #5, provide all data, model files, syncro files, excel sheets, internal capture sheets, and any other data necessary to review the traffic model and correlating data. The lack of data necessary to truth the model coupled with numerous inconsistencies related to the transportation system throughout the submitted material inhibits the ability to perform a professional review of the application. Provide traffic data for internal network to prove that proposed roadway network is designed to adequately accommodate proposed development. CR 108 Extension (C,E,G,H) may need to be a four-lane roadway. Further, analysis provided is deficient. Demonstrate how benefits of existing reserved highways, rail, and transit-accommodating corridors are maximized.**

*Response: The requested data, model files, excel sheets, etc have been provided as an FTP link with this response. The required transportation mitigation for the ENCPA entitlements and associated impacts is set forth in the ENCPA Mobility Fee Agreement.*

7. **As part of the required supporting data and analysis for CPA21-009, clearly articulate in narrative, tabular, and graphical form all changes to the adopted ENCPA Master Land Use Plan/FLUM-6. Provide data and analysis identifying impacts of any proposed changes to the ENCPA Master Land Use Plan and correlating supporting infrastructure/services, land use mix, fiscal impact, jobs-to-housing ratio, and other similar items. This data and analysis shall be conducted at scale and scope encompassing the entire ENCPA Sector Plan.**

**Further illustrating, as a sampling, why application CPA21-009 must have separate and distinct data and analysis performed at a scale and scope of the entire ENCPA Sector Plan:**

1. The "Wildlight - DSAP #2 Proposed Future Land Use" exhibits provided on page 4 of the document titled Future Land Use Map Amendment dated October 26, 2021 and the exhibit under the same title in Appendix E are inconsistent in several ways including, variations in land use categories, assignment of mobility network roads, etc.
2. The referenced exhibit in Appendix E includes modifications to the ENCPA Master Land Use Plan west of US17 and outside of the narrowly focused perspective of DSAP #2.
3. When viewed juxtaposed with the adopted ENCPA Master Land Use Plan/FLUM-6, application CPA21-009 proposes to amend the boundary of the ENCPA Sector by removing an almost 200 acre swatch of CHN located between the railroad and SR 200. This CHN is strategically located to protect the headwaters of the Lofton Creek Aquatic Preserve and provide critical viewshed protection along SR200/A1A.

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4. Policy FL.13.09 states, "The St Mary's River Greenway ("Greenway") shall consist of areas with uniquely high topography adjacent to the St Mary's River or Bells River in locations as depicted on the adopted ENCPA Master Land Use Plan (Map FLUMS-6). The Greenway shall be developed in a manner to protect the view shed to and from the river bluffs and preserve portions of the unique visual and physical characteristics of the riverfront and its bluffs." The proposed ENCPA Master Land Use Plan/FLUM-6 does not include in such designation.

As submitted, the application is incomplete and cannot be reviewed at any professional level based on the data provided. See additional "courtesy comments".

*Response: The narrative, under Section C Proposed Land Use includes side by side comparison maps and charts to explain the adjustments to the land use categories. In addition, the narrative includes an expanded consistency analysis for applicable policies of each element in the Comprehensive Plan. Please also see Response to Comment 1 above.*

*This application does not include changes to the 200 acre CHN area between the railroad and SR 200. This area is shown on the revised ENCPA Master Plan Map.*

*ENCPA development will be consistent with the ENCPA Sector Plan Policies, including Policy FL.13.09. As previously stated, the ENCPA Mobility Network is proposed to be revised to provide a more efficient ENCPA road network and the ENCPA land use plan within the subject property is proposed to be revised consistent with the ENCPA Sector Plan Policies.*

8. Related to #7, there are numerous inconsistencies throughout the material provided that call to question even basic calculations. In order to perform proper analysis, please update/correct and then provide GIS data for all land uses, roads, parks, fire stations, schools, CHN upland, CHN wetlands, water and waste water facilities, and other similar data. The application is incomplete as submitted and cannot be reviewed.

*Response: This information has been provided via email.*

9. Provide names of owner and applicant/agent on application form as required.

*Response: See revised form.*

10. The submitted application for "Future Land Use Amendment" and correlating "Consistency Analysis", by and large, simply restates the Goals, Objectives and Policies contained in the Comprehensive Plan but fails to provide actual data and analysis demonstrating consistency with the Comprehensive Plan.

Provide data and analysis to demonstrate how the proposed Comprehensive Plan Amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan. As submitted, the application is incomplete. Be mindful the ENCPA Sector Plan is subject to the entire 2030 Comprehensive Plan. Narrowly focusing your application to FL13 disregards substantive public policy applicable to the application which will result in substantive comments once the completeness review process is complete and we progress to a full review of the application. See "courtesy comments".

*Response: See revised narrative, consistency analysis. This amendment does not increase or decrease the development program and is consistent with the sector plan requirements in Section 163.3245(3)(a), Florida Statutes. The background data and analysis for the 2030 Comprehensive Plan relies on the same development program. Please also see Response to Comment 1 above.*

11. As part of the data and analysis performed for CPA21-009, update all tables, calculation and graphics to fully articulate the proposed amends in the context of the entire ENCPA Sector Plan.

*Response: See revised narrative, consistency section.*

12. Application CPA21-009 is incomplete as it fails to address historic or cultural assets as noted in FL.01.04.E. There are multiple sites within the areas where the transportation network and land use map are proposed to be amended that are either identified in the Florida Master Site File or identified as a medium - high probability for archeological or

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**culture assets pursuant to the Nassau County Cultural Resource Assessment, as completed in 2004 by Bland & Associates. Submit for a review by a cultural resources assessment/archeological survey and properly identify and describe historic/cultural assets. The County send the document out for third-party expert to evaluate.**

*Response: The application appropriately addresses historic and cultural assets by maintaining land uses categories in the same locations. This is verified by reviewing the referenced 2004 Bland & Associates Cultural Resource Assessment. Notwithstanding this, please refer to the Cultural Resource summary provided by SEARCH, attached as Appendix C.*

**13. Provide updated fiscal impact analysis based on new Master Land Use Plan and correlating phasing plan.**

*Response: As discussed during the December 3, 2021 comment review meeting, this comment does not apply as the proposed changes do not result in changes to the ENCPA entitlement Development Program or changes to the land use distribution policy.*

**14. Provide attestation from the environmental consultant certifying that the information contained in the natural resources appendix meets the requirements of Section 163.3245.**

*Response: While this is not a requirement in Section 163.3245(3)(a), Florida Statutes, see revised Appendix A.*