

**PART IV ASSESSMENT OF PLAN OBJECTIVES AND POLICIES**

EGANS CREEK ALLIGATOR



## Summary

**Part IV** provides an assessment of key objectives and policies in each of the ten (10) elements of the City's Comprehensive Plan and how they relate to the four (4) major issues. Each assessment includes a statement as to whether the objective or policy has been implemented; its effectiveness, and whether it should be kept unchanged, revised in some way, or should be removed from the plan. The assessment may also include recommended action to implant the policy if it has not been fully implemented. Major Issue 2- Sustainability was analyzed separately from the other three major issues due to the comprehensive nature of this issue. The remaining three major issues were identified where appropriate as they pertain to each of the objectives and policies.

In evaluating the comprehensive nature of sustainability and its relation to all elements of the plan, it was decided to conduct the Element Review portion of the EAR from a sustainability perspective, and evaluate each policy for how it does or does not contribute to sustainability goals. Evaluation of each plan element from this perspective will also draw attention to sustainability principles and practices that are not currently addressed anywhere in the existing comprehensive plan, and will lead to suggestions for how to incorporate these principles and practices into the plan through EAR-based amendments.

Categories have been identified based on *Toward Sustainable Communities: Resources for Citizens and Their Governments* by Mark Roseland. In this book, Roseland identifies the following nine "Sustainable Community Building Blocks:"

- Greening the City
- Water + Sewage
- Waste Reduction + Recycling
- Energy Efficiency + Renewables
- Atmospheric Change + Air Quality
- Transportation Planning + Traffic Management
- Land Use + Urban Form
- Housing + Community Development
- Community Economic Development

In addition, a few other categories that relate to City sustainability goals have been identified by staff:

- Natural Resource Preservation
- Cultural Resource Preservation
- Community Health + Safety
- Disaster Preparedness
- Water Quality

Each element of the existing comprehensive plan is being reviewed to determine how each objective and policy relates to one of these sustainability elements. Where staff finds that certain sustainability strategies and/or issues are not currently integrated into the existing element, staff is highlighting those missing issues at the beginning of each element review. Additionally, legislative changes pertaining to each element are provided in table format to summarize where policy revisions will need to incorporate these mandated changes.

## **FUTURE LAND USE ELEMENT**

### **Overview**

The primary purpose of the Future Land Use Element (FLUE) is to provide for an effective and efficient balance of the City's anticipated growth demands with its goals for protecting its natural and cultural resources. Further, the goal of the FLUE is to encourage land uses that promote economic viability for the community. This element consists of a single goal which is addressed through nine (9) objectives and 63 policy statements. The objectives within the FLUE facilitate its goal through provisions for growth management, natural resource protection, redevelopment, nonconformities, historic resources, land use categories, commercial land conversion, airport facilities, and availability of land for infrastructure and public school facilities. This element is arguably the most important element in the City's Comprehensive Plan (Plan) as it lays the foundation upon which the rest of the Plan is built.

### **Successes and Shortcomings**

The City's Planning Department is the administrative entity that implements the goal, objectives and policies as set forth in the FLUE. The City continuously monitors the application of the element's policies and makes recommendations for text amendments as needed to reflect changing growth trends and conditions. Overall, the FLUE has been effective in accommodating the City's steady growth without jeopardizing its natural or cultural resources or compromising the community's quality of life.

The element currently promotes orderly and economical development by ensuring that public facilities are available prior to the approval of new developments. It also protects the community's desired small town character by restricting building width and height and providing consideration to the compatibility of the surrounding area. New development has generally been directed away from the City's natural resources while preserving property rights through on-going coordination with the State's oversight agencies including: the Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission, the Florida Park Service, the St. Johns Water Management District and the U.S. Army Corps of Engineers. Redevelopment initiatives, while supported and incentivized within the Plan, have lacked in continued energy from the development community. The Plan could better articulate redevelopment incentives and strategies. Additional policies related to the City's Community Redevelopment Area (CRA) and other economically depressed areas should be considered to foster reinvestment within these neighborhoods.

One of the identified "Major Issues" concerns Neighborhood Preservation which is of particular interest as it relates to nonconformities. One of the positive aspects of the current Plan is that it honors existing platted lots of record providing a property owner the opportunity to achieve residential densities on otherwise non-conforming lots under today's Land Development Code (LDC). Honoring the original platted lots allows the City to continue to develop/ redevelop in patterns consistent with the surrounding area. Unfortunately, the goals of preserving neighborhood character are in direct conflict with an objective to reduce or eliminate non-conforming structures or uses. Policies that provide a fair balance these two competing goals should be discussed and developed.

Fernandina Beach's National Register Historic Districts provide a reflection of its rich cultural past. These districts afford the City and its businesses a valuable revenue source as a known location for heritage tourism and contribute significantly to the community's quality of life and character. The FLUE directs policies related to the preservation and protection of the historic districts. Most of the policies have been fully implemented or have become a part of an on-going process. Ensuring that the City's Historic Districts are truly preserved requires additional policies that address criteria and incentives to encourage continued re-investment from both public and private interests. Further, policies addressing hazard mitigation, stabilization and sustainability should be developed. It is suggested that the City develop a

stand alone “Historic Preservation Element” to better articulate the many facets related to the continued protection of these important cultural resources.

The City’s Land Use Categories as defined in the FLUE and mapped on the Future Land Use Map (FLUM) have helped to ensure that greater densities and intensities are directed away from its natural resources. Industrial land uses are primarily located within their historic locations along the Amelia River providing for the continued operation of two paper/pulp mills, commercial shrimping/ fishing and an active seaport. The only other industrial location is found surrounding the City’s airport facilities. Egans Creek Greenway, which lines the interior of Amelia Island, holds most of the City’s conservation lands. The City host a number of recreational opportunities, their use as allocated on the City’s FLUM provide trailheads bordering the Egans Creek Greenway, public beach access parking, boardwalks, dune walkovers and beach parks, community ball fields, a skate park, two swimming pools and several gymnasiums with basketball courts are provided in proximate locations to better serve area neighborhoods. Ft. Clinch State Park is the largest recreation land use area on the FLUM.

Residential land use categories have provided the City with diverse housing types and styles. Policy considerations for the inclusion of accessory dwellings within the Low Density Residential land uses should be discussed as part of an overall strategy for providing affordable housing. Review of the Housing Element better captures goals and needs related to the provision of affordable housing. Neighborhood preservation strategies may also lead to policy revisions within residential land use categories.

Commercial development within the City is primarily located along three corridors known as 8th Street, South 14th Street and Sadler Road. Typical suburban strip shopping is the predominant pattern for commercial uses within these areas. The downtown Central Business District accommodates a historically mixed use environment. An Office and Residential Mixed Use category is both defined in the FLUE and mapped on the FLUM; however the City has failed to attract any new developments that are truly mixed use. The City should consider policies to further encourage mixed use development with particular interest in the aging commercial corridors.

Commercial land use conversion policies direct that the existing surrounding areas’ compatibility and any impacts on existing infrastructure be evaluated when redevelopment of the site, whether in whole or simply a change of use, occurs. These policies also direct that commercial development be strategically concentrated in a way that promotes the continued function of the historic downtown area as the center for government, retail, tourism, business and professional offices as well as for civic and cultural enrichment. The City has witnessed a decline in its business mix downtown with the relocation of a major bank and several businesses moving out to the alternative commercial areas. Policies that provide incentives for businesses to locate downtown should be considered. Overall, commercial land use conversion policies should be strengthened to place more emphasis on the redevelopment initiatives within its Central Business District and promote a mixed-use development pattern in other commercial corridors. New policies should be developed to promote, require and direct that redevelopment incorporate sustainable building practices and design. Additional policy considerations that provide development incentives such as density/intensity increases and expedited permitting or review should be considered for projects that demonstrate compliance with the City’s Sustainability goals.

The City’s municipal airport has made substantial improvements in its infrastructure and facilities in the last few years with the addition of public hangars and runway paving. Coordination with regulatory agencies is an ongoing process as the airport continues to enhance its facilities through its Federal Aviation Administration approved master plan and subsequent modifications. On whole, the policies contained in the City’s Plan regarding its airport facilities need to be clarified to include language as it relates specifically to the airport. Additional policies related to “green” construction must be considered

for any new construction on the airport property. Another policy consideration would be to include a policy related to neighboring community awareness of airport operations.

Providing for the availability of public school infrastructure is a recent addition to the City’s Plan. These policies were adopted in July 2008 in compliance with F.S. 163.3177(12). It is difficult to assess the effectiveness of these policies as they are so new however, amendments to these policies should possibly be considered as part of the City’s identified major issue of sustainability. Consideration of any policy changes in this section will require outreach to the Nassau County School Board for their endorsement.

The second identified “Major Issue” presents an opportunity to create a goal of Sustainability though land use considerations throughout the City. At present, the Plan does not contain any goals, objectives or policies related specifically to sustainability principles and strategies. Policy revisions will be needed as they relate to land use and urban form, energy efficiency, renewable resources, climate change and disaster preparedness. FLUE revisions will be widespread due to the comprehensive nature of sustainability and may include policy considerations related to low impact development (LID) practices, possibly creating a “local green certification” program, “green score cards” for incentives such as density/intensity increases, and potentially directing exploration of a form based land development code.

All four (4) of the identified Major Issues (Neighborhood Preservation, Sustainability, Annexation Planning and Wetlands Protection) will have implications on the policies in the FLUE. New policies or revisions will need to be carefully considered and balanced against the existing objectives especially regarding the incorporation of sustainability and neighborhood preservation goals. In addition to the changes coming out of the identified major issues the City must make policy revisions in its EAR based amendments to comply with legislative amendments. The following table details all required legislative updates impacting the FLUE.

**Table IV-1 Legislative Updates and Requirements for the Future Land Use Element**

STATUTE REF.	DESCRIPTION
163.31771 (3)	Authorizes local governments to permit accessory dwelling units in areas zoned for single family residential use based upon certain findings.
163.3177 (6)(a)	Add requirement that future land use element of coastal counties must encourage the preservation of working waterfronts, as defined in s.342.07, F.S. through the creation of “regulatory incentives and criteria.”
163.3177 (6)(a)	Requires the future land use element to be based upon the <b>availability of water supplies</b> (in addition to public water facilities).
163.3178(2)(c)	Requires local governments to amend their Future Land Use Map and coastal management element to include the new definition of the CHHA, and to depict the CHHA on the FLUM by July 1, 2008. Ch. 2006-68, LOF.
163.3208	Creates a new section related to electric distribution substations; establishes criteria addressing land use compatibility of substations; requires local governments to permit substations in all FLUM categories (except preservation, conservation or historic preservation); establishes compatibility standards to be used if a local government has not established such standards; establishes procedures for the review of applications for the location of a new substation; allows local governments to enact reasonable setback and landscape buffer standards for substations. Ch. 2006-268, LOF.

STATUTE REF.	DESCRIPTION
163.3177 (6)(a, b, d, f)	Requires that the future land use element include greenhouse gas reduction strategies, that the element discourage urban sprawl and be based upon energy-efficient land use patterns that account for future electrical power generation and transmission systems. Requires that the traffic circulation element of the comprehensive plan incorporate strategies to address the reduction of greenhouse gas emissions from the transportation sector. Requires that the conservation element address energy conservation and that the land use map series identify and depict energy conservation. Requires the housing element to contain standards, plans and principles to be followed to address energy efficiency in the design and construction of new housing.
SB 360	Defines “ Dense Urban Land Ares” and Eliminates state-mandated transportation concurrency requirements in designated Transportation Concurrency Exception Area’s (TCEA’s) in Dense Urban Land Areas and Eliminates DRI review process for TCEA’s and Requires Comp Plan to address Land Use and Transportation Strategies to support and fund mobility within the TCEA and must include alternative modes of transportation.
HB 697	Requires Future Land Use Element be based on data and studies that demonstrate: discouragement of urban sprawl, energy efficient land use patterns that account for existing and future eclectic power generation and transmission systems, greenhouse gas reduction strategies, 4. the FLUM must be amended to depict Energy Conservation Areas.
HB 7135 Approved by Gov. Crist 6/25/08	All county, municipal, school district, water management district, state university, community college, and Florida state court buildings shall be constructed to meet the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative’s Green Globes rating system, the Florida Green Building Coalition standards, or a nationally recognized, high performance green building rating system as approved by the Department of Management Services. This section shall apply to all county, municipal, school district, water management district, state university, community college, and Florida state court buildings the architectural plans of which are commenced after July 1, 2008.
163.3177(6)(A)	Requires local governments to address airport compatibility based on surveys, studies and data regarding land use adjacent to public airports including criteria to achieve compatibility of land uses adjacent to public airports and requiring amendments to the Intergovernmental Coordination Element, Transportation Element and Future Land Use Element.

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**Objective and Policy Review****OBJECTIVE 1.01**

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“The City shall implement growth management techniques to ensure that land use decisions are consistent with the FBCP, to provide land development regulations consistent with accepted planning principles and practices, to ensure that public services and facilities are provided when needed by development, to control instances of sprawl, and to encourage creativity in land use and design.”

**Assessment:** Efforts to implement this objective are ongoing; revisions are recommended in order to achieve goals as related to the Major Issues as identified below.

**Major Local Issues:** Issue 3-Annexation Plan, Issue 1-Neighborhood Preservation

**Sustainability:** Land Use + Urban Form, Water + Sewage, Natural + Cultural Resource Protection and Disaster Preparedness, Transportation + Traffic

*Policy 1.01.01.*

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“The City shall ensure that new development which is not contiguous to City services occurs in an orderly and economical manner. New development shall be staged for urbanization in a manner that minimizes additional public investments in City services.”

**Assessment:** Efforts to implement this policy are ongoing; policy development is recommended in order to achieve goals as related to the Major Issues as identified below.

**Major Local Issues:** Issue 3-Annexation Plan

**Sustainability:** Land Use + Urban Form, Water + Sewage, Natural + Cultural Resource Protection and Disaster Preparedness

*Policy 1.01.02.*

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“The approval of all development shall be subject to the availability of adequate levels of service for all facilities and services that are subject to concurrency management requirements.”

**Assessment:** Efforts to implement this policy are ongoing; policy development is recommended in order to achieve goals as related to the Major Issues as identified below. Either more specific language should be considered or an individual policy be created to specifically address demonstration of adequate water supply and water supply facilities. Further, policy revisions related to traffic concurrency will need to be addressed as they pertain to the 2009 SB 360 which designated the City as a Dense Urban Land Area (DULA) thereby making the entire City a Traffic Concurrency Exemption Area (TECA).

**Major Local Issues:** Issue 3-Annexation Plan

**Sustainability:** Land Use + Urban Form, Water + Sewage, Natural + Cultural Resource Protection and Disaster Preparedness

*Policy 1.01.03.*

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“The City shall ensure that the location, scale, timing, and design of development is coordinated with the availability of public facilities and services. The purpose of this policy is to prevent the proliferation of urban sprawl and to achieve cost effective land development patterns, as described below.

- a. No areas of urban development or uses, which are not functionally related to land uses which predominate the adjacent area;
- b. No areas of urban development or uses which fail to maximize the use of existing public facilities;
- c. No areas of urban development or uses which fail to use areas within which public services are currently provided; and
- d. No leapfrog/scattered development or ribbon/strip commercial development patterns.”

**Assessment:** Efforts to implement this policy are ongoing; policy development is recommended in order to achieve goals as related to the Major Issues as identified below and climate change policies.

**Major Local Issues:** Issue 3-Annexation Plan

**Sustainability:** Land Use + Urban Form, Water + Sewage, Natural + Cultural Resource Protection, Disaster Preparedness and Transportation + Traffic

*Policy 1.01.04.*

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“Decisions on amendments to the FLUM shall be based on an analysis of the suitability and compatibility of the proposed use, based on the following factors:

- a. Type and density or intensity of surrounding uses;
- b. Zoning districts in the surrounding area;
- c. Appropriateness of the size of the parcel compared to the proposed use;
- d. Physical condition of the site, and the suitability of soils and topography for the proposed use;
- e. Suitability of the site based on the presence or absence of natural resources, environmentally sensitive areas, flood zones, or historic resources;
- f. Compatibility factors;
- g. Impact on adopted levels of service; and
- h. Location in a Coastal Upland Protection Zone.”

**Assessment:** Efforts to implement this policy are ongoing; policy development is recommended in order to achieve goals as related to the Major Issues as identified below and climate change policies.

**Major Local Issues:** Issue 3-Annexation Plan, Issue 4- Wetlands Protection Regulation, Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form, Water + Sewage, Natural + Cultural Resource Protection and Disaster Preparedness

*Policy 1.01.05.*

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“The City’s land development regulations shall include the following:

- a. Stormwater management and drainage standards. Site design standards shall ensure the management of stormwater is in compliance with the adopted level of service standards for drainage, and is consistent with accepted engineering principles and practices for the design of stormwater and drainage systems.
- b. Safe and convenient on-site traffic flow and vehicle parking. Site design standards shall address the quantity and design of on-site parking and the location and design of driveways and other traffic circulation features.
- c. Signs. Standards shall provide for the number, location, and design of signs.
- d. Subdivision of land. Land development regulations shall provide for the division of land and the design of platted development projects.

- e. Buffering/screening. Site design and compatibility standards shall require that land uses which are potentially incompatible, either due to type of use or intensity of use, be buffered from one another through the provision of open space, landscaping, berms, site design techniques, or other suitable means.
- f. Regulation of the development of flood-prone areas. Standards shall limit the use and development of land in flood-prone areas.
- g. Coastal upland protection zone. Standards shall limit the type, location, and intensity of use in order to protect the integrity of the coastal upland area.
- h. Limitations on building height. The height of new structures shall be consistent with the heights of existing development. In all zoning districts, the maximum height of any building located within 800 feet of the mean high water line of the Atlantic Ocean shall not exceed thirty-five (35) feet.
- i. Maximum building size. Standards shall limit the gross square feet of a single building in order to ensure compatibility with development throughout the City.”

**Assessment:** Efforts to implement this policy are ongoing; policy development is recommended in order to achieve goals as related to the Major Issues as identified below and climate change policies.

**Major Local Issues:** Issue 3- Annexation Plan, Issue 4- Wetlands Regulation, Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form, Water + Sewage, Natural + Cultural Resource Protection, Energy Efficiency + Renewables, Atmospheric Change + Air Quality, Community Health + Safety, Waste Reduction + Recycling and Disaster Preparedness

*Policy 1.01.06.*

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“The City shall assure that specific density assigned to new development is compatible and consistent with established residential development patterns and provides equitable use of the land. Criteria to be considered in allocating density shall include, but not be limited to, the following:

- a. Protect the integrity and stability of established residential areas;
- b. Assure smooth transition in residential densities; and
- c. Require application of sound landscaping and urban design principles and practices.”

**Assessment:** Efforts to implement this policy are ongoing; policy development is required within this policy statement in order to achieve goals as related to the Major Issues as identified below as well as acknowledge climate change policies. Additional policies related to density considerations within the City’s Historic Districts should be included due to the sensitivity in preserving these area’s historic character and form.

**Major Local Issues:** Issue 3- Annexation Plan, Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form, Water + Sewage, Natural + Cultural Resource Protection, Community Health + Safety and Disaster Preparedness

*Policy 1.01.07.*

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“The City shall implement the FBCP in a manner that acknowledges private property rights.”

**Assessment:** Efforts to implement this policy are ongoing; however, the language is vague and should be clarified.

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**Major Local Issues:** Issue 3- Annexation Plan, Issue 4- Wetlands Regulation, Issue 1- Neighborhood Preservation

**Sustainability:** Disaster Preparedness, Efficiency + Renewables

*Policy 1.01.08.*

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“Stable residential areas and projected future residential areas, as delineated on the FLUM, shall be protected from encroachment by incompatible development. This policy does not preclude necessary community facilities from locating within residential areas when such activities satisfy the criteria established in the FBCP and the City’s land development regulations.”

**Assessment:** Efforts to implement this policy are ongoing; policy development is recommended to acknowledge the need for public/ community facilities and to acknowledge smart growth principles and climate change policies. Consider changing the policy to read “Established residential areas...” rather than “Stable.”

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form, Natural + Cultural Resource Protection, Community Health + Safety and Disaster Preparedness

*Policy 1.01.09.*

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“Any potential adverse impacts caused by different land uses located adjacent to each other shall be minimized by landscaping.”

**Assessment:** Efforts to implement this policy have been achieved in the Land Development Code through required buffering and landscaping design standards (Section 4.05.00). Policy could be strengthened to encourage the use of drought tolerant plantings and low impact development practices and including “buffering” in the policy language. Policies should consider addressing varying permissible uses using performance standards where certain uses would require additional mitigation.

**Major Local Issues:** Issue 3- Annexation Plan, Issue 1- Neighborhood Preservation

**Sustainability:** Greening the City, Natural Resource Preservation, Community Health + Safety and Land Use + Urban Form

*Policy 1.01.10.*

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“The City shall protect privacy and access to light, air, and open space. The City shall consider regulations such as building placement on a site, building design, and building orientation as one means to achieve this policy.”

**Assessment:** Efforts to implement this policy have been achieved in the LDC through specific site design requirements contained in Section 4.02.00.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Land Use + Urban Form, Energy Efficiency + Renewable Resources, Atmospheric Change + Air Quality and Community Health + Safety

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*Policy 1.01.11.*

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“The City shall provide for the orderly transition of uses. Where it is infeasible to separate residential from nonresidential land uses, buffering shall be required to promote a smooth land use transition.”

**Assessment:** Policy is redundant. Refer to policy 1.01.09. Suggest combining and eliminating the duplicate intent of these policies.

**Major Local Issues:** See policy 1.01.09 assessment analysis.

**Sustainability:** See policy 1.01.09 assessment analysis

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*Policy 1.01.12.*

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“The City shall implement the PUD as an overlay zoning district.

- 1) The purpose of a PUD overlay zoning district shall be to:
  - a) Improve the use of land where topography does not permit the application of the standard grid pattern subdivision of land; or
  - b) Introduce more than one (1) land use within a mixed use development, for example, recreation and commercial activities within a residential development; or
  - c) Allow more than one (1) housing type within a residential PUD; or
  - d) Allow innovative arrangements of uses and buildings that are not permissible in the underlying zoning district; or
  - e) Cluster homes, businesses, and other uses within a development to improve the efficiency of supporting infrastructure.
- 2) A PUD overlay zoning district shall be allowable in the following FLUM categories: LDR, MDR, HDR, ORMU, and GC. The land uses within any portion of the PUD shall be limited to the land uses allowable in the underlying FLUM category.
- 3) No PUD shall be allowed within the Coastal High Hazard Area.
- 4) A mixed-use PUD shall conform to all of the following guidelines:
  - a) Allowable commercial and office land uses shall not exceed a FAR of 0.21;
  - b) Residential density for the total project shall not exceed the residential density of the underlying land use category on the FLUM;
  - c) Civic and recreation uses shall be required in a residential PUD, and shall be a minimum of five (5) percent of the land area of the site; and
  - d) Site design and other techniques shall be used to ensure the compatibility of the project with adjacent land uses.”

**Assessment:** Efforts to implement this policy are ongoing; policy development is recommended in order to achieve goals as related to the Major Issues as identified below. Development limitations do not always mesh with the desirable development pattern; PUD’s provide greater flexibility with higher standards of delivery of public benefits.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form, Energy Efficiency + Renewable Resources and Community Health + Safety

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*Policy 1.01.13.*

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The City shall ensure that the image, function, architecture, and ambiance of the historic downtown further the use and development of downtown as the ceremonial, civic, and cultural center of the City. Toward this end, the City shall preserve and enhance the identity, design, and vitality of the downtown, including the designated historic preservation district and the adjacent fringe area.

**Assessment:** Efforts to implement this policy are ongoing but it is recommended that the policy be revised to acknowledge a separate Historic Preservation Element and to achieve goals as related to the Major Issues as identified below.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form and Cultural Resource Preservation

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**OBJECTIVE 1.02. NATURAL RESOURCE PROTECTION**

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“The City shall ensure consistency between the land development process and the natural environment by directing development densities and intensities to those areas having the greatest capacity for absorbing development while protecting those environmentally sensitive areas which have lower tolerance for urbanization.”

**Assessment:** Efforts to implement this objective are ongoing; revisions are recommended in order to achieve goals as related to the Major Issues as identified below.

**Major Local Issues:** Issue 4- Wetlands Protection Regulation

**Sustainability:** Natural Resource Preservation, Energy Efficiency + Renewable Resources, Atmospheric Change + Air Quality, Community Health + Safety and Transportation + Traffic Management

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*Policy 1.02.01.*

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“The City shall protect environmental resources. The City’s land development regulations shall address development in flood plains, shoreline protection, wetlands protection, and habitats for listed species.”

**Assessment:** Efforts to implement this policy are ongoing but it is recommended that the policy be revised to acknowledge the Major Issues as identified below.

**Major Local Issues:** Issue 4- Wetlands Protection Regulation

**Sustainability:** Natural Resource Preservation, Atmospheric Change + Air Quality and Land Use + Urban Form

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*Policy 1.02.02.*

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“The City shall ensure that future public supply well fields, which are located within the City, will be located in areas where they will be least impacted by development and contamination. The siting of new public supply facilities will be coordinated with the SJRWMD. The siting of new public supply systems outside of the City, but serving areas of the City, shall be protected through coordinating with the SJRWMD and the County.”

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**Assessment:** Efforts to implement this policy are ongoing; it is recommended that the policy be revised to acknowledge the Major Issues as identified below.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Natural Resource Preservation, Energy Efficiency + Renewable Resources, Land Use + Urban Form and Waste Reduction + Recycling

*Policy 1.02.03.*

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“Existing and future public supply well fields within the City shall be protected from possible contamination by limiting the type of development or uses within 500 feet of the wellheads (or greater where possible).”

**Assessment:** This policy has been implemented in the Land Development Code in section 3.04.02. No additional changes are recommended.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Natural Resource Protection and Community Health + Safety

*Policy 1.02.04.*

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“Any land uses currently found within 500 feet of an existing well field that are prohibited as provided in Policy 1.02.05 shall be considered nonconforming land uses, which, upon closure or resale, must be granted permission from the City to continue the prohibited land use.”

**Assessment:** Efforts to implement this policy are ongoing, polices related to this type of non-conformity should be created in the Land Development Code.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Protection and Community Health + Safety

*Policy 1.02.05.*

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Within 500 feet of a public supply well field, the following land uses are prohibited:

- a. All regulated industries by the DEP as defined in Rule 62-521, F.A.C.;
- b. Facilities for the bulk storage, handling or processing of material on the Florida Substance List (Rule 38-1-30, F.A.C.);
- c. Activities that require the storage, use, or transportation of restricted substances, agricultural chemicals, hazardous toxic waste, medical waste, and petroleum products;
- d. Commercial animal facilities, including veterinarian clinics;
- e. Mines;
- f. Industrial land uses;
- g. Wastewater treatment plants;
- h. Commercial activities that involve the use of hazardous chemicals such as, but not limited to, dry cleaning operations, auto repair and servicing, pool supply, gas stations, junkyards, and machine shops;
- i. Injection wells, irrigation wells, and domestic and commercial wells less than six (6) inches in diameter;
- j. Stormwater facilities, including the use of drainage wells or sinkholes for stormwater disposal; and
- k. Human or animal cemeteries.

**Assessment:** This policy is redundant and should be collapsed as part of Plan policy 1.02.03. The Land Development Code implements this policy through section 3.04.02(B).

**Major Local Issues:** N/A

**Sustainability:** Community Health + Safety

*Policy 1.02.06.*

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“The City shall continually coordinate with the DEP and other relevant agencies to protect, maintain, and/or improve the quality of aquatic preserves.”

**Assessment:** Efforts to implement this policy are ongoing; no changes are required.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation

*Policy 1.02.07.*

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“The City shall not allow any development adjacent to or within the aquatic preserves which are not permitted by, and consistent with the DEP’s report entitled “Nassau River-St. Johns River Marshes and Fort Clinch State Park Aquatic Preserves.”

**Assessment:** Efforts to implement this policy are ongoing; one minor change is suggested to acknowledge the aquatic preserves “management plan.”

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation

*Policy 1.02.08.*

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“The City shall provide for the preservation of open space for scenic vistas, especially along Egans Creek, the Atlantic Ocean, and the Amelia River. Such enhancement shall include application of community appearance criteria which reinforce good planning principles.”

**Assessment:** Efforts to implement this policy are ongoing; it is recommended that this policy be strengthened to be more specific about “community appearance criteria that reinforce good planning principles.” A policy regarding Scenic Byway designation along AIA/ S. Fletcher should be considered in the FLUE and the ICE.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form, Natural Resource Preservation, Greening the City, Community Health + Safety and Disaster Preparedness

**OBJECTIVE 1.03. REDEVELOPMENT**

“The City shall reduce blight through redevelopment, renewal, and removal and replacement of blighted structures and uses.”

**Assessment:** This objective has been partially implemented and efforts towards redevelopment within the City and its designated Community Redevelopment Area (CRA) are ongoing. It is recommended that additional policies be added to address the CRA more specifically.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form, Natural + Cultural Resource Protection and Energy Efficiency + Renewable Resources

*Policy 1.03.01.*

“The City shall encourage needed redevelopment and renewal through incentives such as the following:

- a. Density or intensity bonuses;
- b. Provision of alternative site design requirements in designated redevelopment areas;
- c. Provision of overlay districts;
- d. Provision of development guidelines in designated historic districts; and
- e. Expedited review processes.”

**Assessment:** Efforts to implement this policy are ongoing; additional incentives should be developed to further encourage reinvestment within the CRA and declining commercial areas.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form, Natural + Cultural Resource Protection, Energy Efficiency + Renewable Resources and Waste Reduction + Recycling

*Policy 1.03.02 .*

“The City shall seek funding to assist in the reduction and elimination of blight. Funding programs, such as the federal Community Development Block Grant, may be used for housing rehabilitation, demolition and replacement of substandard housing, infrastructure improvements, or commercial redevelopment.”

**Assessment:** Efforts to implement this policy are ongoing; no additional policy considerations are required.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Community Health + Safety

*Policy 1.03.03.*

“The City shall promote redevelopment of general commercial activities, which fulfill market demands of the City’s residents for retail sales and services. The City shall coordinate with private sector interest groups concerned with enhancing the central business district, waterfront corridors, and commercial corridors on South 8th Street, Sadler Road, and 14th Street, in order to direct efforts to achieve a public and private partnership in improving the image and function of these districts and corridors. Design strategies shall provide physical themes for development and redevelopment opportunities that are

consistent with and reinforce the historic character of architecture, where historic structures are present, as well as the ambiance and urban design amenities in each location.”

**Assessment:** This policy has been partially implemented through the adoption of the CRA and CRA design guidelines; however, greater coordination and marketing to merchants and property owners should be facilitated to encourage a cohesive vision and strategy for anticipated redevelopment scenarios. It is recommended that this policy be broken out into several policies to provide greater clarity in the intent.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form and Natural + Cultural Resource Preservation

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**OBJECTIVE 1.04. NONCONFORMITIES**

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“The City shall eliminate or reduce nonconforming land uses and nonconforming structures.”

**Assessment:** Efforts to implement this objective are ongoing and have been defined in the Land Development Code section 10.01.00. Policy revisions may need to be considered in coordination with the Neighborhood Preservation goals.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form and Natural + Cultural Resource Preservation

*Policy 1.04.01.*

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“Nonconforming land uses and nonconforming structures shall not be expanded to increase the nonconformity. Expansion means an increase in land area or an increase in floor area.”

**Assessment:** Efforts to implement this objective are ongoing and have been defined in the Land Development Code section 10.01.02. Policy revisions may need to be considered in coordination with the Neighborhood Preservation goals.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** N/A

*Policy 1.04.02.*

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“The City shall consider land development regulations for such issues as the cessation, repair and maintenance, and amortization of nonconforming uses and nonconforming buildings.”

**Assessment:** Efforts to implement this objective are ongoing and have been defined in the Land Development Code section 10.01.01. Policy revisions may need to be considered in coordination with the Neighborhood Preservation goals. Further policy considerations would include a sustainability assessment to evaluate the viability of existing structures for re-use.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form and Natural + Cultural Resource Preservation, Waste Reduction

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*Policy 1.04.03.*

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“Existing platted lots of record that are located in Central Business District, Office Residential Mixed Use, and Low, Medium, or High density residential land use districts shall not be prohibited from the construction of one residential unit due to a non-conforming lot size. (Amended by Ordinance 2005-30, NOI 2006-01)”

**Assessment:** Efforts to implement this policy are ongoing and have been applied in the Land Development Code section 1.03.04. This policy requires some grammatical clean up.

**Major Local Issues:** Neighborhood Preservation

**Sustainability:** Land use + Urban Form

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**OBJECTIVE 1.05. HISTORIC RESOURCES**

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“The City shall preserve and protect designated historic resources, including historically significant housing.”

**Assessment:** Efforts to implement this objective have generally been achieved or have become part of an ongoing process. It is recommended that policies within this objective be expanded and developed into its own separate Historic Preservation Element. In addition to expanded policy language, the new element would further the goals as identified in the major issues of Sustainability and Neighborhood Preservation.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form, Cultural Resource Protection, Energy Efficiency + Renewable Resources and Waste Reduction + Recycling

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*Policy 1.05.01.*

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“The Historic District Council shall maintain an inventory of historic and archaeological resources within the City, including historic houses.”

**Assessment:** This policy has been partially implemented. A re-survey of the City’s downtown historic district was completed in 2007. It is recommended that this policy be expanded to include a City wide archaeological survey, an architectural survey of the remainder of the City and that additional policies be created to direct an on-going monitoring process.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Cultural Resource Protection and Land use + Urban Form

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*Policy 1.05.02.*

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“The City shall continue to protect and preserve significant archaeological sites, historic sites, and historic housing.”

**Assessment:** Implementation of this policy is ongoing; it is recommended that the policy be strengthened to include tasks for protecting and preserving these resources.

**Major Local Issues:** Issue 1- Neighborhood Preservation

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**Sustainability:** Cultural Resource Protection and Land use + Urban Form*Policy 1.05.03.*

“The City shall continue to provide assistance to the private sector to preserve the City’s historic nature.”

**Assessment:** This policy has not been fully implemented; it is recommended that policy revisions include more specific assistance goals and strategies.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Cultural Resource Protection*Policy 1.05.04.*

“The City shall work closely with all government agencies and the Historic District Council to provide and exchange information necessary for the protection of all significant historic and archaeological resources.”

**Assessment:** This policy has not been fully implemented; it is recommended that policy revisions include more specific coordination strategies and agencies.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Cultural Resource Protection*Policy 1.05.05.*

“The Historic District Council shall develop guidelines for the renovation and remodeling of structures in the historic district. Upon adoption of the guidelines by the City Commission, building permit applications for repairs, alterations, or additions to existing structures, or construction of new buildings in the historic district, shall be reviewed for compliance with the guidelines, and then referred to the Historic District Council for issuance of a certificate of appropriateness.”

**Assessment:** This policy has been implemented and has become part of an on-going process. Policy revisions should be considered that provide guidance on when updates are needed.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Cultural Resource Protection, Energy Efficiency + Renewable Resources and Waste Reduction + Recycling

*Policy 1.05.06.*

“The Historic District Council and the Planning Advisory Board shall jointly develop guidelines for proposed land uses within the historical district.”

**Assessment:** This policy is not currently implemented. Due to the distinct nature of these two boards it is recommended that this policy be eliminated as written.

**Major Local Issues:** N/A

**Sustainability:** Cultural Resource Protection and Land Use + Urban Form

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*Policy 1.05.07.*

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“The Department of State, Division of Historical Resources, Bureau of Historic Preservation shall make the determination of significant archaeological sites, historic sites, and historic structures. The Historic District Council shall make an individual determination of locally significant historic sites and structures.”

**Assessment:** This policy requires revision to more accurately capture the Historic District Council’s role in determining “national register” sites.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Cultural Resource Protection

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*Policy 1.05.08.*

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“The FLUM shall depict the historic district as an overlay district. Areas delineated as being within the historic district shall be planned and managed using a regulatory framework designed to preserve the form, function, image, residential balance, and ambiance of the historic Centre Street and surrounding area.”

**Assessment:** Efforts to implement this policy have been achieved on the FLUM and in Land Development Code policies 4.03.02 (Site Design Requirements) and 9.03.00 (Historic District Council.) This policy should be amended to reflect the City’s two historic districts.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Cultural Resource Protection and Land Use + Urban Form

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*Policy 1.05.09 .*

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“The City shall provide for protection and preservation of its historic resources by:

- a. Participating in the National Historic Register Program;
- b. Incorporating the standards of the federal National Flood Insurance Program; and
- c. Ensuring that surrounding infrastructure is maintained.”

**Assessment:** Efforts to implement this policy are ongoing; it is recommended that this policy consider additional strategies with particular statements that address disaster preparedness.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Cultural Resource Protection, Land Use + Urban Form and Disaster Preparedness

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**OBJECTIVE 1.06. LAND USE CATEGORIES**

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“The City shall ensure that suitable land is available for residential, commercial, industrial, and public use. Suitability shall be based on the availability of services and facilities and the ability of the land to be developed, while respecting the integrity of the built and natural environment.”

**Assessment:** Implementation of this objective is ongoing. It is recommended that the Land Use Categories as defined incorporate land use planning strategies as they relate to climate change and energy efficiency goals. Further, these categories need to consider factors as related to alternative transportation options, mobility strategies, factors related to community health and safety and disaster preparedness.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form, Transportation + Traffic Management, Water + Sewage, Natural + Cultural Resource Protection, Energy Efficiency + Renewable Resources, Atmospheric Change + Air Quality, Community Health + Safety, Waste Reduction + Recycling and Disaster Preparedness

*Policy 1.06.01.*

“The following land use categories shall be shown on the FLUM:

- |                                   |   |
|-----------------------------------|---|
| a. Low Density Residential        | (LDR)   |
| b. Medium Density Residential     | (MDR)   |
| c. High Density Residential       | (HDR)   |
| d. Office & Residential Multi-Use | (ORMU)  |
| e. General Commercial             | (GC)  |
| f. Central Business District      | (CBD)   |
| g. Waterfront Mixed Use           | (WMU) (amended 12/19/2006 by Ordinance 2006-28) |
| h. Industrial                     | (IN)  |
| i. Industrial - Waterfront        | (IW)  |
| j. Recreation                     | (REC)   |
| k. Conservation                   | (CON)   |
| l. Public & Institutional         | (PI)”   |

**Assessment:** This policy has been fully implemented as all categories are mapped on the FLUM.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form

*Policy 1.06.02.*

“In all land use categories where residential dwelling units are allowable, density shall be defined as “net density”. (Amended 12/19/2006 by Ordinance 2006-28)”

**Assessment:** Efforts to implement this policy are part of an ongoing process and are found within the Land Development Code section 4.01.00.

**Major Local Issues:** Issue 4- Wetlands Regulation and Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form

*Policy 1.06.03.*

“Low Density Residential (LDR)

- a. Areas delineated on the FLUM for low density residential development shall accommodate permanent residential development and shall be comprised of single-family detached homes on individual lots. Single-family attached homes may be allowed only through the PUD process.
- b. The maximum density shall not exceed four (4) dwelling units per acre. Specific densities will be determined by such factors as natural features of the land, density and/or intensity of developed and/or undeveloped land surrounding development, level of accessibility, housing supply and demand, adequacy of public facilities, consumer preference, and other factors which may be identified in the City’s land development regulations.

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- c. Supportive community facilities and accessory land uses may be located within areas designated for single-family low density residential uses. The land development regulations shall provide regulatory procedures for considering such uses.
  - d. The low density residential designation is established to:
    - 1. Protect the quality and character of existing low density single-family neighborhoods;
    - 2. Preserve open space;
    - 3. Prevent encroachment by commercial uses, including hotels, motels, bed and breakfast units, resort rentals, or other forms of transient accommodations;
    - 4. Encourage densities that are compatible with existing and anticipated future developments;
    - 5. Promote compatibility with natural features of the land; and,
    - 6. Minimize the burden on existing and projected supportive public services and facilities within the area.”

**Assessment:** Efforts to implement this policy are part of an ongoing process and found within the Land Development Code section 4.02.00. It is recommended that the LDC endorse inclusion of accessory dwellings as part of an overall scheme to provide affordable housing and further neighborhood preservation strategies. Additional policies and incentives should be included that support sustainable building practices or affordable housing goals and provide provisions for density bonuses in areas outside of the Coastal High Hazard Area (CHHA).

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form

*Policy 1.06.04.*

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“Medium Density Residential (MDR)

- a. Areas delineated on the FLUM for medium density residential development shall be developed, redeveloped, and/or maintained as stable medium density permanent residential neighborhoods.
- b. The density for medium density residential development ranges up to a maximum of eight (8) units per acre.
- c. The medium density residential designation is intended to provide sufficient land area for medium density residential development adequately supported by public services and facilities and compatible with existing and anticipated future land uses.
- d. The medium density residential designation includes a mixture of single and multi-family structure types.
- e. The medium density residential designation is intended to prevent commercial uses, including hotels, motels, bed and breakfast units, resort rentals, or other forms of transient accommodations.
- f. Supportive community facilities and accessory land uses may be located within areas designated MDR.”

**Assessment:** Efforts to implement this policy are part of an ongoing process and found within the Land Development Code section 4.02.00. Additional policies and incentives should be included that support sustainable building practices or affordable housing goals and provide provisions for density bonuses in areas outside of the Coastal High Hazard Area (CHHA).

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form

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*Policy 1.06.05.*

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**“High Density Residential (HDR)**

- a. High-density residential development allows single- and multi-family dwellings at a minimum of four (4) units per acre to a maximum of ten (10) units per acre.
- b. The high density residential designation is intended to provide sufficient acreage for high density permanent residential development.
- c. Bed and breakfast and resort rental dwellings may be allowed, subject to additional design standards.
- d. Neighborhood commercial may be allowed only through the PUD process. Neighborhood commercial shall, in all cases, be limited to five (5) percent of the total site.
- e. A density bonus of one bonus market rate unit for every affordable unit up to 10 units, or a maximum of 10 units for developments that are dedicated entirely to affordable housing, shall be awarded if all of the following criteria are met:
  1. The unit/s remains affordable, as defined by Section 420.602(3), Florida Statutes, for a period of not less than 30 years from initial occupancy.
  2. The unit/s may differ from market-value units with regard to interior amenities provided that these differences are not apparent in the general exterior appearance, and these differences do not include insulation, windows, HVAC systems, or other improvements related to the energy efficiency of the units.
  3. The City shall identify methods to reduce or waive review or tap in fees for affordable units to encourage the construction of affordable housing. (Amended by Ordinance 2005-30, NOI 2006-01)”

**Assessment:** Efforts to implement this policy are part of an ongoing process and found within the Land Development Code section 4.02.00. Additional policies and incentives should be included that support sustainable building practices and provide provisions for density bonuses in areas outside of the Coastal High Hazard Area (CHHA).

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form

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*Policy 1.06.06.*

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**“Office & Residential Mixed Use (ORMU)**

- a. This land use category is designed to accommodate medical, business, and professional offices; personal service establishments with limited inventory of goods; neighborhood commercial uses; and customary accessory uses, which are subordinate and incidental to the principal office or limited commercial use.
- b. Single-family and multi-family residential units are allowed in this land category.
- c. This designation is not intended for manufacturing.
- d. Mixed uses may occur throughout the area designated for ORMU on the FLUM through the assignment of zoning districts for residential uses, limited commercial uses, and office uses, as well as the use of the PUD overlay.
- e. The maximum density for residential development within the ORMU land use category is eight (8) units per acre. The intensity of non-residential development in the ORMU land use category shall not exceed a FAR of 0.50.
- f. In the application of zoning districts within the ORMU category, the City shall ensure that proposed zoning districts are compatible with each other and with adjacent zoning districts and land uses. (amended 12/19/2006 by Ordinance 2006-28)”

**Assessment:** Efforts to implement this policy are part of an ongoing process and found within the Land Development Code section 4.02.00. Policy considerations related to density/ intensity increases should be explored as they relate to sustainable building practices and mixed use development.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form, Transportation + Traffic Management and Energy Efficiency

*Policy 1.06.07.*

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“General Commercial (GC)

- a. The general commercial land use category is designed to accommodate offices; commercial retail; personal services establishments; restaurants; transient accommodations; uses that provide sales and services for one (1) neighborhood or several neighborhoods throughout Amelia Island; repair shops; retail sales and services; and other similar commercial uses.
- b. The GC designation is not intended to accommodate manufacturing of goods or other production or assembly activities which may generate nuisance impacts, including glare, smoke, or other air pollutants, noise, vibration, major fire hazards, or other impacts generally associated with industrial uses.
- c. The intensity of development in the GC land use category shall not exceed a FAR of 0.50.”

**Assessment:** Efforts to implement this policy are part of an ongoing process and found within the Land Development Code section 4.02.00. It is recommended that policy revisions include updating to allow for “green technologies and industry,” as suitable for the area. Additional policies and incentives should be included that support sustainable building practices and provide provisions for intensity bonuses.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Energy Efficiency + Renewable Resources, Waste Reduction + Recycling, Air Quality + Atmospheric Change and Land Use + Urban Form

*Policy 1.06.08.*

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“Central Business District (CBD)

- a. The FLUM designation of central business district is applied to the City’s downtown, as the center for residential, financial, commercial, governmental, professional, cultural, and related activities.
- b. The Central Business District category is designed to accommodate single-family or duplex residential uses, either “stand alone” or in mixed residential and business use structures; offices; commercial retail; personal services establishments; restaurants; transient accommodations; commercial parking facilities; civic uses; and cultural uses.
- c. Additional uses may be permissible subject to additional standards: automobile service stations, indoor recreation facilities, multi-family dwellings, marinas, day-care centers, and educational facilities.
- d. The density of residential development in the Central Business District land use category shall not exceed eight (8) units per acre.
- e. The intensity of non-residential development shall not exceed a FAR of 2.0.
- f. A proposed amendment to the FLUM to increase the land area within the Central Business District; and land use category shall demonstrate the suitability of the proposed site based on:
  1. The need for additional land area within the Central Business District; and land use category;
  2. Consistency of the land area with the characteristics of the Central Business District; and;
  3. Consistency of the land area with the characteristics of the downtown.”

**Assessment:** Efforts to implement this policy are part of an ongoing process and found within the Land Development Code section 4.02.00. Additional policies and incentives should be included that support sustainable building practices or affordable housing goals and provide provisions for density/ intensity bonuses in areas outside of the Coastal High Hazard Area (CHHA). Re-evaluation of the existing boundaries should be completed, particularly in the adjoining portions along S. 8th Street.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Energy Efficiency + Renewable Resources, Waste Reduction + Recycling, Air Quality + Atmospheric Change and Land Use + Urban Form

*Policy 1.06.09.*

“Waterfront Mixed Use (WMU)

- a. The Waterfront Mixed Use category is intended for the re-development of waterfront land fronting the Amelia River within the CRA only.
- b. Uses include: Residential, commercial, retail stores, professional offices, water related uses such as piers, docks, wharves, and marinas and uses related to the shrimping and fishing industry.
- c. Net Density is limited to 2 dwelling units per acre and is required to be located above a commercial or office use.
- d. Intensity is limited to 0.75 FAR.
- e. Prior to approving a change in land use to WMU in the CHHA, the applicant must demonstrate compliance with Fla. Stat. 163.3178(9)(a) (2006) as follows:
  1. A 16-hour level of service for out-of-county hurricane evacuation is maintained for a category 5 storm event as measured on the Saffir-Simpson scale;
  2. A 12-hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of the development contemplated by a proposed comprehensive plan amendment is available; or
  3. Appropriate mitigation is provided that will satisfy the provisions of subparagraph 1, or subparagraph 2. Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities. Required mitigation shall not exceed the amount required for a developer to accommodate impacts reasonably attributable to development. A local government and a developer shall enter into a binding agreement to memorialize the mitigation plan.( amended 7/17/2007 by Ordinance 2007-25)
- f. Amendments to the FLUM that change the land use to WMU within the Community Redevelopment Area (CRA) may be awarded a 100 % density bonus based on the following criteria:
  1. Dedication and acceptance of an easement to the City in order to build a public waterfront boardwalk along the river; and
  2. Dedication and acceptance of an easement for mid-lot or mid-block corridors in order to maintain view corridors to the river and to be used as pedestrian access.(amended 12/19/2006 by Ordinance 2006-28)”

**Assessment:** Efforts to implement this policy are part of an ongoing process and found within the Land Development Code section 4.02.00. Recommended policy revisions should identify and include incentives for maintaining the historical “working waterfront uses.” Policy revisions to formalize the mitigations plan with the County should be incorporated.

**Major Local Issues:** Issue 1- Neighborhood Preservation

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**Sustainability:** Energy Efficiency + Renewable Resources, Waste Reduction + Recycling, Disaster Preparedness, Air Quality + Atmospheric Change and Land Use + Urban Form

*Policy 1.06.10.*

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“Industrial (IN)

- a. The industrial land use category is intended to recognize existing industrial development, and ensure the availability of land for industrial and airport purposes.
- b. The intensity of industrial development shall not exceed a FAR of 0.50.
- c. Industrial sites should have transportation access by air, rail, or highway.
- d. Industrial uses include: manufacturing, assembling and distribution activities; warehousing and storage activities; general commercial activities; and other similar land uses.
- e. Residential uses shall not be permitted within the industrial land use category. This provision shall not prohibit residences for night watchmen or custodians whose presence on industrial sites is necessary for security purposes. Such a use may be permitted as a conditional use.
- f. Industrial sites shall be buffered from residential neighborhoods.
- g. Heavy metal fabrication, batch plants, salvage yards, chemical or petroleum manufacturing or refining, rubber or plastics manufacturing, or other uses generating potentially harmful environmental or nuisance impacts shall be prohibited.
- h. New industrial locations shall ensure protection of environmentally sensitive lands and protected natural resources. Where new industrial locations are adjacent to environmentally sensitive lands and protected natural resources, appropriate buffers and other techniques shall be used to ensure protection of such lands and resources from industrial development.”

**Assessment:** Efforts to implement this policy are part of an ongoing process and found within the Land Development Code section 4.02.00. It is recommended that policy revisions include updating to allow for “clean technologies and industry,” as suitable for the area.

**Major Local Issues:** N/A

**Sustainability:** Energy Efficiency + Renewable Resources, Waste Reduction + Recycling, Air Quality + Atmospheric Change and Land Use + Urban Form

*Policy 1.06.11.*

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“Industrial Waterfront (IW)

- a. The land use category of Industrial Waterfront provides for those industrial activities that require waterfront locations.
- b. Uses include: piers, docks, and wharves; ship terminals and facilities for construction and maintenance; bulk storage facilities, limited to materials delivered by ship; military installations, excluding residential uses; heliports; and marinas.
- c. The intensity of development within the industrial waterfront land use category shall not exceed a FAR of 0.75.
- d. The following uses may be permissible, and shall be directly related to port activities: truck terminals; distribution centers; offices to support allowable uses; warehousing; manufacturing and processing; and support services, which are an integral part of a port-related activity, such as parking facilities, restaurants, or clinics.
- e. New waterfront industrial locations shall ensure protection of shorelines, other environmentally sensitive lands, and protected natural resources. Appropriate buffers and other site design techniques shall be provided to ensure such protection.”

**Assessment:** Efforts to implement this policy are part of an ongoing process and found within the Land Development Code section 4.02.00. It is recommended that policy revisions include updating to allow for “clean technologies and industry,” as suitable for the area. This policy should be re-evaluated to address and ensure the protection of the City’s historic “working waterfront” area by allowing uses necessary for their continued operations.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form, Energy Efficiency + Renewable Resources, Waste Reduction + Recycling and Air Quality + Atmospheric Change

*Policy 1.06.12.*

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“Recreation (REC)

- a. Public and private parks and recreation facilities shall be allowable uses in the Recreation land use category.
- b. Outdoor recreation facilities may include fields, courts, playgrounds, pools, picnic areas, trails, paths, and active or passive open space. Recreation facilities may also include buildings to support outdoor recreation, such as restrooms, concessions, equipment storage, and offices related to the park and recreation uses.
- c. The maximum impervious surface ratio within the recreation land use category is 0.25. The maximum FAR is 0.50.
- d. Indoor pools, gymnasiums, and recreation centers with meeting rooms, administrative offices, or indoor recreation facilities are also permissible.
- e. Recreation uses shall be appropriately buffered and screened from adjacent uses.”

**Assessment:** Efforts to implement this policy are part of an ongoing process and found within the Land Development Code section 4.02.00. Updates to this policy are recommended to include provisions that add and enhance improvements that provide access to the City’s waterways including: fishing/ viewing piers, boat ramps, kayak launches and boardwalks. It is suggested that amendments include defining “active recreation” and “passive recreation”. Additionally, policy language should require the use of low impact development (LID) practices and sustainable building strategies for all new construction.

**Major Local Issues:** N/A

**Sustainability:** Energy Efficiency + Renewable Resources, Waste Reduction + Recycling, Community Health + Safety, Disaster Preparedness, Natural Resource Preservation and Land Use + Urban Form

*Policy 1.06.13.*

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“Conservation (CON)

- a. Lands that are natural resources shall be included in the Conservation land use designation in order to provide for the long-term protection and preservation of environmentally sensitive natural resource systems.
- b. Potentially allowable uses in the Conservation land use category are subject to conditional use procedures, and may include: docks, boardwalks, hiking trails, and picnic areas.
- c. Development within the conservation land use category is limited to buildings that are supportive of and accessory to the Conservation land use category, such as an interpretative center, rest rooms, or covered picnic pavilions.
- d. Potentially allowable uses are limited in location and extent, and shall avoid adverse impacts on the hydrologic functions of wetlands, natural systems, habitats, water quality, shorelines, marine life, and coastal resources.”

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**Assessment:** Efforts to implement this policy are part of an ongoing process and found within the Land Development Code section 4.02.00. Amend language for “conditional uses” to as permissible under supplemental standards. Supplemental standards are defined by use within the Land Development Code section 6.02.00. It is suggested that this category be limited to “passive” recreational uses where passive recreation is defined. Further, polices pertaining to the limited “passive” recreational uses should require that this development be constructed using low impact development (LID) practices.

**Major Local Issues:** Issue 4- Wetlands Protection Regulation

**Sustainability:** Natural Resource Preservation, Community Health + Safety and Disaster Preparedness

*Policy 1.06.14.*

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“Public & Institutional (PI)

- a. This land use category is intended for any publicly owned lands and structures.
- b. All uses by government agencies are allowable.
- c. The maximum FAR for development within the Public and Institutional land use category is 0.50.”

**Assessment:** Efforts to implement this policy are part of an ongoing process and found within the Land Development Code section 4.02.00. A policy should be added to require that new development and redevelopment projects within the City on public property utilize low impact development practices and sustainable building strategies.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form, Energy Efficiency + Renewable Resources, Waste Reduction + Recycling, Community Health + Safety, Disaster Preparedness, Water + Sewerage and Air Quality + Atmospheric Change

*Policy 1.06.15.*

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“The maximum impervious surface ratio in all land use categories, except the Central Business District, shall be seventy-five (75) percent. The City shall promote and encourage use of pervious paving materials.”

**Assessment:** Implementation of this policy is ongoing however it is recommended that the policy be strengthened to be to require a percentage of paving be pervious. A policy should be added to require that new development and redevelopment projects on public property within the City utilize low impact development practices, sustainable building strategies or incentives for use of alternative materials.

**Major Local Issues:** Issue 4-Wetland Protection

Major Local Issue: Natural Resource Preservation, Community Health + Safety, Air Quality +Atmospheric Change, Land Use + Urban Form and Greening the City

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**OBJECTIVE 1.07. COMMERCIAL LAND USE CONVERSION**

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“The City shall require that requests for commercial land use designations meet criteria to ensure appropriate locations and patterns of commercial development.”

**Assessment:** Efforts to implement this objective are ongoing; it is recommended that the objective be re-written/ re-organized and expanded to be more explicit and to incorporate sustainability principles and practices. Additional policies should be considered that encourage mixed use redevelopment and potential intensity bonuses for the inclusion of green development and sustainable building practices.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form, Energy Efficiency + Renewables, Waste Reduction + Recycling, Community Health + Safety, Disaster Preparedness, Water + Sewerage, Air Quality + Atmospheric Change and Greening the City

*Policy 1.07.01.*

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“The location and distribution of commercial activities shall be based on the following considerations:

- a. Trip generation characteristics, including impact on transportation roadway facilities and off-street parking systems;
- b. Location and site requirements based on specific needs for respective commercial activities, their market area, anticipated employment generation, and floor area requirements;
- c. Compatibility with and impact on nearby residential and other surrounding commercial activities;
- d. Relationship to surrounding land uses and natural systems to avoid adverse impact; and
- e. Impact on existing and planned community services and utilities.”

**Assessment:** Efforts to implement this policy are ongoing. Additional policies are recommended to provide bicycle and pedestrian facilities, driveway connections to adjacent commercial and to address sustainability goals through “green building” requirements. Policy considerations will need to address implications of 2009 SB 360.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form, Transportation + Traffic Management, Energy Efficiency + Renewable Resources, Waste Reduction + Recycling, Community Health + Safety, Disaster Preparedness, Water + Sewerage, Air Quality + Atmospheric Change and Greening the City

*Policy 1.07.02.*

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“Commercial development shall be concentrated in strategically located areas. These areas shall have location characteristics, which best accommodate specific land, site, public facilities, and market location requirements of respective commercial uses. Strip commercial development shall not be extended into stable residential areas. The existence of commercial areas on one (1) corner of an intersection shall not dictate the development of all corners with the same or similar use; nor does the existence of commercial development on a major thoroughfare dictate that all frontages must be similarly used.

Commercial development decisions shall promote the function of the historic downtown as a center for government and institutional services, as well as a focal point for tourism, retail trade, business and professional offices, and civic and cultural enrichment.”

**Assessment:** This policy needs to be broken into three (3) separate policies and a new policy added that discusses more specifically provisions for redevelopment within the downtown historic district area and

existing commercial corridors. Further, these policies need to be clarified to add more direct language about how to achieve them.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form, Transportation + Traffic Management, Energy Efficiency + Renewable Resources, Waste Reduction + Recycling, Community Health + Safety, Disaster Preparedness, Water + Sewerage, Air Quality + Atmospheric Change and Greening the City

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**OBJECTIVE 1.08. AIRPORT FACILITIES AND RELATED LAND USES**

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“The City shall ensure the continued viability of the Fernandina Beach Municipal Airport.”

**Assessment:** Efforts to implement this objective are ongoing. It is recommended that the objective be updated to include language regarding airport activities and neighboring residential areas to try to achieve a balance between these two competing needs. A new policy statement should be considered to foster community awareness of airport operations. The objective should include “green building” practices for all new development and retrofitting at the airport. Further, this objective and subsequent policies needs to acknowledge and mitigate aircraft’s contribution to greenhouse gas increases.

**Major Local Issues:** Issue 1- Neighborhood Preservation, Issue 3- Annexation Plan, Issue 4- Wetlands Regulation

**Sustainability:** Community Economic Development, Land Use + Urban Form, Energy Efficiency + Renewable Resources, Waste Reduction + Recycling, Natural Resource Preservation, Community Health + Safety, Disaster Preparedness, Water + Sewerage, Air Quality + Atmospheric Change and Greening the City

*Policy 1.08.01.*

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“The City shall coordinate with the Florida DOT regarding master planning for the airport and for the placement and specifications of structures and facilities.”

**Assessment:** This policy should be expanded to include other oversight agencies such as the Federal Aviation Administration, St. Johns Water Management District, Florida Fish and Wildlife Conservation Commission and the Department of Environmental protection.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form

*Policy 1.08.02.*

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“The City shall regulate permitted uses and applicable restrictions within the air operation area.”

**Assessment:** Efforts to implement this policy are ongoing; policy revisions are suggested to add the following statement at the end of the policy “...through zoning, land use and the FAA approved airport master plan.”

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form

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*Policy 1.08.03.*

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“The City shall foster use of Fernandina Beach Municipal Airport lands in a manner that contributes to the development of the City’s economic base through selective pursuit of light, clean industry that is consistent with and supportive of the airport.”

**Assessment:** This policy is too vague and requires revisions to direct actual goals and standards. Consider policy revisions that the word “selective.”

**Major Local Issues:** None

**Sustainability:** Community Economic Development, Land Use + Urban Form, Natural Resource Preservation, Energy Efficiency + Renewables, Waste Reduction + Recycling, Community Health + Safety, Disaster Preparedness, Water + Sewerage, Air Quality + Atmospheric Change, Greening the City

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*Policy 1.08.04.*

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“The City shall assure safe operation of aircraft through:

- a. Effective use of air space in relation to the airport and surrounding airports and airways;
- b. Maintenance and improvement of the aircraft operational ground environment; and
- c. Developing a design plan at the airport, which will accommodate operationally compatible aircraft.”

**Assessment:** Efforts to implement this policy are ongoing; policy considerations include amending the policy language to focus on the “aircraft ground operations” and modifying a-c to support FAA control and eliminating duplicative statements.

**Major Local Issues:** N/A

**Sustainability:** Community Economic Development and Community Health + Safety

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*Policy 1.08.05.*

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“The City shall achieve airport and industrial development, which is compatible with the City airport master plan and mutual environmental constraints through:

- a. Appropriate land use designations for land on and adjacent to the airport property which protects the operationally sensitive areas and reduces noise impact near the airport;
- b. Preserving the ecologically unique areas on the property; and
- c. Encouraging aviation activity compatible with community needs and characteristics.”

**Assessment:** Efforts to implement this objective are ongoing; policy revisions should include new polices which foster sustainability goals.

**Major Local Issues:** Issue 4- Wetlands Regulation and Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form, Energy Efficiency + Renewables, Waste Reduction + Recycling, Community Health + Safety, Disaster Preparedness, Water + Sewerage, Air Quality + Atmospheric Change, Greening the City and Natural Resource Preservation

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*Policy 1.08.06.*

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“The City shall promote continued financial independence of the Fernandina Beach Municipal Airport through:

- a. Preparing periodic updates to the airport development plan;
- b. Development of a long-range capital improvements program consistent with financial capacity; and
- c. Development of an operations and maintenance program compatible with financial resources.”

**Assessment:** Efforts to implement this policy are ongoing. The City is currently reviewing financial mechanisms and strategies which would further this policy. It is recommended that a new sub-statement be included to “coordinate with FDOT’s Joint Airport Capital Improvements Plan (JACIP) for funding opportunities.”

**Major Local Issues:** N/A

**Sustainability:** Community Economic Development

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**OBJECTIVE 1.09. AVAILABILITY OF LAND FOR PUBLIC SCHOOL FACILITIES**

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“The City shall implement policies to ensure that adequate land is available in the future to support components of infrastructure and public school facilities required for projected population growth.”  
(Amended 7/15/2008 by Ordinance 2008-05)

**Assessment:** The objective and subsequent policies contained in this section were adopted into the plan in July 2008 and are too new to fully analyze their successes or shortcomings. General updates to policies would be to include low impact development practices and strategies which further the City’s overall goals towards sustainability. The policies within this objective have not been analyzed individually, it is required that City staff work with the Nassau County School Board in discussing potential revisions within this Plan objective and policies.

**Major Local Issues:** None

**Sustainability:** Land Use + Urban Form, Energy Efficiency + Renewables, Waste Reduction + Recycling, Community Health + Safety, Disaster Preparedness, Water + Sewerage, Air Quality + Atmospheric Change, Greening the City

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*Policy 1.09.01.*

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“An "Access" Land Development Regulation shall be adopted which establishes criteria for:

- a. Specific numbers of parking spaces and feet of buffering required supporting various commercial/industrial/recreational activities;
- b. Road right of way protection for major and minor arterials and collector roads (Right of Way Map);
- c. Rights of way protection around the entrances to highway and interstate exchanges; and
- d. On site circulation requirements to relieve congestion on major roadways.”

**Assessment:** General assessment provided as part of overall objective review only.

**Major Local Issues:** N/A

**Sustainability:** See general assessment as contained in the objective review

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*Policy 1.09.0.2*

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“Land suitable for utility facilities to support future development needs shall be identified by the City Manager and, by amendment, designated on the Future Land Use Map for private or public acquisition.”

**Assessment:** General assessment provided as part of overall objective review only.

**Major Local Issues:** N/A

**Sustainability:** See general assessment as contained in the objective review.

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*Policy 1.09.03.*

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“The City will ensure sufficient land is available for public school facilities approximate to residential development in order to meet the projected needs for such facilities.”

**Assessment:** General assessment provided as part of overall objective review only.

**Major Local Issues:** N/A

**Sustainability:** See general assessment as contained in the objective review.

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*Policy 1.09.04.*

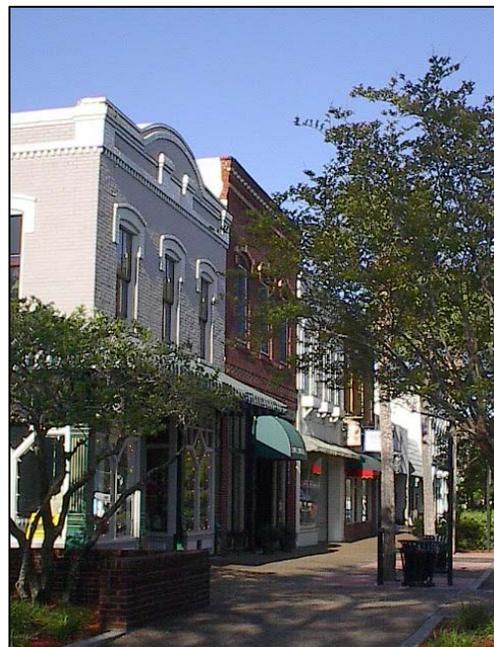
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“Public schools shall be a permitted use in all land use categories except the Conservation and Industrial land use categories.”

**Assessment:** General assessment provided as part of overall objective review only.

**Major Local Issues:** N/A

**Sustainability:** See general assessment as contained in the objective review.



**TRAFFIC CIRCULATION ELEMENT****Overview**

The Traffic Circulation Element is intended to provide for safe and efficient movement of people and goods through the use of conventional and alternative modes of transportation. Its goal is facilitated through eight (8) objectives and twenty-six (26) policy statements. These objectives and policies provide for safe and efficient traffic circulation, measures for coordinated land use and development procedures, protection of rights of way, improvements for pedestrian and bicycle facilities, coordination activities with other transportation agencies, and assurance that adequate downtown parking is maintained.

**Successes and Shortcomings**

This element has only been partially implemented as it is currently written. The City has been successful in ensuring safe and efficient movement of its citizens through its continued maintenance of and improvements to its existing system. The City has also maintained positive relationships with its partner state and local transportation agencies. Additionally, the City has been successful in maintaining the adopted level of service standards for its roadways.

There are, however, many shortcomings of this element, as a large majority of the policies have been overlooked or have not been fully implemented. Many of the policies require data and analysis that the City does not currently have to execute the policies. It is recommended that if the City intends to keep policies as written, that funding be allocated to facilitate the necessary data and analysis required to apply them. An additional recommendation based on the overall element assessment is to include a new objective that provides way-finding (directional) standards for a cohesive signage program to better direct traffic and identify various civic locations throughout the City. Another objective that should be considered is one that works to address beach parking and beach access points. An objective that addresses bike trails may be warranted with policies that direct the City's support of the Amelia Island Trail System. Investigating the feasibility designating the A1A/ Fletcher Avenue corridor as a Florida Scenic Highway and National Scenic Byway should be directed by policy. Lastly, the traffic generation as it pertains to the City's major employers should be analyzed as part of the EAR- based amendment process.

Like many jurisdictions across the state, provisions related to transportation concurrency requirements and proportionate fair share for new development have not proven successful in providing meaningful, timely transportation improvements for the City. When improvements are currently completed, they only address roadway capacity standards and sometimes overlook much needed bicycle and pedestrian connections; nor do they provide consideration of alternative options to the conventional transportation improvements.

A "one size fits all" approach to transportation mitigation does not serve the diverse needs of this community and does not provide meaningful improvements that benefit the City as a whole. Transportation objectives should not be evaluated as purely a means of providing roadway capacity; rather, it should be tied to the wide-ranging needs of the community and provide appropriate linkages to the adopted Future Land Use Map. The City's form, geographic location, and patterns of development lend themselves to our consideration of a broad range of transportation possibilities to better provide and assure safe, efficient, and sustainable traffic circulation. Although transportation functionality within the City can be enhanced through a variety of alternatives, the City cannot overlook the need for inter-jurisdictional connectivity and its emergency evacuation needs. The City must continue to coordinate with the County, regional and state agencies to address those issues which extend beyond local control.

The 2009 Senate Bill 360 (SB 360) created a Traffic Concurrency Exemption Area (TCEA) for the entire City by classifying it as a Dense Urban Land Area (DULA.) Provisions of SB 360 remove state mandated transportation concurrency requirements in TCEA's. Local governments that have been defined as a

DULA automatically receive this exemption. A local government may choose to continue to apply their existing, previously state-mandated transportation concurrency requirements. However, the Department of Community Affairs (DCA) has issued a statement finding that “the designation(s) of a TCEA does not limit a local government’s home rule power to adopt ordinances or impose fees.” Further, existing Comprehensive Plans adopted by local ordinance are within the statutory powers of local government and by virtue of the home rule provision SB 360 does not prohibit a local government from continuing applying its transportation concurrency provisions. DCA’s interpretation is fully supported by the fact that SB 360 does not alter the legal status of local comprehensive plans under Chapter 163, Part II, FL Statutes. SB 360 does not change any of these requirements and does not state that the bill is intended to amend, override, repeal, or supersede in any way existing local comprehensive plans.

SB 360 provides local transportation planning options in TCEAs. DCA’s website identifies the following options regarding transportation concurrency:

1. “Retain and continue to apply the transportation concurrency provisions in existing local comprehensive plans and land development regulations.
2. Amend the existing local comprehensive plan and local land development regulations to delete or modify transportation concurrency requirements for a TCEA or adopt alternatives to transportation concurrency.
3. In addition, of course, these local governments **MUST** amend their local comprehensive plans to include new mobility planning requirements for the TCEA within two years.”

Where TCEAs have been designated, DCA will no longer have the authority to review plan amendments for compliance with state-mandated transportation concurrency requirements, including the “achieve and maintain standard.” DCA will, however, continue to review plan amendments in designated TCEAs for compliance with all other state-mandated requirements in Chapter 163, Part II, Florida Statutes, and Chapter 9J-5, Florida Administrative Code, including other transportation requirements and for internal consistency.

DCA provides additional direction on its website for local governments who choose not to apply their existing transportation concurrency requirements without amending its Comprehensive Plan to delete those requirements finding that they are likely to encounter the following problems:

1. “Local development orders will be subject to challenge for inconsistency with the transportation concurrency requirements in the local plan.
2. Future local comprehensive plan amendments may be found not in compliance because of internal inconsistency with the transportation concurrency provisions in the local plan.
3. There is likely to be confusion and controversy among the general public and affected landowners and developers as to which local plan provisions relating to transportation, if any, are still being enforced by the local government.”

SB 360 does impose new local planning requirements for TCEAs designated pursuant to the legislation. Fernandina Beach falls within this category as an identified DULA and will need to amend its Comprehensive Plan to include “land use and transportation strategies to support and fund mobility within the TCEA, including alternative modes of transportation” by July 1, 2011. Failure to comply with this mandate may result in the imposition of sanctions against the local government. It is recommended that the City begin preparations for compliance with provisions of SB 360 and provide funding towards a City-wide mobility study to facilitate development of strategies. The following table details all legislative changes impacting the Traffic Circulation Element.

**Table IV-2 Legislative Updates and Requirements for the Traffic Circulation Element**

STATUTE REF.	DESCRIPTION
163.3180 (5)(e) – (g)	If local government has established transportation exceptions, the guidelines for implementing the exceptions must be “consistent with and support a comprehensive strategy, and promote the purpose of the exceptions.” Exception areas must include mobility strategies, such as alternate modes of transportation, supported by data and analysis. FDOT must be consulted prior to designating a transportation concurrency exception area. Transportation concurrency exception areas existing prior to July 1, 2005 must meet these requirements by July 1, 2006, or when the EAR-based amendment is adopted, whichever occurs last.
163.3180 (6)	Required local government to maintain records to determine whether 110% de minimis transportation impact threshold is reached. A summary of these records must be submitted with the annual capital improvements element update. Exceeding the 110% threshold dissolves the de minimis exceptions.
163.3180 (10)	Added requirement that level of service standard for roadway facilities on the Strategic Intermodal System must be consistent with FDOT standards. Standards must consider compatibility with adjacent jurisdictions.
SB 360 (2009)	Defines “ Dense Urban Land Ares” and Eliminates state-mandated transportation concurrency requirements in designated Transportation Concurrency Exception Area’s (TCEA’s) in Dense Urban Land Areas and Eliminates DRI review process for TCEA’s and Requires Comp Plan to address Land Use and Transportation Strategies to support and fund mobility within the TCEA and must include alternative modes of transportation.
163.3177(6)(A)	Requires local governments to address airport compatibility based on surveys, studies and data regarding land use adjacent to public airports including criteria to achieve compatibility of land uses adjacent to public airports and requiring amendments to the Intergovernmental Coordination Element, Transportation Element and Future Land Use Element.

**Objective and Policy Review****OBJECTIVE 2.01. LEVEL OF SERVICE (LOS)**

“The City shall ensure that the roadway network within the City meets the minimum acceptable levels of service for all roadways.”

**Assessment:** Efforts to implement this objective are ongoing. Policy changes will be considered as related to the provisions of 2009’s Senate Bill 360 which created a Traffic Concurrency Exemption Area (TCEA) for the entire City by classifying it as a Dense Urban Land Area (DULA). Findings of the City’s required mobility study will provide recommendations to policies of this objective.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management

*Policy 2.01.01.*

“The City shall enforce the minimum acceptable level of service standards, as set forth in the table below. Level of service shall be measured by methodologies outlined in the Level of Service Manual from the Florida DOT.”

<u>Minimum Acceptable Peak Hour</u>	<u>LOS by Roadway Classification</u>
Minor Arterials	C
Collectors, City Responsibility	C
Collectors, County Responsibility	D

**Assessment:** Implementation of this policy is ongoing. The City should consider amending this policy in recognition of provisions within the 2009 Senate Bill 360 which created a Traffic Concurrency Exemption Area (TCEA) for the entire City by classifying it as a Dense Urban Land Area (DULA). Minimum LOS standards will be evaluated for their effectiveness when the City begins its required mobility study. Findings of the mobility study will provide recommendations for possible policy changes. It is recommended that the City develop a LOS standard for SIS facilities as part of its EAR based amendments.

**Major Local Issues:** Issue 1- Neighborhood Preservation, Issue 3- Annexation Plan

**Sustainability:** Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management

**OBJECTIVE 2.02. SAFETY AND EFFICIENCY**

“The City shall ensure that the movement of people and goods is safe and energy efficient.”

**Assessment:** Efforts to implement this objective are ongoing. Policy changes will be considered as related to the provisions 2009’s Senate Bill 360 which created a Traffic Concurrency Exemption Area (TCEA) for the entire City by classifying it as a Dense Urban Land Area (DULA). Findings of the City’s required mobility study will provide recommendations for policies changes within this objective. Further, the City’s efforts towards sustainability may warrant changes within the objective, as written to acknowledge and encourage energy efficient transportation choices. Alternate roadways with less traffic should be evaluated for purposes of directing bicyclists when a roadway improvement is not possible at the current time. Proper signage and crosswalks should be developed to help bicyclists to use the alternate roadway.

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**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management, Energy Efficiency + Renewables, Atmospheric Change + Air Quality

*Policy 2.02.01.*

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“Traffic operations and roadway design, such as traffic signals, acceleration and deceleration lanes, service roads, traffic signs, and pavement markings, shall be continually reviewed to identify safety and efficiency issues on the existing roadway network. Modifications that are necessary to ensure safety and efficiency shall be identified and included in the roadway improvement program.”

**Assessment:** Efforts to implement this policy are ongoing. The City should consider additional policies to implement a City-wide way finding system.

**Major Local Issues:** N/A

**Sustainability:** Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management

*Policy 2.02.02.*

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“Traffic accident records shall be used to identify necessary improvements to the roadway network, in order to address conditions that contribute to roadway accidents.”

**Assessment:** This policy has been partially implemented. It is recommended that the City invest in software that allows traffic incidents to be tracked through an internal database and mapped. The software is linked to traffic report data entry. This information would facilitate in better decision making for allocating funds and planning major capital expenditures related transportation improvements.

**Major Local Issues:** N/A

**Sustainability:** Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management

*Policy 2.02.03.*

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“The City shall review all plans or proposals for expansion of the port or airport, in order to ensure that the roadway network meets the need for safe and efficient access to the port and airport.”

**Assessment:** This policy has been partially implemented through the site plan review process by the City’s Technical Review Committee. It is recommended that the City initiate an inter-local agreement with the Ocean Highway and Port Authority to facilitate better communication of port expansion, ongoing improvements and address the Port’s responsibilities as identified in the Port Master Plan.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management and Natural + Cultural Resource Protection

**OBJECTIVE 2.03. ROADWAY NETWORK AND LAND USE CONSISTENCY**

“The City shall maintain a roadway improvement program to meet the needs of current and future residents and visitors to the City. The City shall coordinate the roadway improvement program with the FLUM to ensure that existing and future land uses are consistent with the existing and future roadway network.”

**Assessment:** Efforts to implement this objective are ongoing. Policy changes will be considered as related to the provisions 2009’s Senate Bill 360 which created a Traffic Concurrency Exemption Area (TCEA) for the entire City by classifying it as a Dense Urban Land Area (DULA). Findings of the City’s required mobility study will provide recommendations to policies of this objective. Continued inter-governmental coordination with the County, Regional and State agencies will be necessary to assess non-City roadways as part of the overall system. It is recommended that a policy be included within this objective directing that a stronger connection to roadway projects be included in the Capital Improvements Plan. Further, it is recommended that the City consider impacts to the bicycle and pedestrian networks, in addition to its roadway impacts when discussing land use changes.

**Major Local Issues:** Issue 1- Neighborhood Preservation, Issue 3- Annexation Plan, Issue 4- Wetlands Regulation

**Sustainability:** Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management, Community Economic Development, Natural + Cultural Resource Protection, Energy Efficiency + Renewables and Atmospheric Change + Air Quality

*Policy 2.03.01.*

“The roadway improvement projects listed below will be completed in the priority order indicated:”

Road Segment	Planned Improvement	Time Period
1st Avenue	Overlay and improve drainage	2003-2004
All roads	Maintenance	On-going

**Assessment:** This policy is vague, ineffective and improperly placed within the Plan. It does not provide an appropriate priority ranking system for scheduling capital improvements or ongoing maintenance projects. It is recommended that this policy be eliminated. Refer to the ranking system provided in the Capital Improvements Element and policy 2.03.03 and direct that any roadway improvement projects be incorporated in the CIP, which has an established priority ranking system. Also, this policy should be expanded to include improvements or ongoing maintenance of its overall bicycle and sidewalk facilities network.

**Major Local Issues:** N/A

**Sustainability:** Community Economic Development, Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management and Natural + Cultural Resource Protection

*Policy 2.03.02.*

“The City shall work with major businesses and industries to develop a program to phase shift changes in order to alleviate peak hour congestion along Eighth (8th) Street.”

**Assessment:** This policy has not been implemented. It is recommended that this abstract policy be eliminated as it is not an achievable policy. Alternative travel corridors and promotion of rear parking and

access for properties on 8th Street should be explored. Since the adoption of the current Comprehensive Plan, the traffic contributed from schools has changed. New schools have opened outside of City limits off of the island, which has significantly reduced congestion on 8th Street within the City.

**Major Local Issues:** N/A

**Sustainability:** N/A

*Policy 2.03.03.*

“Proposed roadway improvement projects shall be evaluated, ranked, and added to the roadway improvement program based on the need to:

- a. Protect the public health and safety;
- b. Fulfill the City’s legal commitment to provide facilities and services;
- c. Preserve or achieve full use of existing facilities;
- d. Promote efficient use of existing facilities;
- e. Prevent or reduce future maintenance or improvement costs;
- f. Provide service to developed areas lacking full service;
- g. Provide service to development areas consistent with the FLUM and the Future Traffic Circulation Map; and
- h. Provide service to development areas which may be approved as amendments to the FLUM and the Future Traffic Circulation Map.”

**Assessment:** This policy has not been fully implemented. It is recommended that this ranking system be incorporated in the Capital Improvements Element and expanded to include bicycle and pedestrian facilities, to provide sensitivity to surrounding neighborhood character, to cognizant of environmental constraint and work towards reduction of greenhouse gas emissions. Further, it is recommended that the City work to develop a Future Traffic Circulation Map as indicated in the policy statement by focusing on major employment centers, schools and significant traffic generators such as the commercial corridors.

**Major Local Issues:** Issue 1- Neighborhood Preservation and Issue 4- Wetlands Regulation

**Sustainability:** Community Economic Development, Natural + Cultural Resource Protection, Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management, Energy Efficiency + Renewables and Atmospheric Change + Air Quality.

*Policy 2.03.04.*

“The roadway improvement program shall be reviewed on at least an annual basis. The purpose of the review is to identify completed projects and to add projects based on the criteria listed in policy 2.03.03 above, and as funding is available.”

**Assessment:** This policy has not been implemented. It is recommended that the Planning Department review these improvements along with the other public facilities capital expenditures through review of the annual Capital Improvement Plan updates. Additional details regarding the need to set up this review have been identified in the Capital Improvements Element assessment.

**Major Local Issues:** Issue 1- Neighborhood Preservation, Issue 3- Annexation Plan, Issue 4- Wetlands Regulation

**Sustainability:** Community Economic Development, Natural + Cultural Resource Protection, Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management

*Policy 2.03.05.*

“The City shall collect transportation impact fees on behalf of the County for specified County roads, based on the adopted inter-local agreement.”

**Assessment:** This policy is fully implemented. The City has an agreement with Nassau County for the collection transportation impact fees. It is recommended that this policy be retained.

**Major Local Issues:** N/A

**Sustainability:** Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management

**OBJECTIVE 2.04. RIGHT-OF-WAY PROTECTION**

“The City shall institute a program of protection and acquisition of rights-of-way for the roadway network, which includes roadways classified as minor arterials or collectors, to ensure continuity of the roadway network, and to protect the existing and future roadway network from development and other encroachments.”

**Assessment:** This objective has been partially implemented. To fully protect existing rights-of-way (ROW) the City should consider adopting an ordinance that abolishes right-of-way abandonment. This objective should be expanded to included consideration of varying neighborhood characteristics and environmental constraints. It is recommended that a list of ROW’s needed for acquisition be included within the Capital Improvements Plan.

**Major Local Issues:** Issue 1- Neighborhood Preservation, Issue 3- Annexation Plan

**Sustainability:** Community Economic Development, Natural + Cultural Resource Protection, Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management

*Policy 2.04.01.*

“The City shall require the following minimum rights-of-way:”

<b>Roadway Classification</b>	<b>Right-of-Way Width</b>
Minor Arterial	100 feet
Collector (City responsibility)	60 feet
Local streets as shown on the original City plat	50 feet
Local streets, all other	60 feet

**Assessment:** This policy continues to be implemented. It is recommended that the policy be expanded to include bikeways, sidewalks, trails and minimum streetscape criteria. Further, this policy needs to reflect the ROW requirements and standards for the Old Town Historic District.

**Major Local Issues:** Issue 1- Neighborhood Preservation, Issue 3- Annexation Plan

**Sustainability:** Community Economic Development, Natural + Cultural Resource Protection, Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management

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*Policy 2.04.02.*

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“Minimum right-of-way shall be acquired as part of roadway improvement projects undertaken on existing segments of the roadway network, unless such acquisition is unreasonable because of cost or funding.”

**Assessment:** This policy continues to be implemented. A recommended change is to take into consideration the Old Town Historic District street standards and any measures developed to address street standards within the Main Beach area.

**Major Local Issues:** Issue 1- Neighborhood Preservation, Issue 3- Annexation Plan

**Sustainability:** Community Economic Development, Natural + Cultural Resource Protection, Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management

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*Policy 2.04.03.*

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“The City shall continue to promote and encourage the dedication, preservation, and protection of existing and proposed rights-of-way during the development review process.”

**Assessment:** This policy continues to be implemented. No changes are recommended.

**Major Local Issues:** Issue 1- Neighborhood Preservation, Issue 3- Annexation Plan

**Sustainability:** Community Economic Development, Natural + Cultural Resource Protection, Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management

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*Policy 2.04.04.*

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“The applicant shall demonstrate the following for any proposed vacation of a City right-of-way:

- a. The right-of-way is no longer required for public use; and
- b. The proposed vacation is in the public interest.”

**Assessment:** It is recommended that this policy either be eliminated or amended to further restrict this action. Staff acknowledges that the City must provide a mechanism for ROW vacation but standards for doing so should be more rigorous. This policy is too vague as written. Maintaining City ownership allows the City to utilize its ROW’s for public access whether it is roadways or bicycle and pedestrian paths, walkways, trails, etc.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Natural + Cultural Resource Protection, Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management

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**OBJECTIVE 2.05. BICYCLE AND PEDESTRIAN WAYS**

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“The City shall encourage and promote the safe integration and utilization of bicycle and pedestrian movement on the roadway network, which includes roadways classified as minor arterials or collectors; within public lands, commercial development, residential areas, and parks and recreational lands; and other areas that allow public access.”

**Assessment:** This objective has not been fully implemented. The preparation of a bicycle and pedestrian facilities assessment would provide necessary baseline data to better promote safe integration and

utilization of existing facilities. Further, the data would provide information to make decisions for scheduling logical capital improvement expenditures related to these facilities. It is recommended that this policy be retained and that action be taken to implement it. Provisions of SB 360 require the City to evaluate mobility strategies for all roadway facilities that provide connections as part of the general traffic circulation. A Mobility Objective is likely to take shape and will facilitate the expansion of this objective, providing meaningful standards for bicycle and pedestrian facilities such as minimum streetscape criteria, separation from traffic requirements, proper signalization, consideration of speed limits, etc. Where feasible these facilities should be constructed of pervious materials.

**Major Local Issues:** Issue 1- Neighborhood Preservation, Issue 3- Annexation Plan

**Sustainability:** Community Economic Development, Natural + Cultural Resource Protection, Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management, Energy Efficiency + Renewables and Atmospheric Change + Air Quality.

*Policy 2.05.01.*

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“The City shall ensure the safe movement of bicycles and pedestrians. “

**Assessment:** Refer to assessment provided in the corresponding Objective analysis (above).

**Major Local Issues:** Refer to identified Major Issues in the corresponding Objective analysis (above).

**Sustainability:** Refer to categories provided in the corresponding Objective analysis (above).

*Policy 2.05.02.*

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“The City shall initiate continued discussions with other organizations concerned about bicycle safety, including the Nassau County School Board, in developing a program on the proper and safe use of bicycles.”

**Assessment:** This policy has not been fully implemented. It is recommended that the City consider putting together an internal outreach committee that would document outreach efforts with the public schools, develop programming, brochures or educational materials related to bicycle safety. This committee should consider outside partners within the community to support and promote their educational goals. The committees’ efforts may extend beyond bicycle safety.

**Major Local Issues:** N/A

**Sustainability:** Community Health + Safety, Transportation Planning + Traffic Management

*Policy 2.05.03.*

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“Bicycle and pedestrian facilities and features shall be incorporated in all public projects in order to accommodate and promote bicycle and pedestrian use. This shall include provision of paved shoulders and sidewalks on roadway segments identified as part of a bicycle route network.”

**Assessment:** This policy is implemented where feasible. Improvements to the bicycle and sidewalk network should be documented in the Capital Improvements Plan. Further, this policy should be expanded or a new policy be added to include private development projects and required that they provide on-site improvements that encourage alternate transportation modes such as: bike racks, water fountains, shelters, trash cans and benches, as appropriate.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Community Health + Safety, Transportation Planning + Traffic Management Energy Efficiency + Renewables and Atmospheric Change + Air Quality.

**OBJECTIVE 2.06. COORDINATION OF LAND DEVELOPMENT AND TRAFFIC CIRCULATION PLANNING**

“The City shall require that all developments include a traffic circulation system which provides adequate access to the City’s roadway network and appropriate design of local and collector streets within the development.”

**Assessment:** This objective continues to be implemented. It is recommended that the objective be expanded to include bicycle, pedestrian and where appropriate multi-modal facilities. Updates to this objective and its subsequent policies may require revisions based on the findings of the City required mobility study.

**Major Local Issues:** Issue 1- Neighborhood Preservation, Issue 3- Annexation Plan

**Sustainability:** Community Economic Development, Natural + Cultural Resource Protection, Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management, Energy Efficiency + Renewables and Atmospheric Change + Air Quality.

*Policy 2.06.01.*

“The City shall ensure that the circulation pattern of automobiles, bicycles, and pedestrians within a development is designed to minimize use of the roadway network.”

**Assessment:** While this policy has been incorporated through the City’s site plan review process, it is difficult to determine the effectiveness of the policy. It is recommended that the City complete a bicycle and pedestrian facilities assessment to obtain baseline data for future Plan policy changes and to develop an ongoing monitoring process. This assessment will be helpful in scheduling capital improvements for the logical extension of sidewalks and bike lanes. It is recommended that the City develop a new policy to minimize use of the roadway network and encourage reduction of greenhouse gas emissions through alternative transportation options.

**Major Local Issues:** Issue 1- Neighborhood Preservation, Issue 3- Annexation Plan

**Sustainability:** Community Economic Development, Natural + Cultural Resource Protection, Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management, Energy Efficiency + Renewables and Atmospheric Change + Air Quality.

*Policy 2.06.02.*

“The City shall require that the roadway and traffic circulation system of proposed developments is consistent with the FLUM and the Future Traffic Circulation Map.”

**Assessment:** The City has not fully implemented this policy. A Future Traffic Circulation Map has not been created. It is recommended that this policy be retained and expanded to identify compliance with a Future Pedestrian and Bicycle Facilities Map.

**Major Local Issues:** Issue 1- Neighborhood Preservation, Issue 3- Annexation Plan

**Sustainability:** Community Economic Development, Natural + Cultural Resource Protection, Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management

*Policy 2.06.03.*

“The City shall ensure that development which provides access directly to the roadway network meets the following standards:

- a. Adequate, appropriate, and safe entrance intersections, including turn lanes, acceleration or deceleration lanes, traffic signalization, traffic signs, and pavement markings;
- b. Safe traffic conditions, such as limited curb cuts; and
- c. Preservation of the long-term adequacy of the roadway network.”

**Assessment:** This policy has been implemented during the City’s site plan review process and as regulations within its Land Development Code. It is recommended that the policy be retained and expanded to incorporate measures that address sensitivity to potential archeological resources during excavation for roadway improvements and respect to the existing community character. Additionally, this policy should be expanded appropriately to address possible environmental constraints such as large specimen/ heritage trees or wetland areas. The policy should also be revised to incorporated standards to facilitate safe pedestrian and bicycle linkages which minimize conflict with vehicular traffic.

**Major Local Issues:** Issue 1- Neighborhood Preservation and Issue 4- Wetlands Regulation

**Sustainability:** Natural + Cultural Resource Protection, Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management

*Policy 2.06.04.*

“In addition to the requirements set forth in Policy 2.01.01, the City shall require that applicants for major development projects provide a traffic impact analysis to demonstrate that the project will maintain the level of service.”

**Assessment:** This policy continues to be implemented. Policy changes will be considered as related to the provisions 2009’s Senate Bill 360 which created a Traffic Concurrency Exemption Area (TCEA) for the entire City by classifying it as a Dense Urban Land Area (DULA). It is recommended that the policy be expanded to include demonstration of consistency or enhancement to pedestrian and bicycle facilities.

**Major Local Issues:** Issue 1- Neighborhood Preservation, Issue 3- Annexation Planning, Issue 4- Wetlands Regulation

**Sustainability:** Community Economic Development, Natural + Cultural Resource Protection, Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management

**OBJECTIVE 2.07. COORDINATION WITH OTHER TRANSPORTATION AGENCIES**

“The City will implement coordinated transportation activities with other federal, State, and local agencies which have planning and implementation responsibilities for highway, mass transit, railroad, air, and port facilities.”

**Assessment:** The City continuously monitors legislative changes and updates to standards pertaining to transportation facilities. It is recommended that a more formal process for coordinated activities with the Ocean Highway and Port Authority be considered through the use of an interlocal agreement. The City has maintained open working relationships with the Florida Department of Transportation regarding issues pertaining to the Strategic Intermodal System (SIS) link following the 8th Street/SR 200/ AIA

corridor. The City has approached CSX and First Coast Rail Lines to be partners in its pedestrian improvements and enhancement efforts along Front Street. Lastly, the City continues to uphold regulations of the Federal Aviation Administration (FAA) with respect to its airspace and surrounding uses of the airport's operations. This objective continues to be implemented. Changes within this objective may include additional polices to address a coordinated bicycle and pedestrian facilities network and targets for greenhouse gas reduction.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Transportation Planning + Traffic Management

*Policy 2.07.01.*

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“Transportation facilities will be designed according to the Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways, of the Florida DOT, unless other standards are set by the City Commission.”

**Assessment:** This policy continues to be implemented.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Transportation Planning + Traffic Management

*Policy 2.07.02.*

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“The Amelia Island Joint Local Planning Agency shall continue to serve in an advisory capacity to the Nassau County Board of Commissioners and the Fernandina Beach City Commission with respect to land use and transportation issues.”

**Assessment:** This policy continues to be implemented.

**Major Local Issues:** Issue 1- Neighborhood Preservation, Issue 3- Annexation Planning, Issue 4- Wetlands Regulation

**Sustainability:** Community Economic Development, Natural + Cultural Resource Protection, Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management

*Policy 2.07.03.*

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“The City shall assist the NEFRPC in the collection of essential data to evaluate the transportation needs of special needs populations within the City.”

**Assessment:** This policy continues to be implemented. Correct the reference to the regional council, now called the Northeast Florida Regional Council (NEFRC).

**Major Local Issues:** N/A

**Sustainability:** Transportation Planning + Traffic Management

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*Policy 2.07.04.*

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“The five-year transportation plan of the Florida DOT will be considered as the City prepares or evaluates traffic analyses. For the purposes of concurrency management evaluations, the City will consider roadway improvement projects in the first three (3) years of the Florida DOT plan as committed projects.”

**Assessment:** This policy continues to be implemented. Policy changes will be considered as related to the provisions of 2009’s Senate Bill 360 which created a Traffic Concurrency Exemption Area (TCEA) for the entire City by classifying it as a Dense Urban Land Area (DULA).

**Major Local Issues:** N/A

**Sustainability:** Transportation Planning + Traffic Management

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**OBJECTIVE 2.08. DOWNTOWN PARKING**

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“The City shall ensure an adequate parking supply to serve downtown businesses, while maintaining the character of the downtown area and retaining the integrity of residential neighborhoods. The City shall ensure that an inadequate parking supply does not detract from the economic viability of downtown businesses.”

**Assessment:** In the past year, the City prepared a full evaluation of its downtown parking conditions and existing traffic circulation patterns. The findings of this study indicate that the City has a “perceived parking problem.” In reality, the City has demonstrated that it has adequate parking spaces to continue to serve its downtown businesses and current parking conditions should handle the anticipated growth within its designated Community Redevelopment Area. To prepare itself for any future parking needs, the City has retained ownership of several strategic properties in its downtown area with the intent to provide future parking facilities. Further, parking in the downtown area has remained a primary consideration while developing plans for public improvements along the City’s waterfront area and Front Street corridor. This objective continues to be monitored and has been implemented. Changes within this objective may include provisions for bike racks and small car parking (ex. golf carts or gem cars.)

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Community Economic Development, Natural + Cultural Resource Protection, Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management

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*Policy 2.08.01.*

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“The City shall prepare and implement a financially feasible plan for providing downtown parking.”

**Assessment:** While there is no formal financial feasibility plan for providing downtown parking, the City has completed measures to demonstrate its existing downtown parking capacity. Further, the City has retained properties with the intent to provide future parking facilities, as needed, to meet the community’s growth demands. It is recommended that this policy be retained but amended to reflect “future downtown parking needs.” A financially feasible plan should be included as part of the City’s overall Capital Improvements Plan.

**Major Local Issues:** N/A

**Sustainability:** Community Economic Development, Natural + Cultural Resource Protection, Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management

*Policy 2.08.02.*

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“The City shall monitor the supply and demand for parking facilities in the downtown area. The City shall determine fiscally responsible alternatives for resolving parking issues, while preserving the character of the downtown area and the integrity of the residential neighborhoods within and adjacent to the downtown.”

**Assessment:** This policy has been fully implemented at this time but should remain within the Comprehensive Plan to address future parking conditions and needs.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Community Economic Development, Natural + Cultural Resource Protection, Community Health + Safety, Land Use + Urban Form, Transportation Planning + Traffic Management



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## HOUSING ELEMENT

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### Overview

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The goal of the Housing Element of the Comprehensive Plan is to “provide and maintain an adequate inventory of decent, safe, and sanitary housing in suitable neighborhoods at affordable costs to meet the needs of the City’s present and future residents.” This element provides policies and objectives that generally focus on meeting demand for a variety of housing types, reducing or eliminating substandard housing, providing for affordable housing, and providing sites for group homes and group residential facilities.

### Successes and Shortcomings

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Through its Future Land Use Map (FLUM) and zoning map, the City provides appropriate locations for a variety of housing types. Of the nineteen (19) zoning districts contained within the Land Development Code (LDC), residential uses of various types are allowed in ten (10) districts. The Comprehensive Plan contains twelve (12) different land use categories, and residential uses of varying types are allowed in six (6) of these categories. The City also has a Planned Unit Development (PUD) overlay that allows for more than one land use within a mixed use development, or more than one housing type within a residential PUD. In addition to ensuring that land is available for a variety of housing types, the City also provides public facilities and services needed to support a variety of housing types, and has adopted regulations and policies that facilitate the provision of housing within the City.

While the City provides the infrastructure and regulations governing the provision of housing, the private sector supplies the financing and construction of housing units. Comprehensive Plan policies outline methods that the City should utilize in coordinating with the private sector for the delivery of housing, but some of these policies are not being implemented. For example, the City has not been providing housing data to the private sector to ensure that housing demands are being met. A more proactive approach by the City in coordinating with the private sector is necessary to ensure that the private sector is delivering housing that will meet the needs of City residents.

One of the areas in which the City is most lacking is in addressing the need for affordable housing. While the City acknowledges that there is a need for housing that meets the needs of very low, low, moderate and workforce income populations, and outlines policies to this effect, implementation of several of these policies has not occurred. The objective concerning affordable housing and its associated policies focus more on preventing barriers to the construction of affordable housing than on providing incentives for the construction of affordable housing.

The City has not established any programs to provide affordable housing or to assist those in very low, low and moderate income groups with obtaining affordable housing. Limited incentives are provided by the City to encourage the provision of affordable housing by the private and non-profit sectors. Applications are reviewed on a case by case basis to determine eligibility for exemptions from certain City-assessed impact fees. Other incentives are provided through the land development regulations and encourage a mixture of housing types in Planned Unit Developments (PUDs), allow administrative waivers from landscaping requirements for affordable housing units, and offer some exemptions in relation to nonconforming buildings if there is evidence that affordable housing will be provided. There is a policy indicating that the City shall establish a density bonus program to encourage the private sector to provide affordable housing, but it is currently limited to properties within the High Density Residential future land use designation.

Another area in which the City is lacking in the implementation of Comprehensive Plan policies relating to housing is in the reduction or elimination of substandard housing. Policies in this element call for the City to establish programs and apply for grant funding to assist with the rehabilitation, renovation, or

demolition of substandard housing, but the City has not established any programs or applied for any funding to date. Before the City establishes any programs or applies for funding, it needs to complete a housing inventory which would include an assessment of housing conditions and identify housing that is in substandard condition. Plan policies must take into consideration the City’s inventory of historic properties in an attempt to find a balance between historic preservation and the reduction of substandard housing stock.

The objectives and policies contained in this element provide a good foundation for providing an adequate supply of diverse housing types to all City residents by identifying methods for determining housing supply and demand. An assessment of the element’s objectives and policies generated a number of recommendations that the City may want to consider when working on EAR-based amendments to the Comprehensive Plan. Specific recommendations can be found under the assessment for those particular objectives and policies.

In addition to any changes to existing objectives and policies generated by the identification and analysis of the major issues, the City must also make policy revisions in its EAR-based amendments to comply with legislative amendments. **Table IV-3** details all required legislative updates impacting the Housing Element.

**Table IV-3 Legislative Updates and Requirements for the Housing Element**

STATUTE REF.	DESCRIPTION
163.31771(4)	An application for a building permit to construct an accessory dwelling unit must include an affidavit from the applicant which attests that the unit will be rented at an affordable rate to a very-low-income, low-income, or moderate-income person or persons.
163.31771(5)	Provides for certain accessory dwelling units to apply towards satisfying the affordable housing component of the housing element in a local government’s comprehensive plan.
163.31771(1), (2) and (4)	Recognizes “extremely-low-income persons” as another income groups whose housing needs might be addressed by accessory dwelling units and defines such persons consistent with s.420.0004(8), F.S. Ch. 2006-69, LOF.
	Community Workforce Housing Innovation Pilot Program; created by Ch. 2006-69, LOF, section 27. Establishes a special, expedited adoption process for any plan amendment that implements a pilot program project.
	Affordable housing land donation density incentive bonus; created by Ch. 2006-69, LOF, section 28. Allows a density bonus for land donated to a local government to provide affordable housing; requires adoption of a plan amendment for any such land; such amendment may be adopted as a small-scale amendment; such amendment is exempt from the twice per year limitation on the frequency of plan amendment adoptions.

STATUTE REF.	DESCRIPTION
163.3177	(6)(f)1. d. Revises the housing element requirements to ensure adequate sites for affordable <b>workforce housing</b> within certain counties. Ch. 2007-198, LOF. (6) h. and i. Requires certain counties to adopt a plan for ensuring <b>affordable workforce housing</b> by July 1, 2008 and provides a penalty if this date is missed. Ch. 2007-198, LOF.
163.3184(19)	Allows plan amendments that address certain <b>housing</b> requirements to be expedited under certain circumstances. Ch. 2007-198, LOF.
163.3187(1)(p)	Exempts from the twice per year limitation on the frequency of adoption of plan amendments any amendment that is consistent with the <b>local housing incentive strategy</b> consistent with s.420.9076. Ch. 2007-198, LOF.
420.5095(9)	Establishes an expedited plan amendment adoption process for amendments that implement the <b>Community Workforce Housing Innovation Pilot Program</b> and exempts such amendments from the twice per year limitation on the frequency of adoption of plan amendments. Ch. 2007-198, LOF.
163.3177 (6)(a, b, d, f)	Requires that the future land use element include greenhouse gas reduction strategies, that the element discourage urban sprawl and be based upon energy-efficient land use patterns that account for future electrical power generation and transmission systems. Requires that the traffic circulation element of the comprehensive plan incorporate strategies to address the reduction of greenhouse gas emissions from the transportation sector. Requires that the conservation element address energy conservation and that the land use map series identify and depict energy conservation. Requires the housing element to contain standards, plans and principles to be followed to address energy efficiency in the design and construction of new housing.
HB 697	Requires Housing Element be amended to include standards, plans and principles to be followed in: energy efficient in the design and construction of new housing and use of renewable energy resources.

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**Objective and Policy Review****OBJECTIVE 3.01. HOUSING DEMAND**

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“The City shall ensure that adequate sites for the various housing types, including affordable housing, are available within the City to meet the established demand, or until complete build-out of developable properties.”

**Assessment:** Efforts to implement this objective are ongoing. Adequate sites for various housing types are currently available as designated on the both the Zoning and Future Land Use Maps. Affordable housing is allowed in any of the land use categories that provide for residential density.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form and Housing + Community Development

*Policy 3.01.01.*

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“The City’s land development regulations shall provide a process for the use of planned unit developments which offer a variety of housing types.”

**Assessment:** Efforts to implement this policy are ongoing. The City’s land development regulations outline site design requirements for planned unit developments (PUDs), which includes a requirement that a residential PUD shall include two (2) or more housing types. A recommended change is to consider rephrasing this policy to state, “The City’s land development regulations shall provide requirements that planned unit developments offer a variety of housing types.”

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form and Housing + Community Development

*Policy 3.01.02.*

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“The City shall review and revise its land development regulations to ensure that regulatory techniques and review procedures do not create barriers to affordable housing.”

**Assessment:** Efforts to implement this policy are ongoing. The City’s land development regulations currently contain language that encourages the provision of affordable housing; for example, in the standards for a planned unit development overlay. The regulations also allow for an administrative waiver from landscaping requirements for affordable housing units and there are some exemptions in relation to nonconforming buildings if there is evidence that affordable housing will be provided. After EAR-based amendments are adopted, the City will make revisions to the Land Development Code that further implement policies contained within the Comprehensive Plan, some of which will be related to affordable housing.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form and Housing + Community Development

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*Policy 3.01.03.*

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“The City shall promote nondiscrimination in access to housing within the City by promoting fair housing laws and practices.”

**Assessment:** Efforts to implement this policy are ongoing. The City adopted a “Fair Housing” ordinance in 1984. Chapter 54 (Human Relations) of the City’s Code of Ordinances outlines policies that discourage and eliminate discriminatory practices in housing. The following actions are recommended:

- Review the policies contained in the City’s Code of Ordinances and compare them to Federal Fair Housing Laws and Presidential Executive Orders related to fair housing to determine if the City’s fair housing ordinance should be amended.
- Review the policies contained in the City’s Code of Ordinances and compare them to Florida Fair Housing Act laws to determine if the City’s fair housing ordinance should be amended.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form and Housing + Community Development

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*Policy 3.01.04.*

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“The City shall establish a density bonus program to encourage the private sector to provide affordable housing.”

**Assessment:** This policy has not been fully implemented. The City should evaluate and establish a density bonus program that encourages the private sector to provide affordable housing in more categories than just for properties designated as High Density Residential on the Future Land Use Map.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form and Housing + Community Development

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*Policy 3.01.05.*

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“The City shall continue to provide land use designations on the FLUM and zoning districts on the official zoning map to ensure that appropriate locations are available for single-family, duplex, and multi-family housing units within the City.”

**Assessment:** Efforts to implement this policy are ongoing. The City provides land use designations on the FLUM and zoning districts on the official zoning map for this purpose.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form and Housing + Community Development

*Policy 3.01.06.*

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“The City shall permit the placement of individual manufactured housing units in residential districts as is required by applicable state and federal laws. The City may adopt regulations, such as building, architectural, historical, aesthetic, and landscaping standards applicable to the placement of manufactured housing.”

**Assessment:** Efforts to implement this policy are ongoing. The City does permit the placement of individual manufactured housing units in residential districts as required by applicable state and federal laws. The City does not have regulations specifically for the placement of manufactured housing. Manufactured housing follows the same placement regulations as other housing. The following actions are recommended:

- Assess compliance with State and federal laws concerning the placement of individual manufactured housing units to ensure consistency.
- Determine whether additional regulations should be adopted that address regulations and guidelines that apply to the historic districts and within the Community Redevelopment Area.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form and Housing + Community Development

*Policy 3.01.07.*

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“The City shall review and amend, where necessary, the applicable building codes and standards relating to the care and maintenance of residential and neighborhood environments and facilities, in order to maintain the existing housing stock.”

**Assessment:** Efforts to implement this policy are ongoing. The following actions are recommended:

- Consider rephrasing this policy to remove the word “building.” The City utilizes the Florida Building Code and adopts it as part of the City’s Code of Ordinances, but does not amend it.
- Identify which City codes and standards are applicable to this policy and review them to determine if any amendments are needed to implement this policy.
- Recognize that properties in the historic districts and CRA may have different standards and ensure that these are included in any future amendments.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form and Housing + Community Development

**OBJECTIVE 3.02. PRIVATE SECTOR DELIVERY OF HOUSING**

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“The primary method of delivering housing to meet the needs of the City’s residents is through the private sector. Therefore, the City intends to include the private sector in planning for the delivery of adequate housing within the City’s corporate limits. The policies listed below describe the methods that will be used by the City to accomplish meaningful coordination with the private sector.”

**Assessment:** Efforts to implement this objective are ongoing. While the City works cooperatively with the private sector when approached with proposals for housing, the City does not take a proactive approach in including the private sector when planning for the delivery of housing. The City should consider performing a housing needs assessment to determine housing trends, the number, type and condition of existing housing units and the number and types of housing units needed in the future based on growth projections. A housing needs assessment would provide data including but not limited to

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projected housing shortages, deficiencies in existing housing stock (ex. affordable housing units), and how many units are in need of rehabilitation. The information contained in the assessment can be provided to the private sector to assist in the delivery of appropriate housing units.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form and Housing + Community Development

*Policy 3.02.01.*

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“The City shall appoint members to task forces who represent, or have an interest in, the provision of safe, decent, and affordable housing. Such representatives should include, but not be limited to, City government officials, private developers, contractors, utility officials, and real estate specialists.”

**Assessment:** Efforts to implement this policy are ongoing. In 2000, the City established an Affordable Housing Task Force to examine the state of affordable housing in the City. In 2001, the City contracted with the University of North Florida to prepare a needs assessment (Affordable Housing Study), which was presented, with recommendations from the Task Force, to the City Commission in December 2002. The Task Force last met in January 2003 following the presentation to the City Commission. At this time, the City does not have a task force dedicated to the provision of affordable housing. The City should consider creating a new task force to address the affordable housing issue. If the City does not intend to create such a task force, then this policy should be eliminated.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form, Housing + Community Development and Community Health + Safety

*Policy 3.02.02.*

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“The City shall provide technical assistance, information, and housing data to the private sector in order to maintain a housing production capacity sufficient to meet the projected housing market demand.”

**Assessment:** This policy has not been implemented. While the City works cooperatively with the private sector when approached with proposals for housing, the City does not take a proactive approach in including the private sector when planning for the delivery of housing. The City should consider performing a housing needs assessment to determine housing trends, the number, type and condition of existing housing units and the number and types of housing units needed in the future based on growth projections. A housing needs assessment would provide data including but not limited to, projected housing shortages and deficiencies in existing housing stock (ex. affordable housing units). The information contained in the assessment should be provided to the private sector to assist in the delivery of appropriate housing units.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form and Housing + Community Development

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*Policy 3.02.03.*

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“The City shall assist in developing local partnerships with the private sector in order to improve the housing delivery system. Actions shall include coordinating the timing and location of sanitary sewer facilities and water services in order to promote the timely extension of water and wastewater services to residential areas.”

**Assessment:** Efforts to implement this policy are ongoing. When a development application is submitted, the City coordinates with the applicant regarding the timing and location of sanitary sewer and water facilities, as well as other infrastructure. Rewrite the first sentence of this policy to clarify what the City shall do.

**Major Local Issues:** Issue 1- Neighborhood Preservation and Issue 3- Annexation Plan

**Sustainability:** Water + Sewage, Land Use + Urban Form and Housing + Community Development

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**OBJECTIVE 3.03. SUBSTANDARD HOUSING**

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“The City shall reduce or eliminate substandard housing through establishing programs for rehabilitation, renovation, code enforcement, and demolition. The City’s goal is to reduce the incidence of substandard housing by ten (10) percent per year throughout the planning period.”

**Assessment:** This objective has not been implemented. The City has not established programs for rehabilitation and renovation. The City’s code enforcement officers process code violations for all code complaints, including those dealing with substandard housing. The following actions are recommended:

- The City should consider performing a housing needs assessment which would include an inventory of substandard housing. Identification of substandard housing in the City’s historic districts is particularly important as these areas contain the oldest housing stock in the City.
- The City should determine all options for reducing or eliminating substandard housing.
- The City should establish a program for housing rehabilitation/renovation, which would include demolition. If the City has no plans to establish such a program, then this part of the policy should be eliminated.
- Once an inventory of substandard housing is available, the City can track code violations and other actions (ex. permits) related to substandard housing to determine whether substandard housing is being reduced.
- Incorporate recommendations made in the “Neighborhood Preservation” major issue, which specifically focus on reducing demolitions and encouraging rehabilitation and maintenance of existing houses.
- Consider eliminating the last sentence which establishes a goal of reducing the incidence of substandard housing by ten (10) percent per year during the planning period. Without an inventory of substandard housing, there is no means to measure whether this goal is being met.

**Major Local Issues:** Issue 1-Neighborhood Preservation

**Sustainability:** Land Use + Urban Form, Housing + Community Development, Community Health + Safety, Cultural Resource Preservation

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*Policy 3.03.01.*

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“The City shall continue to enforce the adopted Standard Housing Code and the Standard Unsafe Building Abatement Code.”

**Assessment:** Efforts to implement this policy are ongoing. As part of its Code of Ordinances, the City has adopted the Standard Housing Code (1997 edition) as well as the Standard Unsafe Building Abatement Code (1985 edition). Enforcement of these codes is an ongoing process.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Housing + Community Development and Community Health + Safety

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*Policy 3.03.02.*

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“The City shall seek federal and State funding for the rehabilitation of substandard housing or demolition if rehabilitation is not a viable alternative.”

**Assessment:** This policy has not been implemented. The City does not have a housing rehabilitation program (which could also include demolitions). The City has not applied for any Federal or State funding for the purpose of rehabilitation or demolition of substandard housing since the Comprehensive Plan was adopted in 2004. The following actions are recommended:

- Establish a housing rehabilitation program that includes demolition as an option if rehabilitation is not feasible. Allocate funding for this program or seek grant money to fund this program.
- Identify federal and state funds that the City is eligible to apply for that can be used for housing rehabilitation and/or demolition.
- If the City does not intend to establish such a program in the next 5 years, then this policy should be rephrased or eliminated.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Housing + Community Development and Community Health + Safety

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*Policy 3.03.03.*

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“The City shall encourage the establishment of neighborhood groups to coordinate with the City on neighborhood improvement projects, such as code enforcement, removal of blighting influences, and concentrating capital and/or operating budget improvements in such neighborhoods.”

**Assessment:** Efforts to implement this policy are ongoing. Neighborhood preservation is one of the major issues that were identified as part of the EAR process. One of the recommendations resulting from the evaluation of this major issue was to break the City down into neighborhood planning sections that recognize that different parts of the City have different planning issues. The intent is to create a neighborhood plan for each planning section. The following actions are recommended:

- Break the City down into neighborhood planning sections and create plans for each planning section.
- During the planning process, encourage the establishment of neighborhood groups.
- Identify City staff that can be points of contact for neighborhood groups.
- During the neighborhood planning process, capital improvements for each neighborhood should be identified, prioritized, and incorporated into the City’s capital improvements plan.

**Major Local Issues:** Issue 1-Neighborhood Preservation

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**Sustainability:** Housing + Community Development and Community Health + Safety*Policy 3.03.04.*

“The City shall conduct periodic assessments of housing conditions, in order to provide support for grant applications and to create housing programs for rehabilitation or demolition and replacement.”

**Assessment:** This policy has not been implemented. The following actions are recommended:

- The City should consider performing a housing needs assessment which would include an inventory of housing units as well as an assessment of housing conditions, including which housing units are in need of rehabilitation. Once an assessment is completed, a new policy regarding a housing needs assessment should be added, including how often the assessment should be updated.
- Once a housing needs assessment is completed, the City will have the documentation needed to submit grant applications to fund a housing rehabilitation program.

**Major Local Issues:** Issue 1- Neighborhood Preservation**Sustainability:** Housing + Community Development and Community Health + Safety*Policy 3.03.05.*

“The City shall permit demolition of a house only where there is no structural integrity, where rehabilitation is not viable, and where there is an endangerment of public health, safety, and welfare due to the condition of the structure.”

**Assessment:** This policy has not been implemented. For the demolition of a structure in a historic district, the owner must first get approval from the Historic District Council, which considers factors such as whether rehabilitation is viable. For structures that are outside of historic districts, a demolition permit is issued regardless of whether the structure meets the criteria of this policy. The following actions are recommended:

- The City should consider performing a housing needs assessment which would include an inventory of substandard housing. This assessment can identify which housing units are in need of rehabilitation.
- Work with the City’s Building Official to evaluate which substandard houses do not have structural integrity or are an endangerment of public health, safety and welfare.
- One of the recommendations resulting from the evaluation of the neighborhood preservation major issue was to explore the creation of regulations that would foster maintenance of existing homes, allow for reasonable expansion, and retain elements of community character, but prevent demolitions. If this policy is to be implemented, regulations must be adopted that prevent the demolition of houses except when there is no structural integrity, rehabilitation is not viable, or where there is an endangerment of public health, safety and welfare. If adoption of such regulations is not feasible, then this policy should be rephrased.
- Consider creating a separate policy for demolitions in historic districts, which currently must be approved by the Historic District Council.

**Major Local Issues:** Issue 1- Neighborhood Preservation**Sustainability:** Housing + Community Development, Community Health + Safety and Cultural Resource Preservation

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*Policy 3.03.06.*

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“Rehabilitation should be concentrated in areas with a large percentage of historic or substandard housing.”

**Assessment:** This policy has not been implemented. The City does not have a housing rehabilitation program. The following actions are recommended:

- Rewrite this policy to state that rehabilitation should be encouraged City-wide, particularly in areas with a large concentration of historic or substandard housing.
- The City should consider performing a housing needs assessment which would include an inventory of substandard housing. This assessment can identify which housing units are in need of rehabilitation.
- Map the results of the inventory of substandard housing to distinguish areas with a large percentage of historic or substandard housing and concentrate rehabilitation efforts in those areas.
- If the City does not intend to establish a rehabilitation program or identify substandard housing units throughout the City, then this policy should be rewritten to reflect that the rehabilitation of substandard housing is encouraged.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Housing + Community Development, Community Health + Safety and Cultural Resource Preservation

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**OBJECTIVE 3.04. VERY LOW, LOW, AND MODERATE INCOME HOUSING**

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“The City shall ensure that adequate sites for very low, low, and moderate income housing are available now and in the future. The City shall implement the policies below to ensure that the affordable housing supply is consistent with demand for affordable housing.”

**Assessment:** Efforts to implement this objective are ongoing. Adequate sites for various housing types are currently available as designated on the both the Zoning and Future Land Use Maps. Affordable housing is allowed in any of the districts which allow housing. The City should consider performing a housing needs assessment which would include data regarding the current supply and future demand for very low, low, and moderate income housing.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Housing + Community Development

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*Policy 3.04.01.*

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“The City and the Fernandina Beach Housing Authority shall meet with the County periodically to discuss strategies and techniques for improving the coordination of affordable housing implementation programs.”

**Assessment:** This policy had not been implemented. The City should contact the Housing Authority and the County to determine the willingness to meet about improving the coordination of affordable housing implementation programs. If both agencies are amenable, a regularly scheduled meeting should be planned (for example, bi-annually). If it is not feasible to implement this policy, then it should be eliminated.

**Major Local Issues:** Issue 1- Neighborhood Preservation

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**Sustainability:** Housing + Community Development*Policy 3.04.02.*

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“The City shall continually monitor its land development regulations to ensure that there are no barriers to construction of housing for very low, low, and moderate income persons; for persons with special housing needs, including the elderly; and for the handicapped.”

**Assessment:** Efforts to implement this policy are ongoing. The City’s land development regulations currently contain language that encourages the provision of affordable housing, for example in the standards for a planned unit development overlay. The regulations also allow for an administrative waiver from landscaping requirements for affordable housing units and there are some exemptions in relation to nonconforming buildings if there is evidence that affordable housing will be provided. After EAR-based amendments are adopted, the City will make revisions to the Land Development Code that further implement policies contained within the Comprehensive Plan, some of which will be related to affordable housing. The land development regulations do not specifically address preventing barriers to construction of housing for persons with special housing needs and for the handicapped. The following actions are recommended:

- Review the land development regulations to determine if additional language can be included regarding the provision of housing for very low, low and moderate income persons.
- Review the land development regulations to determine if language should be included regarding the provision of housing for persons with special housing needs and the handicapped.

**Major Local Issues:** Issue 1- Neighborhood Preservation**Sustainability:** Land Use + Urban Form, Housing + Community Development and Community Health + Safety*Policy 3.04.03.*

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“The City shall maintain land development regulations that minimize barriers to the development of existing vacant lots.”

**Assessment:** Efforts to implement this policy are ongoing. In 2006, the City adopted a lot of record allowance and density formula which honors existing vacant lots as originally platted without violating density. The following actions are recommended:

- Amend this policy to reflect that the intent of this policy is to maintain land development regulations that minimize barriers to the development of existing vacant lots for the provision of very low, low, and moderate income housing.
- Review the land development regulations to determine if any language needs to be added to further implement this policy.

**Major Local Issues:** Issue 1- Neighborhood Preservation**Sustainability:** Land Use + Urban Form and Housing + Community Development*Policy 3.04.04.*

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“The City shall ensure the provision of adequate infrastructure in order to support the provision of safe, sanitary, and affordable housing to very low, low, and moderate income households.”

**Assessment:** Efforts to implement this policy are ongoing.

**Major Local Issues:** N/A

**Sustainability:** Greening the City, Water + Sewage, Waste Reduction + Recycling, Transportation Planning + Traffic Management, Land Use + Urban Form, Housing + Community Development, Community Health + Safety

*Policy 3.04.05.*

“The City shall determine the feasibility of using economic solutions to improve the supply of affordable housing units. Economic solutions may include federal programs (i.e., Youthbuild) that provide job training or job creation by constructing housing units. When the City determines that feasible programs are available to meet City housing needs, the City shall prepare and submit applications for program participation.”

**Assessment:** This policy has not been implemented. The following actions are recommended:

- Consider rewriting this policy as it is vague.
- The City should determine which programs, if any, it is eligible for that will allow it to improve the supply of affordable housing units. If any programs are identified, the City should apply for these programs.

**Major Local Issues:** N/A

**Sustainability:** Housing + Community Development

*Policy 3.04.06.*

“The City is committed to fair, open, and affordable housing and shall approve sites for very low, low, and moderate income housing units which are consistent with the FBCP. The City shall ensure that affordable housing development proposals meet the following criteria:

1. Sites are able to meet adopted level of service standards;
2. Sites have access to employment centers, including shopping centers which accommodate stores offering household goods and services needed on a frequent and recurring basis;
3. Sites are located on a paved street; and
4. Sites have adequate access to public parks, recreation areas, open space systems, and schools.”

**Assessment:** This policy has not been implemented. The City typically receives affordable housing development proposals one unit at a time, for example through Habitat for Humanity, and not as an overall development. When evaluating affordable housing development proposals for single units, the City ensures that each unit meets the zoning and building codes. The following actions are recommended:

- Consider rewording this policy to state that the City is committed to the provision of fair and affordable housing. Remove reference to “open” housing or define what this means.
- Consider rewording this policy to clarify whether the City is to select the sites for the affordable housing units or whether the City is to approve these sites when an application is submitted.
- Consider rewording this policy to apply to developments of a specific minimum number of units and/or add a new policy that distinguishes larger scale developments from proposals for single affordable housing units.
- Consider rewording this policy to remove criteria 2. The other three (3) criteria are related to the provision of City infrastructure, but criteria 2 is not. A separate policy can be developed in which the City can encourage that affordable housing sites have access to employment centers, but cannot ensure that they will.

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**Major Local Issues:** N/A

**Sustainability:** Greening the City, Water + Sewage, Waste Reduction + Recycling, Transportation Planning + Traffic Management, Land Use + Urban Form, Housing + Community Development, Community Health + Safety

**OBJECTIVE 3.05. GROUP HOMES:**

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“The City shall ensure that sites for group homes and foster care facilities will be available at suitable locations to ensure that the needs of persons requiring such housing are met.”

**Assessment:** Efforts to implement this objective are ongoing. Zoning regulations currently allow group homes to locate in mixed use, central business and residential districts, subject to supplemental standards being met. The following actions are recommended:

- Rewrite this policy to remove reference to foster care facilities. If the intent was to include residential care facilities, then substitute this for foster care facilities.
- Evaluate State laws concerning foster care facilities to ensure local compliance.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form, Housing + Community Development and Community Health + Safety

*Policy 3.05.01.*

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“The City shall maintain its nondiscriminatory standards and criteria which address the location of group homes and foster care facilities.”

**Assessment:** Efforts to implement this policy are ongoing. Zoning regulations currently allow group homes to locate in mixed use, central business and residential districts, subject to supplemental standards being met. Evaluate State laws concerning foster care facilities to ensure local compliance.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form and Housing + Community Development

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*Policy 3.05.02.*

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“The City shall ensure that housing for the elderly and institutional housing is located to provide accessibility, convenience, and infrastructure.”

**Assessment:** Efforts to implement this policy are ongoing. The City’s land development regulations do not specifically address housing for the elderly or institutional housing; however these housing types could fall under the regulations governing group homes. While the Land Development Code requires that group homes contain requisite infrastructure, it does not cover the provision of accessibility and convenience. Clarify this policy or eliminate it as it is too vague. The City should ensure that all housing is located to provide infrastructure, not just housing for the elderly and institutional housing. It is unclear as to how the City would ensure that the housing is located to provide accessibility and convenience (accessibility and convenience to what?).

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form, Housing + Community Development and Community Health + Safety

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*Policy 3.05.03.*

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“The City shall ensure that its land development regulations provide guidelines for the placement of different classes of group homes that may be permitted in residential neighborhoods, and that no residential neighborhoods are closed to such facilities.”

**Assessment:** Efforts to implement this policy are ongoing. The City’s land development regulations currently allow group homes to locate in mixed use, central business and residential districts, subject to supplemental standards being met. The only residential zoning districts in which group homes are not an allowed use are Old Town Historic District One (OT-1) and Old Town Historic District Two (OT-2). Section 6.02.10.E. applies different location criteria for group homes of different sizes. Policy 3.05.06 also provides guidelines for the placement of group homes. The following actions are recommended:

- Amend the Land Development Code to allow for group homes to be a permitted use in the OT-1 and OT-2 zoning districts, or amend this policy to state that group homes may be permitted in residential neighborhoods with the exception of OT-1 and OT-2.
- Ensure that this policy remains compliant with State regulations governing the placement of group homes.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Housing + Community Development

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*Policy 3.05.04.*

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“Community-based residential care facilities shall be provided adequate sites in locations within the residential or institutional areas of the City.”

**Assessment:** Efforts to implement this policy are ongoing. This policy is vague and should be clarified. Provide a definition for “community-based residential care facility” and ensure that this policy is consistent with State regulations.

**Major Local Issues:** Issue 1- Neighborhood Preservation

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**Sustainability:** Housing + Community Development and Community Health + Safety*Policy 3.05.05.*

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“Consistent with established criteria, the City shall monitor the development and distribution of group homes and residential care facilities to ensure that adequate sites and infrastructure are provided and that over-concentration in any residential area is avoided.”

**Assessment:** Efforts to implement this policy are ongoing. Policy 3.05.06, in accordance with Florida Statutes, provides criteria to be followed that are intended to prevent over-concentration of these facilities in residential areas. Consider setting up an inventory and tracking system of group homes and residential care facilities, and mapping these facilities using GIS in order to view their distribution. This will ensure compliance with established criteria.

**Major Local Issues:** Issue 1- Neighborhood Preservation**Sustainability:** Land Use + Urban Form and Housing + Community Development*Policy 3.05.06.*

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“The City shall adhere to the following requirements related to group homes:

- a. Group homes of six (6) or fewer residents licensed as community residential homes by the Department of Children and Family Services (DCFS) shall be deemed a single-family unit, and shall be allowed in single-family or multi-family zoning districts, provided that such homes shall not be located within a radius of 1,000 feet of another existing duly licensed group home of six (6) or fewer residents.
- b. Group homes duly licensed by the DCFS as community residential care facilities which have from seven (7) to fourteen (14) unrelated residents operating as the functional equivalent of a family, including supportive staff as referenced in section 419.001, F.S., shall be allowed in multi-family residential districts, unless the City finds that the proposed group home siting as proposed:
  1. Does not otherwise conform to existing zoning regulations applicable to other multi-family uses in the City;
  2. Does not meet applicable licensing criteria established and determined by the DCFS, including requirements that the group home be located to assure the safe care and supervision of all clients in the home; or
  3. Would result in an excessive concentration of community residential homes. A group home that is located within a radius of 1,200 feet of another existing community residential home in a multi-family zone shall be an over-concentration of such homes that substantially alters that nature and character of the area. A group home that is located within a radius of 500 feet of an area of single-family zoning substantially alters the nature and character of the area.
- c. All distance requirements cited in this subsection shall be measured from the nearest point of the existing group home or area of single-family zoning to the nearest point of the proposed group home.
- d. All sites for group homes shall contain requisite infrastructure including: potable water, adequate surface water management, an approved system of wastewater disposal, and an adequate system for solid waste collection and disposal. The sites shall also be free of safety hazards and all structures shall comply with the City’s ordinances and applicable State laws, including applicable State licensing and program requirements.”

**Assessment:** Update this policy to reflect that the Department of Children and Family Services (DCFS) is now the Department of Children and Families (DCF). Amend this policy to provide consistency with State regulations for group homes. Update this policy to reflect that different types of group homes are

licensed by different state agencies, not just the DCF. It would be more appropriate to refer to “the licensing entity” rather than DCFS. [The DCF generally issues licenses to group homes that serve children. Group homes serving people with disabilities are currently regulated by the Agency for Persons with Disabilities (APD). Group homes serving the elderly are regulated by the Agency for Health Care Administration (ACHA)]. Please refer to F.S. 419.001.(b) for more information regarding licensing entities for community residential homes.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Water + Sewage, Waste Reduction + Recycling, Land Use + Urban Form, Housing + Community Development and Community Health + Safety

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**OBJECTIVE 3.06. RELOCATION**

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“Uniform and equitable treatment for residents and houses displaced by State and local government programs will be provided consistent with section 421.55. Florida Statutes.”

**Assessment:** Efforts to implement this objective are ongoing.

**Major Local Issues:** N/A

**Sustainability:** Housing + Community Development

*Policy 3.06.01.*

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“The City will assure that reasonably located, standard housing at affordable costs is available to persons displaced through actions of the City.”

**Assessment:** Efforts to implement this policy are ongoing; consider rewriting this policy as it is vague.

**Major Local Issues:** N/A

**Sustainability:** Housing + Community Development



## PUBLIC FACILITIES ELEMENT

### Overview

The primary goal of the Public Facilities Element (PFE) is to protect investments while maximizing use of the City's existing sanitary sewer, potable water, solid waste, and stormwater drainage facilities by protecting the quality of its surface and groundwater and ensuring the availability of safe and adequate facilities to meet the current and future needs of residents and visitors. The City has done well at meeting the needs of its existing residents and making necessary infrastructure improvements for its future in terms of its potable water service, wastewater treatment and solid waste collection. Unfortunately, the City is behind its goal of developing and implementing a master drainage plan for stormwater but is working towards completing this requirement at this time. It is anticipated that the City will have an adopted master drainage plan by early 2010. The findings and recommendations of this plan will need to be addressed in future policy revisions.

### Successes and Shortcomings

The City should consider policy revisions in its EAR-based amendments to address its Sustainability major issue by incorporating provisions to require that new and infill development incorporate the use of reclaimed water for irrigation, low impact development (LID) practices and energy conservation measures. Additionally, specific water conservation strategies should be identified. The City should develop and fund a waste management study that would provide baseline waste generation data and strategies to establish waste reduction, reuse and recycling goals. Target goals for solid waste reduction and recycling should be established and applied City-wide with monthly and annual reporting on its shortcomings and successes. Finally, the City should evaluate establishing an energy conservation program as an additional objective within this element. The energy conservation objective would direct policy statements to assess the City's existing energy consumption rates, identify alternative energy sources, seek funding sources and establish guidelines for the provision of alternative sources throughout the City. It is recommended that the City develop and set target goals to minimize or eliminate, where possible, its continued dependence on non-renewable energy sources by identifying and utilizing alternative energy sources.

It is recommended that this element be expanded to incorporate more of the City's public infrastructure such as its fire/ rescue services and police protection. Similarly, the Comprehensive Plan's element for Recreation and Open Space provides for level of service (LOS) standards for its park infrastructure but, it is recommended that it be expanded to add standards for shoreline and waterway access. The Traffic Circulation Element addresses the City's roadway network but, it is recommended that it be expanded to include standards for bicycle and pedestrian facilities. Inclusion of fire/ rescue and police facilities should be incorporated as a public facility objective within this element. Quantitative and qualitative LOS standards should be developed as policy within the objective.

A new goal statement should be developed for this element to incorporate water conservation, energy conservation, police protection and fire/ rescue facilities. **Table IV-4** identifies legislative changes that may require further EAR-based amendment revisions to this element.

**Table IV-4 Legislative Updates and Requirements for the Public Facilities Element**

STATUTE REF.	DESCRIPTION
163.3177 (6)(c)	Required the <b>potable water element</b> to be updated within 18 months of an updated regional water supply plan to incorporate the <b>alternative water supply projects</b> and traditional water supply projects and conservation and reuse selected by the local government to meet its projected water supply needs. The ten-year water supply work plan must include public, private and regional water supply facilities, including development of alternative water supplies. Such amendments do not count toward the limitation on the frequency of adoption of amendments.
163.3180 (2)(a)	Required consultation with water supplier prior to issuing building permit to ensure “adequate water supplies” to serve new development is available by the date of issuance of a certificate of occupancy.
163.3180(2)(a)	Allows the sanitary sewer concurrency requirement to be met by onsite sewage treatment and disposal systems approved by the Department of Health. Ch. 2006-252, LOF.
163.3208	Creates a new section related to electric distribution substations; establishes criteria addressing land use compatibility of substations; requires local governments to permit substations in all FLUM categories (except preservation, conservation or historic preservation); establishes compatibility standards to be used if a local government has not established such standards; establishes procedures for the review of applications for the location of a new substation; allows local governments to enact reasonable setback and landscape buffer standards for substations. Ch. 2006-268, LOF.
163.3209	Creates a new section preventing a local government from requiring a permit or other approval for vegetation maintenance and tree pruning or trimming within an established electric transmission and distribution line right-of-way. Ch. 2006-268, LOF.
HB 7135 Approved by Gov. Crist 6/25/08	All county, municipal, school district, water management district, state university, community college, and Florida state court buildings shall be constructed to meet the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative’s Green Globes rating system, the Florida Green Building Coalition standards, or a nationally recognized, high performance green building rating system as approved by the Department of Management Services. This section shall apply to all county, municipal, school district, water management district, state university, community college, and Florida state court buildings the architectural plans of which are commenced after July 1, 2008.

**Objective and Policy Review**

**OBJECTIVE 4.01. LEVEL OF SERVICE**

“The City shall ensure that, at the time a development order is issued, adequate facility capacity for sanitary sewer, potable water, solid waste, and stormwater drainage is available or will be available when needed to serve the development. All system improvements for replacement, expansion, or increase in capacity shall comply with the adopted level of service standards for these facilities.”

**Assessment:** Efforts to implement this objective are ongoing; objective should be expanded to include fire/ rescue, police, parks and recreation (ROSE), bicycle and pedestrian facilities (TCE) and beach/ shoreline access points (ROSE). The City should evaluate the effectiveness of the existing standards and consider qualitative standards in addition to these quantitative standards. Further, the City should consider policies that require evaluating greenhouse gas emission reductions, energy and water conservation strategies when extending and providing for new services.

**Major Local Issues:** N/A

**Sustainability** Natural Resource Preservation, Water + Sewage, Waste Reduction + Recycling, Energy Efficiency + Renewables, Transportation Planning + Traffic Management, Land Use + Urban Form, Housing + Community Development, Community Economic Development, Community Health + Safety

*Policy 4.01.01.*

The following level of service standards are hereby adopted, and shall be used as the basis for determining the availability of facility capacity and the demand generated by a development.

Facility/Service Area	Level of Service Standard
Sanitary Sewer Facilities	Average sewage generation rates: 172 gallons per capita per day with 1.2 peak factor
Solid Waste Facilities	Average solid waste generation rate: 5.9 pounds per capita per day
Drainage Facilities	See Policy 4.01.02
Potable Water Facilities	Water allocation level of service: 350 gallons per day per ERC

**Assessment:** Efforts to implement this policy are ongoing; policy should be expanded to include fire/ rescue and police facilities. The existing quantitative LOS standards should be evaluated for their effectiveness and additional qualitative LOS standards should be considered.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability** Natural Resource Preservation, Water + Sewage, Waste Reduction + Recycling, Energy Efficiency + Renewables, Transportation Planning + Traffic Management, Land Use + Urban Form, Housing + Community Development, Community Economic Development, Community Health + Safety

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*Policy 4.01.02.*

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All subdivisions, multifamily, commercial, industrial, and institutional projects shall provide for retention of stormwater within the boundaries of the project. For projects within areas designated for “zero discharge,” storage shall accommodate a ten (10)-year, twenty-four (24)-hour storm event. For all other areas, retention shall accommodate the greater of: (a) the first one-half (1/2) inch of stormwater within the boundaries of their project, or (b) the first one (1) inch of storm flow from all roofs, sidewalks, paved surfaces, and parking areas (at 100 percent runoff), whether paved or not. The project shall also provide detention for all storm flows. Detention shall prevent peak flows after development from exceeding the peak flow prior to development.

**Assessment:** Efforts to implement this policy are ongoing; policy revisions may be considered based on findings and recommendations of City-wide stormwater drainage master plan upon completion. The City needs to ensure that this policy statement remains consistent with the St. Johns Water Management District (SJRWMD) standards. An additional policy should be considered to require use of low impact development (LID) strategies and use of pervious materials are utilized within all development projects’ stormwater management scheme.

**Major Local Issues:** Issue 1- Neighborhood Preservation, Issue 3- Annexation Plan, Issue 4- Wetlands Regulation

**Sustainability** Natural Resource Preservation, Water Quality, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety and Energy Efficient + Renewables

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*Policy 4.01.03.*

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“Reserved.”

**Assessment:** Consider eliminating this policy if not needed.

**Major Local Issues:** N/A

**Sustainability:** N/A

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*Policy 4.01.04.*

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In order to ensure that these levels of service standards are maintained, methodologies for determining available capacity and demand shall incorporate appropriate peak demand coefficients for each facility and for the type of development proposed.

**Assessment:** Efforts to implement this policy are ongoing; changes may be required to better assess greenhouse gas effects and to identify energy conservation measures.

**Major Local Issues:** Issue 1- Neighborhood Preservation, Issue 3- Annexation Plan

**Sustainability** Water Quality, Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety and Waste Reduction + Recycling and Energy Efficient + Renewables

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*Policy 4.01.05.*

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All improvements for replacement, expansion, or increase in capacity of facilities shall comply with the adopted level of service standards for the facilities.

**Assessment:** Efforts to implement this policy are ongoing; revise policy to elaborate on which “facilities” this policy is referencing. This policy should apply all city public facilities in this element as well as the Traffic Circulation Element and the Recreation and Open Space Element.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety and Energy Efficient + Renewables

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**OBJECTIVE 4.02. WASTEWATER TREATMENT SYSTEMS**

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“The City shall ensure the availability of wastewater treatment systems for all development, consistent with water quality standards and the adopted level of service standards.”

**Assessment:** Efforts to implement this objective are ongoing; changes to exclude and discontinue use of septic tanks as an allowable wastewater treatment system should be considered.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability** Natural Resource Preservation, Water Quality, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety and Energy Efficient + Renewables

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*Policy 4.02.01.*

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“On-site wastewater treatment systems shall be limited to areas currently using septic tanks.

- a. Existing septic tanks may remain in service until such time as local service is made available to the residents, consistent with County Health Department requirements.
- b. In areas where central wastewater treatment is not available, the issuance of building permits will be conditioned upon demonstration of compliance with applicable federal, State and local permit requirements for on-site wastewater treatment systems.”

**Assessment:** Efforts to implement this policy are ongoing; it is recommended that the City consider policy changes that further restrict or disallow use of on-site septic tanks. The City should identify and map the location of all permitted septic tanks within the City and aggressively work to get them connect to central sewer. An additional policy should be considered to abolish the use of septic tanks within the City where central sewer has been provided in that area. Review state statute pertaining to existing septic tanks connecting to central sewer, where available and consider performance requirement (landscaping and plantings) where connection may not be feasible.

**Major Local Issues:** Issue 3- Annexation Plan and Issue 4- Wetlands Regulation

**Sustainability** Natural Resource Preservation, Water Quality, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

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*Policy 4.02.02.*

“New subdivisions shall be required to connect to the central sewer system.”

**Assessment:** Efforts to implement this policy are ongoing; it is recommended that this policy be expanded to include “all” new development and that associated system upgrades to support new development will be required.

**Major Local Issues:** N/A

**Sustainability** Natural Resource Preservation, Water Quality, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

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**OBJECTIVE 4.03. POTABLE WATER AND GROUND WATER RESOURCES**

“The City’s land development regulations shall ensure that potable water and groundwater resources are conserved and protected from adverse contamination.”

**Assessment:** Efforts to implement this objective are ongoing; changes may be required to address water conservation mechanisms and to specifically disallow the use of septic as a means to protecting groundwater resources. Further, the objective should be revised to eliminate the term “adverse” as the City’s potables water and ground water should be protected from any contamination. Amend/add policy language that requires consultation with the utility provider prior to the issuance of any local development orders or a certificate of occupancy for compliance with SJRWMD comment #3 (10/12/2009).

**Major Local Issues:** N/A

**Sustainability Major Local Issues:** Issue 3- Annexation Plan and Issue 4- Wetlands Regulation

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

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*Policy 4.03.01.*

“All available and credible data, including, but not limited to, data from the SJRWMD and the NEFRPC, will be used as sources for the identification and protection of water resources.”

**Assessment:** Efforts to implement this policy are ongoing; revise reference of the NEFRPC to NEFRC.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

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*Policy 4.03.02.*

“The City shall coordinate with the SJRWMD to ensure that continued adequate water supplies are identified and available to serve the needs of the City. Specifically, the City shall establish water conservation programs and methods, including water saving devices in new construction and reconstruction projects, limitations on irrigation, and other methods as they are identified.”

**Assessment:** Efforts to implement this policy are ongoing; City should create more specific policies to address water conservation measures.

**Major Local Issues:** N/A

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

*Policy 4.03.03.*

“In an effort to conserve and protect the City’s groundwater resources, the City shall encourage the pulp mill industries in the reuse of reclaimed wastewater from sources such as the City’s wastewater treatment plant.

**Assessment:** The City has not fully implemented this policy. Efforts should be made to help facilitate this implementation of this policy and expanded to include the Port.

**Major Local Issues:** N/A

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

*Policy 4.03.04.*

“The City shall evaluate the feasibility of a reclaimed water program for uses, such as irrigation, that do not require potable water. When a reclaimed water program is determined to be feasible, the City shall establish the program. The City will expand the availability of reclaimed water as the City determines it is economically feasible and practical to expand the program.”

**Assessment:** Efforts to implement this policy are ongoing; no changes are required. The City should publish the findings of any reclaimed water feasibility study that has been completed. This policy should be revised to require the use of reclaimed water for non-potable purposes. An additional policy should be considered to require all City facilities such as the golf course and irrigated park areas utilize reclaimed water.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety, Energy Efficiency + Renewables

*Policy 4.03.05.*

“In order to comply with potable water conservation policies of the SJRWMD and the NEFRPC, and to achieve a reduction in the current rates of water consumption, the City’s land development regulations shall include the following standards:

- a. Non-potable alternative sources of irrigation water shall be used to meet irrigation needs, when available;
- b. Water-saving plumbing fixtures shall be required on all new development; and
- c. Fifty (50) percent of all landscaped areas shall consist of native or drought-tolerant vegetation.

**Assessment:** Efforts to implement this policy are ongoing; additional requirements should be considered as part of the City’s overall efforts to achieve more sustainable construction methods. The City should make requirement “A.” available to all new development and develop strategy to provide reclaimed water City-wide. Requirement “B.” should be incorporated within the Land Development Code. The landscaping requirement should be categorized as “C.” Additional requirements of this policy should

include use of pervious materials for parking areas and sidewalks. Revise policy reference of the NEFRPC to NEFRC.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability** Natural Resource Preservation, Water Quality, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

*Policy 4.03.06.*

“Voluntary water conservation measures, as defined by the SJRWMD, shall be promoted and become mandatory during water shortage emergencies for all potable water users including domestic, public, institutional, industrial, commercial, and agricultural.”

**Assessment:** Efforts to implement this policy are ongoing; the City should consider adopting ordinances prior to these types of events that would help facilitate their compliance as they occur.

**Major Local Issues:** N/A

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

#### **OBJECTIVE 4.04. POTABLE WATER SYSTEM**

“The City shall provide a safe and adequate supply of potable water to meet the needs of residents in the water service area. The City shall correct existing deficiencies in the water system through the implementation of additional programs and through the construction of capital improvements.”

**Assessment:** Efforts to implement this policy are ongoing. The City should consider policies to reduce potable water use for landscaping needs and explore options to reduce potable water in buildings.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability** Natural Resource Preservation, Water Quality, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

*Policy 4.04.01.*

“The City shall ensure that funds are available for renewal and replacement of old, outdated, or otherwise deficient facilities.”

**Assessment:** Efforts to implement this policy are ongoing; expand policy to provide funds for non-potable water systems (i.e. reclaimed water).

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

*Policy 4.04.02.*

“The City shall continue the leak detection program and system audit to ensure continued reductions in unaccounted water.”

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**Assessment:** Efforts to implement this policy are ongoing; no changes are required.

**Major Local Issues:** N/A

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

*Policy 4.04.03.*

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“The City shall continually ensure that the capacity of the potable water system is sufficient to meet demand, coordinating the extension or expansion of facilities as increased capacity is needed.”

**Assessment:** Efforts to implement this policy are ongoing; this policy may be further implemented as part of quarterly or annual level of service reporting process and will facilitate enhanced decision making for future capital expenditures.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

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**OBJECTIVE 4.05. WATER SUPPLY FACILITIES WORK PLAN**

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“The City shall maintain a Water Supply Facilities Work Plan during the planning period. The Work Plan will address water supply facilities necessary to serve existing and future development within the City’s water service area.”

**Assessment:** Efforts to implement this policy are ongoing. The existing water supply work plan should be expanded to address water supplies for the entire planning horizon, not just within the 5 year Capital Improvements Program (CIP). Both potable and non-potable projects should be incorporated in to the CIP.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

*Policy 4.05.01.*

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“The Water Supply Facilities Work Plan will be updated as required by updates to the SJRWMD’s District Water Supply Plan.”

**Assessment:** Efforts to implement this policy are ongoing; no changes are required

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

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*Policy 4.05.02.*

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“The components of the Water Supply Facilities Work Plan are contained in the Public Facilities Element, the Potable Water Sub-element, the Conservation and Coastal Management Element, the Intergovernmental Coordination Element, and the Capital Improvements Element of the FBCP. Each element will be coordinated with the District Water Supply Plan and updated as required by updates by the SJRWMD.”

**Assessment:** This policy has not been fully implemented. Policy statements within the referenced elements (CCME, ICE and CIE) have not been incorporated. Revisions to include these policies should be incorporated as part of the EAR-based amendments.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

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*Policy 4.05.03.*

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“In the implementation of the Water Supply Facilities Work Plan, the City will coordinate with the SJRWMD and Nassau County regarding sources of water, including reclaimed water and water conservation, to meet water supply needs.”

**Assessment:** This policy has not been achieved at this time. It is recommended that the City coordinate with the SJRWMD and Nassau County regarding the referenced issues and provide a timeframe for meeting with each other on an annual basis.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

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*Policy 4.05.04.*

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“The annual water consumption for the City’s water service area will be equal to or less than the amount allocated under the consumptive use permit or the projected demand in the District Water Supply Plan.”

**Assessment:** Efforts to implement this policy are ongoing; it is recommended that the annual water consumption for the water service area be published in an effort to more effectively advise the public about our evaluation and monitoring of the City’s water supply.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

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**OBJECTIVE 4.06. SOLID WASTE**

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“A solid waste disposal system will be maintained to ensure the safe disposal or recycling of solid waste, utilizing the most financially and environmentally acceptable means.”

**Assessment:** Efforts to implement this policy are ongoing; the City has contracted services for the purposes of solid waste collection for residential areas throughout the City. At present, the City collects residential garbage twice per week and curbside recycling is collected once each week. Additional policies should be considered to provide specific recycling goals and overall waste reduction goals within the planning horizon. The City should consider expansion of its recycling and garbage collection to include non-residential areas. The creation of a waste management plan to include specific recycling and reduction strategies should be developed.

**Major Local Issues:** N/A

**Sustainability** Natural Resource Preservation, Waste Reduction + Recycling, Energy Efficiency + Renewables, Transportation Planning + Traffic Management, Community Economic Development, Community Health + Safety

*Policy 4.06.01.*

“The City shall continue to reduce the amount of waste requiring disposal through the development of cost-effective measures, including recycling programs that are consistent with the requirements of the Florida Solid Waste Management Act, Chapter 403, Part IV, Florida Statutes.”

**Assessment:** Efforts to implement this policy are ongoing. It is recommended that policy language be revised to identify the specific provisions of this Act so that their implementation can be fully evaluated. The City should identify waste reduction incentives and programs for possible implementation.

**Major Local Issues:** N/A

**Sustainability** Natural Resource Preservation, Waste Reduction + Recycling, Energy Efficiency + Renewables, Community Economic Development, Community Health + Safety

*Policy 4.06.02.*

“The City shall continue to seek funding from State and County sources to assist in the operation and expansion of its recycling program.”

**Assessment:** Efforts to implement this policy are ongoing, no policy changes are recommended at this time.

**Major Local Issues:** N/A

**Sustainability** Natural Resource Preservation, Waste Reduction + Recycling, Energy Efficiency + Renewables, Community Economic Development, Community Health + Safety

*Policy 4.06.03.*

“The City shall promote new and expanded markets for products and materials created from recycled wastes through cooperative local, State, and federal efforts.”

**Assessment:** Efforts to implement this policy are on going however; the City should consider its own waste reduction policies in concert with seeking to purchase renewable and recycled materials. As written, this policy is too vague to provide meaningful implementation, consider re-writing. The City should explore implementing a green purchasing policy.

**Major Local Issues:** N/A

**Sustainability** Natural Resource Preservation, Waste Reduction + Recycling, Energy Efficiency + Renewables, Transportation Planning + Traffic Management, Community Economic Development, Community Health + Safety

*Policy 4.06.04.*

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“The City will continue to seek State funding for the purpose of establishing and expanding its proposed recycling program.”

**Assessment:** This policy is redundant, policy 4.06.02. Consider eliminating this policy.

**Major Local Issues:** N/A

**Sustainability** N/A

**OBJECTIVE 4.07. STORMWATER DRAINAGE PLANNING**

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“By September 2007, the City shall prepare and periodically update a master drainage plan, which shall provide for adequate stormwater drainage to afford reasonable protection from flooding, minimize degradation of receiving waters, and protect natural drainage features. (Amended 12/19/2006 by Ordinance 2006-28)”

**Assessment:** This objective has not been fully implemented. The City is currently working to implement this objective by completing a stormwater master drainage plan. Policy changes are likely to occur from the findings of the overall master plan and to ensure compliance.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

*Policy 4.07.01.*

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“The City shall require that new developments provide drainage systems, which meet the following standards:

- a. Water quantity level of service;
- b. Water quality level of service;
- c. Coordination with the drainage systems of the City and the County; and
- d. Standards of the SJRWMD.”

**Assessment:** Efforts to implement this policy are ongoing. Additional considerations may be necessary based on the completion of the City-wide stormwater master drainage plan. At this time, policy recommendations include adding a provision to require that use of the stormwater to be incorporated as part of an overall reclaimed water system and used for irrigation. This policy should be expanded to require that new development utilize low impact development practices and pervious materials for parking and sidewalks.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

*Policy 4.07.02.*

“The City shall prepare and periodically update a drainage evaluation study which will:

- a. Determine the volume, rate, timing, and pollutant load of runoffs where improvements have been made;
- b. Identify areas which have recurring drainage problems;
- c. Evaluate the extent to which water bodies are being impacted by the City’s stormwater discharges; and
- d. Determine where additional improvements are needed.”

**Assessment:** This policy has not been implemented at this time. Data provided from the completed stormwater master plan should provide baseline data for drainage studies in the future.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

*Policy 4.07.03.*

“Upon completion of the stormwater master drainage plan, the City shall identify procedures for correcting deficiencies and anticipating projected needs.”

**Assessment:** This policy has not been implemented. This policy may be implemented upon completion of its stormwater master drainage plan however; the policy should be revised to more specifically “identify procedures” for correcting deficiencies and anticipating projected needs.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

**OBJECTIVE 4.08. WATER QUALITY**

“The City shall ensure the provision of maximum feasible water quality and shall ensure that the impacts of point and non-point pollution sources to surface waters within the City are minimized.”

**Assessment:** Efforts to meet this objective are ongoing; it is recommended that the objective be expanded to include water conservation measures as an overall scheme to achieving maximum water quality. This objective should be expanded to include stormwater facilities. Additional policies should be considered to provide educational materials and outreach to the public about water conservation and personal pollution reduction measures. Explore polices to reduce fertilizers and pesticide application to limit nutrient loading of adjacent water bodies. Additional policies should be considered for ongoing coordination with the mills, port and any other major industrial or commercial uses.

**Major Local Issues:** Issue 4- Wetlands Regulation

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

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*Policy 4.08.01.*

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“Stormwater management systems in new developments shall be designed and constructed to provide maximum water quality and habitat benefits through appropriate side slopes, littoral zones, and adjacent uplands components.”

**Assessment:** Efforts to implement this objective are ongoing. Policy revisions for new stormwater management systems should incorporate Low Impact Development (LID) practices, in addition to the above standards. Consider general formatting of policies 4.08.01 and 4.08.02 to develop a bullet point list of required stormwater management needs for new development.

**Major Local Issues:** Issue 4- Wetlands Regulation

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

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*Policy 4.08.02.*

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“Stormwater management systems in new developments shall provide retention/detention of stormwater runoff to maintain surface water quality, to ensure percolation, and to reduce contamination to drainage canals, surface water, and groundwater. To ensure the continued function of retention/detention facilities, the City shall coordinate with the SJRWMD in its periodic inspection of permitted facilities.”

**Assessment:** Efforts to implement this policy are ongoing. Policy revisions to incorporate on-going maintenance of pervious materials (such as pervious asphalt, concrete or pavers) or other LID practices should be included as part of the inspection process. The City should establish a tracking system for ongoing coordination with the SJRWMD.

**Major Local Issues:** Issue 4- Wetlands Regulation

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

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*Policy 4.08.03.*

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“In conformance with State and federal regulations, commercial establishments which use, treat, store, generate, or transport toxic or hazardous substances shall prepare a plan which identifies the materials and how these materials will be handled and disposed of to preclude invasion of stormwater systems.”

**Assessment:** Efforts to implement this policy are ongoing. No changes are recommended at this time.

**Major Local Issues:** Issue 4- Wetlands Regulation

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

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*Policy 4.08.04.*

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“The City shall prohibit any development activity that would potentially endanger lives and/or harm property, water quality and quantity, or any other valued environmental system resulting from an alteration to existing drainage structures and natural drainage patterns.”

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**Assessment:** Efforts to implement this policy are ongoing. No changes are recommended at this time.

**Major Local Issues:** Issue 4- Wetlands Regulation

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

*Policy 4.08.05.*

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“New development should be encouraged to utilize stormwater management systems for urban landscape irrigation.”

**Assessment:** Efforts to implement this policy are ongoing. It is recommended that the policy language be strengthened to require use of stormwater as part of a new development’s irrigation plan and expanded to include all City projects.

**Major Local Issues:** Issue 4- Wetlands Regulation

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

*Policy 4.08.06.*

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- a. “The City shall coordinate with the SJRWMD and other State agencies in identifying and eliminating discharges of inadequately treated wastewater, including an identification of sources, notification to property owners of sites with a discharge of inadequately treated wastewater regarding options for retrofit to eliminate the discharge, and follow-up to ensure that the inadequately treated discharge has been eliminated. This effort shall be on-going.
- b. The City shall coordinate with SJRWMD and other State agencies to ensure that inadequately treated stormwater runoff into waters of the State is eliminated consistent with the standards established in the adopted master drainage plan.”

**Assessment:** This policy has not been fully implemented as the City does not have an adopted master drainage plan. Policy changes may need to be considered based on the findings of the completed master drainage plan. Establish procedures for ongoing coordination with the SJRWMD.

**Major Local Issues:** Issue 4- Wetlands Regulation

**Sustainability** Natural Resource Preservation, Water Quality, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

*Policy 4.08.07.*

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“The City shall further protect groundwater from point and nonpoint pollution sources by assisting the State and the SJRWMD in managing water quality by preventing the discharge of poor quality stormwater into public water bodies.

- a. Surface water management systems shall be designed and constructed to meet the following standards:
  1. Limit the allowable stormwater peak discharge as required in Policy 4.01.02.
  2. Incorporate a floodplain management standard which requires that no flood storage net reduction occur for any development within the impacted area. The intent is to allow some development to occur in the 100-year floodplain but only where drainage

improvements are constructed which provide compensatory storage in order to alleviate flood problems within the impacted area. However, no development shall be allowed within the 100-year floodway.

- b. All lakes and major tributaries within the City are class III waters. The City shall limit dredging activities to those that are approved by the DEP. Furthermore, the City shall ensure good water quality by coordinating with the DEP and the SJRWMD in monitoring the quality of stormwater run-off and all discharge. The City shall notify the appropriate agency with jurisdiction as potential issues or problems are identified. The City shall limit the use of class III waters to water dependent activities that are not contrary to the public interest and satisfy a community need.
- c. Water Quality Standard. Stormwater facilities shall be designed to meet the design and performance standards established in chapters 62-25 and 62-40, F.A.C., with treatment of the runoff from the first one (1) inch of rainfall on-site to meet the water quality standards required by chapter 62-302, F.A.C. Stormwater discharge facilities must be designed so as not to degrade the receiving water body below the minimum conditions necessary to assure the suitability of water for the designated use of its classification as established in chapter 62-3, F.A.C. Where a conflict exists between two (2) or more LOS standards, the more restrictive standard shall be enforced. “

**Assessment:** Efforts to implement this policy are ongoing. It is recommended that the policy be broken into three or four policies to better address all of its provisions and delete several of the duplicative statements that have been captured in other policies of this element. Policy changes may need to be considered based on the findings of the completed master drainage plan.

**Major Local Issues:** Issue 4- Wetlands Regulation

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

*Policy 4.08.08.*

“The City shall prohibit new direct wastewater discharges to surface waters, unless it is part of a wetland treatment process certified by the DEP.”

**Assessment:** Efforts to implement this policy are ongoing; it is recommended that only “treated” wastewater discharges be considered and evaluate for compliance with DEP standards. A local permit should be required.

**Major Local Issues:** Issue 4- Wetlands Regulation

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

*Policy 4.08.09.*

“The City shall assist the SJRWMD in managing water quality by developing and implementing methods for eliminating the discharge of inadequately treated wastewater and stormwater into waters of the State. The City shall require all new discharge to waters of the State to be consistent with State standards as stated in the Florida Administrative Code.”

**Assessment:** Efforts to implement this policy are ongoing; no changes are required.

**Major Local Issues:** Issue 4- Wetlands Regulation

**Sustainability** Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

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**OBJECTIVE 4.09. MANAGING SURFICIAL AQUIFER RECHARGE**

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“The City shall manage the natural ground water surficial aquifer recharge conditions and functions in a safe, effective and reliable manner in coordination with the County, the DEP, and the SJRWMD.”

**Assessment:** Efforts to implement this objective are ongoing. The objectives should be expanded to consider water conservation policies.

**Major Local Issues:** Issue 4- Wetlands Regulation, Issue 3- Annexation Plan

**Sustainability** Water Quality, Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

*Policy 4.09.01.*

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“The City will utilize the Ground Water Beach Resource Availability Inventory study for determining groundwater basins with the potential for recharge. If basins in the City are identified as recharge areas, the City shall then develop and implement protection measures which will protect the areas from impacts from developments.”

**Assessment:** Efforts to implement this policy are ongoing. This study needs to be re-evaluated as part of the stormwater drainage master plan and in an effort to develop water conservation strategies. Further, the City should develop protective policies for this resource.

**Major Local Issues:** Issue 4- Wetlands Regulation, Issue 3- Annexation Plan

**Sustainability** Water Quality, Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

*Policy 4.09.02.*

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“During the site plan review process, the City shall ensure the protection of groundwater recharge through one (1) or more of the following techniques:

- a. Minimum open space standards;
- b. Maximum impervious surface standards, including encouraging the use of pervious paving materials to reduce the extent of impervious surfaces;
- c. Requiring French drains, slab-covered trenches or drainage wells, and limitations on overflows;
- d. Allowing direct overland flow discharge to surface waters only when no other practical or effective method of stormwater discharge is possible; and
- e. Allowing positive drainage discharge to surface waters only when other methods are impractical or impossible, and only when adequate pollution control (grit and grease) is provided.”

**Assessment:** Efforts to implement this policy are ongoing; recommend including LID strategies.

**Major Local Issues:** Issue 4- Wetlands Regulation

**Sustainability** Water Quality, Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

*Policy 4.09.03.*

“The City’s land development regulations shall include land use controls, performance criteria, special erosion controls, stormwater management and water quality controls, landscaping, and flood management regulations that ensure adequate on-site retention and ground water recharge. These regulations shall also ensure that surplus runoff is directed to receiving waterways in a manner that prevents imbalance to their ecosystems. The programs shall be continually updated based on improved knowledge of problems, issues, and best management practices.”

**Assessment:** Efforts to implement this policy are ongoing; evaluate where the LDC can be strengthened.

**Major Local Issues:** Issue 4- Wetlands Regulation

**Sustainability** Water Quality, Natural Resource Preservation, Water + Sewage, Land Use + Urban Form, Community Economic Development, Community Health + Safety

*Policy 4.09.04.*

“The City shall ensure coordination of watershed management plans and policies, with appropriate local, regional, State and federal agencies. These agencies shall include but are not limited to Nassau County, SJRWMD, the NEFRPC, the DEP, the Agricultural Extension Service, the United States Army Corps of Engineers, and the U.S. Fish and Wildlife Service.”

**Assessment:** Efforts to implement this policy are ongoing; revise reference to the NEFRPC to NEFRC.

**Major Local Issues:** N/A

**Sustainability:** N/A



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## CONSERVATION AND COASTAL MANAGEMENT ELEMENT

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### Overview

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The goal of Conservation and Coastal Management Element (CCME) of the Fernandina Beach Comprehensive Plan is intended to provide direction for preservation, protection, and sensitive use of the City's natural and coastal resources. The conservation objectives and policies address protection of natural resources, such as wetlands, endangered and threatened species, vegetation, and environmentally sensitive lands. The coastal management objectives and policies address protection of the coastal environment, enhancement of public access, assurance of compatible development, and promotion of disaster preparedness. Partners involved in protecting these resources include Nassau County and state and federal agencies, as well as citizens and local businesses and organizations. Ongoing communication and coordinated efforts among these partners will be essential to ensuring the continued protection and preservation of the City's natural and coastal resources.

### Successes and Shortcomings

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Generally, the Conservation and Coastal Management Element is functioning well, but there is room for improvement. Numerous policies could be strengthened by providing for more specifics and clarifying vague language. Policies requiring coordination with state and federal agencies could be improved by indicating procedures for coordination, particularly regarding how often this coordination should occur. Most objectives and policies within the element have been either implemented or partially implemented, but in most instances, these objectives and policies could be updated or improved by providing for additional information. Several policies have yet to be implemented and should be.

Conservation and coastal management are inherently linked to community sustainability, and involve almost all of the identified sustainability building blocks: Greening the City, Water + Sewage, Energy Efficiency + Renewables, Atmospheric Change + Air Quality, Transportation + Traffic Management, Land Use + Urban Form, Housing + Community Development, Community Economic Development, Natural Resource Preservation, Cultural Resource Preservation, Community Health + Safety, and Disaster Preparedness. As part of the element review, existing policies have been identified with their associated sustainability building block(s). In addition to incorporating sustainability, **Table IV-5** summarizes the legislative updates to the Conservation and Coastal Management Element need to be addressed:

**Table IV-5 Legislative Updates and Requirements for the Conservation & Coastal Element**

STATUTE REF.	DESCRIPTION
163.3178(2)(g)	Expands requirement of coastal element to include strategies that will be used to preserve recreational and commercial working waterfronts, as defined in s.342.07, F.S.
163.3177(6) (g) 2.	Adds new paragraph encouraging local governments with a coastal management element to adopt recreational surface water use policies; such adoption amendment is exempt from the twice per year limitation on the frequency of plan amendment adoptions. Ch. 2006-220, LOF.
163.3178(9)(b)	Adds a new section establishing a level of service for out-of-county hurricane evacuation of no greater than 16 hours for a category 5 storm for any local government that wishes to follow the process in s.163.3178(9)(a) but has not established such a level of service by July 1, 2008. Ch. 2006-68, LOF.
163.3178(2)(c)	Requires local governments to amend their Future Land Use Map and coastal management element to include the new definition of the CHHA, and to depict the CHHA on the FLUM by July 1, 2008. Ch. 2006-68, LOF.
163.3177 (6)(a, b, d, f)	Requires that the future land use element include greenhouse gas reduction strategies, that the element discourage urban sprawl and be based upon energy-efficient land use patterns that account for future electrical power generation and transmission systems. Requires that the traffic circulation element of the comprehensive plan incorporate strategies to address the reduction of greenhouse gas emissions from the transportation sector. Requires that the conservation element address energy conservation and that the land use map series identify and depict energy conservation. Requires the housing element to contain standards, plans and principles to be followed to address energy efficiency in the design and construction of new housing.
HB 697	Requires Future Land Use Element be based on data and studies that demonstrate: 1. discouragement of urban sprawl 2. Energy efficient land use patterns that account for existing and future eclectic power generation and transmission systems, 3. Greenhouse gas reduction strategies, 4. the FLUM must be amended to depict Energy Conservation Areas
HB 697	Requires TCE to be amended to incorporate transportation strategies to reduce GCG emissions
HB 697	Requires Conservation Element to address “factors that affect energy conservation.”
FAC- 9J-5.012(3) (Florida Administrative Code)	Requires that all coastal jurisdictions include in their CME one or more specific objectives to support a goal to prepare post-disaster redevelopment plans that will reduce or eliminate the exposure of human life and public and private property to natural hazards.

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**Objective and Policy Review****OBJECTIVE 5.01. PUBLIC BEACH ACCESS**

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“The City shall continue to maintain, improve, and increase public beach access through acquisition and other land use controls.”

**Assessment:** Efforts to meet this objective are ongoing.

**Major Local Issues:** N/A

**Sustainability:** Community Health + Safety

*Policy 5.01.01.*

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“The City shall maintain an inventory of public beach access points, including number, location, design, and availability of parking.”

**Assessment:** Efforts to meet this policy are ongoing; actions recommended include updates to inventory on an annual basis and to develop policy to update way-finding signage on regular basis.

**Major Local Issues:** N/A

**Sustainability:** Community Health + Safety

*Policy 5.01.02.*

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“The City shall require, where appropriate, the dedication of public access to beaches from developments located within the coastal area.”

**Assessment:** Efforts to meet this policy are ongoing; the following updates are recommended:

- Revise policy to read “private developments” instead of “developments.”
- Ensure beaches remain open for public access and are not limited to private access.

**Major Local Issues:** N/A

**Sustainability:** Community Health + Safety

*Policy 5.01.03.*

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“The City shall not vacate necessary existing rights-of-way, easements, walkways, and other access points to beaches and shores.”

**Assessment:** Efforts to meet this policy are ongoing; revise the policy to read “... and other properties necessary for public access to beaches, shores and other waterways.”

**Major Local Issues:** N/A

**Sustainability:** Community Health + Safety

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*Policy 5.01.04.*

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“The City shall promote, through dedication or other means, increased facilities for public beaches.”

**Assessment:** Efforts to implement this policy are ongoing; consider revising language to clarify actions to “promote” and define “increased facilities.”

**Major Local Issues:** N/A

**Sustainability:** Community Health + Safety

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*Policy 5.01.05.*

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“The City shall not allow private landowners adjacent to public beach access points, including easements, to restrict public access to the beaches through those access points.”

**Assessment:** Efforts to implement this policy are ongoing; no changes are required.

**Major Local Issues:** N/A

**Sustainability:** Community Health + Safety

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**OBJECTIVE 5.02. DUNE PRESERVATION**

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“The City shall implement a beach and dune management program to ensure the protection, conservation, and enhancement of the coastal barrier dunes and beaches within the City.”

**Assessment:** This objective has been partially implemented. The following actions are recommended:

- Evaluate the effectiveness of the Coastal Upland Protection Zone regulations in the Land Development Code.
- Coordinate with the Department of Environmental Protection to ensure protective strategies are appropriate.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation

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*Policy 5.02.01.*

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“The City will identify and prioritize those beaches and dune systems which are in need of protection, enhancement and re-nourishment.”

**Assessment:** This policy has been partially implemented. The following actions are recommended:

- Establish a methodology to identify and prioritize beach and dune systems.
- Evaluate the effectiveness of the Coastal Upland Protection Zone regulations in the Land Development Code.
- Coordinate with the Department of Environmental Protection to ensure protective strategies are appropriate.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation

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*Policy 5.02.02.*

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“The dune management program will strictly limit excavation, destruction of native vegetation, and other activities which cumulatively or separately interfere with the normal transport of dune sediments or interfere with the natural protection afforded by natural beach dunes and dune systems.”

**Assessment:** This policy has yet to be implemented. The following actions are recommended:

- Establish a dune management program that addresses excavation, native vegetation, and other activities.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation

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*Policy 5.02.03.*

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“The City shall implement standards for dune protection at public and private crossovers, stabilization, and restoration projects.”

**Assessment:** Efforts to meet this policy are ongoing; however, the following actions are recommended:

- Coordinate with DEP regarding standards for dune protection.
- Adopt City policies addressing dune protection at crossovers.
- Identify deficient access points, such as those with no crossovers.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation and Community Health + Safety

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*Policy 5.02.04.*

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“The City shall require professional evaluation of the potential for beach erosion as part of the site plan and permitting process for any coastal structure.”

**Assessment:** This policy has yet to be implemented. The following actions are recommended:

- Adopt LDC regulation requiring professional evaluation of potential for beach erosion as part of the site plan and permitting process.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation and Land Use + Urban Form

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*Policy 5.02.05.*

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“No motorized vehicles will be allowed on dune systems except in an emergency situation as designated by the local civil defense agency.”

**Assessment:** Efforts to implement this policy are ongoing; consider policies that provide an enforcement mechanism through cooperation with the City Police Department.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation

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*Policy 5.02.06.*

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“The City shall coordinate with DEP in evaluating the location of the CCCL.”

**Assessment:** Efforts to implement this policy are ongoing; revise language to coordinate with DEP on an annual basis.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation and Land Use + Urban Form

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*Policy 5.02.07.*

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“The City shall guide and direct the location, construction, and maintenance of development adjacent to the Atlantic shoreline. Implementation of this policy shall include design standards to address the following issues:

- a. Avoiding adverse impacts on the contours and topography 1,000 feet landward of the CCCL;
- b. Preservation of existing vegetation;
- c. Maximum impervious surface;
- d. Allowance of shore-hardening structures;
- e. Setbacks for shoreline protection;
- f. Construction standards in hurricane vulnerability zones;
- g. Reconstruction of existing hard erosion control structures;
- h. Underground storage tanks; and
- i. Location of septic tanks.”

**Assessment:** Efforts to implement this policy are ongoing; the following updates are recommended:

- Consider implementation of overlay district for area adjacent to Atlantic Shoreline and establish design standards for this district addressing above issues.
- Locate existing underground storage tanks, location of septic tanks, and existing hard erosion control structures, and incorporate into City GIS mapping system.
- Add a policy that eliminates use septic tanks throughout the City

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation, Land Use + Urban Form, Disaster Preparedness and Water + Sewage

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*Policy 5.02.08.*

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“The City shall request that the DEP promptly notify the City of all applications within Nassau County seeking variances or other relief from the CCCL.”

**Assessment:** Efforts to implement this policy are ongoing; no changes are required.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation and Land Use + Urban Form

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**OBJECTIVE 5.03. HAZARD MITIGATION**

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“The City shall protect the safety of residents and visitors through limitations on development within the Coastal High Hazard Area, preparation of a post-disaster plan, and through maintaining evacuation routes and standards for evacuation times.”

**Assessment:** Efforts to implement this objective are ongoing. A draft Post Disaster Redevelopment Plan (PDRP) was completed in June, 2009. The City worked with Nassau County through the development of its PDRP. It is expected that the final PDRP will be released in the Fall of 2009.

**Major Local Issues:** N/A

**Sustainability:** Disaster Preparedness and Land Use + Urban Form

*Policy 5.03.01.*

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“The City shall coordinate with Nassau County for the safe evacuation of the coastal population in accordance with Nassau County’s hurricane evacuation plan.”

**Assessment:** Efforts to implement this policy are ongoing; no changes are required.

**Major Local Issues:** N/A

**Sustainability:** Disaster Preparedness, Transportation Planning + Traffic Management and Community Health + Safety

*Policy 5.03.02.*

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“The City shall prioritize the improvement of transportation facilities to give special consideration to routes for hurricane evacuation.”

**Assessment:** Efforts to implement this policy are ongoing, but needs to be updated or revised as follows:  
“The City shall prioritize the improvement of City transportation facilities to give special consideration to routes for hurricane evacuation, and shall coordinate with the State and Nassau County to prioritize improvement of State and County transportation facilities necessary for hurricane evacuation.”

**Major Local Issues:** N/A

**Sustainability:** Disaster Preparedness, Transportation Planning + Traffic Management and Community Health + Safety

*Policy 5.03.03.*

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“The City shall coordinate with the County’s emergency services director whenever the County updates its hurricane evacuation plan and disaster preparedness plan. An analysis of the existing plans shall consider the following:

- a. Road carrying capacities as compared to the needs of the main evacuation routes, based upon population to be evacuated;
- b. Number and adequacy of shelters to serve the City’s population;
- c. Methods of issuing evacuation orders to ensure all residents are adequately notified and, if necessary, assisted during evacuation;
- d. Adequacy of educational information available and reaching the public regarding shelters, evacuation routes, emergency assistance, and enforcement of evacuation orders; and

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e. Current information on the number and location of special needs population.”

**Assessment:** Efforts to implement this policy are ongoing; no changes are required.

**Major Local Issues:** N/A

**Sustainability:** Disaster Preparedness, Transportation Planning + Traffic Management and Community Health + Safety

*Policy 5.03.04.*

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“The City shall provide a hurricane guide showing evacuation routes, hurricane hazards, safety procedures, shelters, and other pertinent information for its citizens.”

**Assessment:** This policy has been implemented. Policy revisions should include provisions for an annual timeline for the creation of the hurricane guide and identify/ update contact information.

**Major Local Issues:** N/A

**Sustainability:** Disaster Preparedness and Community Health + Safety

*Policy 5.03.05.*

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“The City shall develop and maintain a post-disaster redevelopment plan to address strategic actions necessary to establish order, communication, and basic service delivery systems necessary for health, safety, and welfare following a hurricane or other natural disaster. This plan shall be reviewed with the County’s civil defense officer for compliance with the local peacetime emergency plan.”

**Assessment:** This policy has yet to be fully implemented; it is recommended that City staff continue to coordinate with Nassau County on implementation of the Post Disaster Redevelopment Plan and either adopt this plan by reference in the EAR-base amendments or work towards developing a version of this plan for the City.

**Major Local Issues:** Issue 1 – Neighborhood Preservation

**Sustainability:** Disaster Preparedness and Community Health + Safety

*Policy 5.03.06.*

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“The post-disaster redevelopment plan should provide a basis for executing the following activities during times of natural disaster:

- a. Establishing a temporary moratorium on building activity;
- b. Reviewing and deciding upon emergency building permits;
- c. Coordinating with State and federal officials to prepare disaster assistance applications;
- d. Analyzing and recommending to the City Commission hazard mitigation options, including reconstruction or relocation of damaged public facilities;
- e. Developing a redevelopment plan including limitations on redevelopment in areas which have historically experienced destruction or severe damage from storm surge, waves, erosion, or other manifestations of storm-driven waters;
- f. Recommending amendments to the local peacetime emergency plan and other appropriate policies and procedures;
- g. Distinguishing between immediate repair and cleanup action needed to protect public health and safety and long-term repair and redevelopment activities;

- h. Incorporating applicable recommendations of interagency hazard mitigation reports into the FBCP;
- i. Determining the removal, relocation, or structural modification of damaged and unsafe structures;
- j. Considering development credits or transfer of development rights for use as incentives to reduce rebuilding damaged structures in the coastal high hazard area; and
- k. Recommending techniques and methods that lower densities along the oceanfront.”

**Assessment:** This policy is redundant; include language in Policy 5.03.05, and update to reference the post-disaster plan for historic and cultural resources.

**Major Local Issues:** Issue 1 – Neighborhood Preservation

**Sustainability:** Disaster Preparedness, Community Health + Safety, Land Use + Urban Form, Housing + Community Development, Community Economic Development, Natural+ Cultural Resource Preservation, Transportation Planning + Traffic Management, Water + Sewage and Energy Efficiency + Renewables

*Policy 5.03.07.*

“In the event that the City is included in a presidential disaster declaration, the City shall use the interagency hazard mitigation report as the basis for prohibiting redevelopment of uses which are inconsistent with the report’s recommendations. Additionally, the City shall use the interagency hazard mitigation report to prevent new uses, which are inconsistent with report’s recommendations, from locating in the area included in the presidential disaster declaration. Finally, should an interagency hazard mitigation report be issued for the City, the City shall consider adopting a program for eliminating existing uses which are inconsistent with the report’s recommendations.”

**Assessment:** Efforts to implement this policy are ongoing; no changes are required.

**Major Local Issues:** N/A

**Sustainability:** Disaster Preparedness and Land Use + Urban Form

*Policy 5.03.08.*

“The City shall require the redevelopment of any structure that received storm-damage in excess of fifty (50) percent of the structure’s appraised value, as determined by the County property appraiser to meet all current laws and ordinances, including those enacted since construction of the subject structure.”

**Assessment:** Efforts to implement this policy are ongoing; revisions needed to address exemptions to this policy for historic structures.

**Major Local Issues:** Issue 1 – Neighborhood Preservation

**Sustainability:** Housing + Community Development and Cultural Resource Preservation

*Policy 5.03.09.*

“The City shall coordinate coastal area population densities with hurricane evacuation plans. The City shall enforce land development regulations which ensure that land use decisions impacting population density within the category 1 evacuation area, as delineated in the Northeast Florida Regional Hurricane Evacuation Study, and the category 1 and 2 inundation zones are coordinated with the County’s hurricane evacuation plan and applicable regional or State hurricane evacuation plans.”

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**Assessment:** Efforts to implement this policy are ongoing; no changes are required.

**Major Local Issues:** N/A

**Sustainability:** Disaster Preparedness, Land Use + Urban Form and Community Health + Safety

*Policy 5.03.10.*

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“Disaster preparedness plans shall address the needs of special needs populations, including evacuation and specific shelter requirements.”

**Assessment:** Efforts to implement this policy are ongoing; revisions should include special needs populations in the City hurricane guide.

**Major Local Issues:** N/A

**Sustainability:** Disaster Preparedness and Community Health + Safety

*Policy 5.03.11.*

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“The City shall require new public buildings, such as schools and other government buildings, to be suitably constructed so that they can be utilized as evacuation shelters.”

**Assessment:** Remove policy. The City is a Category 1 Evacuation Zone and cannot provide evacuation shelters.

**Major Local Issues:** N/A

**Sustainability:** N/A

*Policy 5.03.12.*

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“The City shall continually coordinate with the County’s emergency services department to develop a plan for reducing the hurricane evacuation time for the City and Amelia Island by ten (10) percent within the planning period.”

**Assessment:** Efforts to implement this policy are ongoing; it is recommended that the policy be revised to read “County’s Emergency Management Department.”

**Major Local Issues:** N/A

**Sustainability:** Disaster Preparedness and Community Health + Safety

*Policy 5.03.13.*

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“The City shall continually coordinate with the County’s emergency services department to ensure that adequate hurricane shelters are available to serve the City’s residents and visitors.”

**Assessment:** Efforts to implement this policy are ongoing; the following actions are recommended:

- Revise language to read “County’s Emergency Management Department.”
- Revise language to acknowledge hurricane shelters are off-island.

**Major Local Issues:** N/A

**Sustainability:** Disaster Preparedness and Community Health + Safety*Policy 5.03.14.*

“The City shall protect the coastal zone, through programs such as the following:

- a. Identifying areas needing redevelopment;
- b. Eliminating unsafe conditions and inappropriate uses;
- c. Identifying mechanisms for the relocation of structures significantly damaged in major hurricane events;
- d. Ensuring that land acquisition programs include provisions for the possible redirection of funds to acquire estuarine properties which should not be redeveloped following a major hurricane; and
- e. Discouraging the rebuilding and redevelopment of facilities which encourage growth in hazardous areas, except for necessary services for existing development.”

**Assessment:** Policy is redundant. Include language in Policy 5.03.05 regarding post-disaster development planning.

**Major Local Issues:** Issue 1 – Neighborhood Preservation

**Sustainability:** Disaster Preparedness, Natural Resource Preservation and Land Use + Urban Form

**OBJECTIVE 5.04. WATER-RELATED FACILITIES**

“The City shall protect shorelines and waterfront lands in order to ensure adequate and appropriate locations for water-dependent and water-related uses.”

**Assessment:** Efforts to implement this objective are ongoing; include updates regarding waterfronts legislation in this section.

**Major Local Issues:** N/A

**Sustainability:** Natural+ Cultural Resource Preservation, Land Use + Urban Form and Community Health + Safety

*Policy 5.04.01.*

“The City shall guide and direct the location of all future water-dependent and water-related uses according to the following criteria:

- a. Directing marinas to preferred locations, such as those adjacent to existing channels and passes, and in areas where little dredging and maintenance would be required;
- b. Directing the development of dry dock facilities to locations that are upland of marina sites;
- c. Requiring sewage pump-out facilities at all marinas and adequate fuel spill containment facilities at those marinas which sell petroleum products;
- d. Protecting shoreline and waterfront areas in order to provide locations for marine/estuarine related uses, such as commercial and recreational fishing, boating, and other water-dependent uses and activities; and
- e. Prohibiting the construction of causeways within estuaries and requiring bridges with pilings instead.”

**Assessment:** Efforts to implement this policy are ongoing; policy addition to consider adopting a priority test for locating water-dependent and water-related uses.

**Major Local Issues:** N/A

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**Sustainability:** Natural & Cultural Resource Preservation, Land Use + Urban Form and Community Economic Development

*Policy 5.04.02.*

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“The City shall develop and implement standards for marinas and marine-related facilities which include setbacks, height limitations, parcel size, architectural guidelines, maintenance, containment of stormwater runoff, wastewater disposal, and wash down water for dry storage areas.”

**Assessment:** This policy has not been fully implemented; update supplemental standards in Land Development Code to address the above issues and consider adoption of “Clean Marina” standards.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation, Land Use + Urban Form and Water + Sewage

*Policy 5.04.03.*

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“Existing marina facilities shall be allowed to continue operation provided these facilities meet the City's adopted operational standards.”

**Assessment:** Efforts to implement this policy are ongoing; no changes are required.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation, Land Use + Urban Form and Water + Sewage

*Policy 5.04.04.*

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“The City shall encourage new and expanded marina facilities to utilize dry storage to the fullest extent possible.”

**Assessment:** Efforts to implement this policy are ongoing; no changes are required.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation and Land Use + Urban Form

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#### **OBJECTIVE 5.05. COASTAL PROTECTION**

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“The City shall protect coastal native vegetation, wetlands, living marine resources, coastal barriers, and wildlife habitat, by restricting development which will cause an adverse impact to these natural resources.”

**Assessment:** Efforts to implement this objective are ongoing; recommended include revising the title to read “water resource protection” instead of “coastal protection” and include waterways in list of protected resources.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Natural Resource Preservation, Land Use + Urban Form and Community Health + Safety

*Policy 5.05.01.*

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“The City shall maintain water quality at the designated standards for the appropriate water body classification.”

**Assessment:** Efforts to implement this policy are ongoing; it is recommended that the City identify the department responsible for maintaining water quality and describe assessment process.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation, Land Use + Urban Form and Water + Sewage

*Policy 5.05.02.*

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“The City will monitor and participate, when necessary, in permitting activities of other regulatory agencies for projects which may impact the quality of the coastal area and waterways.”

**Assessment:** Efforts to implement this policy are ongoing; policy should be revised to include coastal area, waterways, and wetlands.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Natural Resource Preservation, Land Use + Urban Form and Water + Sewage

*Policy 5.05.03.*

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“The City shall restrict development which could adversely impact the quality of natural resources in the coastal area. When impacts are allowable to marine life, wildlife, water quality, and other natural resources, the impacts shall be mitigated according to the rules and regulations of the DEP and the SJRWMD.”

**Assessment:** Efforts to implement this policy are ongoing; the policy should be revised to address how development is to be restricted to achieve this policy goal.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Natural Resource Preservation and Land Use + Urban Form

*Policy 5.05.04.*

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“The City shall continue to coordinate with all relevant regulatory agencies to ensure all new development or redevelopment activities, which have the potential to impact aquatic preserves, have been properly reviewed and permitted within the guidelines of the Ft. Clinch State Park and the Nassau/St. Johns River management plans set forth by the DEP.”

**Assessment:** Efforts to implement this policy are ongoing; no changes are required.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation and Land Use + Urban Form

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*Policy 5.05.05.*

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“The City will actively pursue the protection and enhancement of water quality and quantity for wildlife propagation, fishing, shellfishing, recreation, navigation, and other related activities, and shall restore class II waters to their original condition. Activities to accomplish this policy shall include the following:

- a. Continue the proper maintenance of the City's wastewater treatment plant to ensure its operating procedures and effluent disposal continue to meet or exceed all State and federal water quality standards;
- b. Continue to encourage the pulp mills located in the City to conduct regular testing of waters at their outfalls and to meet or exceed all State and federal water quality standards; and
- c. Prohibit future development and activities which would degrade existing class II waters or impede the restoration of existing class III waters to class II waters.”

**Assessment:** Efforts to implement this policy are ongoing; the following updates are recommended:

- Require annual reporting to ensure water quality standards are met.
- Identify developable parcels adjacent to class II or III waters and update Land Development Code to address future development and activities.
- Consider expanding the Coastal Upland Protection Zone to all waterways.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Natural & Cultural Resource Preservation, Land Use + Urban Form and Water + Sewage

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*Policy 5.05.06.*

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“Docks and piers shall not obstruct or materially alter natural water flow or restrict navigation.”

**Assessment:** Efforts to implement this policy are ongoing; the following updates are recommended:

- Adopt supplemental standards in Land Development Code to address docks and piers.
- Revise policy to include other water structures: seawalls, jetties, wharves, boat ramps, boardwalks, and boat houses.
- Acknowledge DEP and Army Corp permitting process.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Natural Resource Preservation

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*Policy 5.05.07.*

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“The City shall identify, regulate, and mitigate adverse impacts to water resources.”

**Assessment:** Remove policy. Current language is vague and specific policies to address adverse impacts to water resources should be located elsewhere in this section.

**Major Local Issues:** N/A

**Sustainability:** N/A

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*Policy 5.05.08.*

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“In the event that mineral and/or oil exploration is undertaken off the Northeast Florida coast, a contingency plan shall be developed within one (1) year of announced exploration. The contingency plan shall address:

- a. Identification of the City’s natural resources that could be potentially impacted;
- b. Identification of potential impacts to the City’s natural resources;
- c. Methods of mitigation;
- d. Means of coordinating with permitting agencies; and
- e. Responses to hazardous events.”

**Assessment:** Efforts to implement this policy are ongoing; no change is required.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation

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**OBJECTIVE 5.06. DREDGE AND FILL**

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“The City shall ensure that all approved dredge and/or fill activities shall be conducted in a manner which minimizes adverse impacts on natural ecosystems and water quality, allows for adequate flushing of a newly constructed waterway, and maintains water circulation patterns within estuaries and tributaries.”

**Assessment:** Efforts to implement this objective are ongoing.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Natural Resource Preservation and Land Use + Urban Form

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*Policy 5.06.01.*

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“The construction of canals and man-made waterways shall not be permitted within the City’s corporate limits until approved by all agencies with regulatory jurisdiction.”

**Assessment:** Efforts to implement this policy are ongoing; policy should be revised to include drainage ditches and stormwater ponds in addition to canals and man-made waterways.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Natural Resource Preservation and Land Use + Urban Form

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*Policy 5.06.02.*

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“All approved dredge and/or fill activities shall be conducted in a manner which minimizes adverse impacts on natural ecosystems and water quality, and allows for adequate flushing of any newly constructed waterways resulting from dredging.”

**Assessment:** Efforts to implement this policy are ongoing; no changes are required.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Natural Resource Preservation

*Policy 5.06.03.*

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“All dredge spoil material shall be placed on suitable disposal sites approved by all agencies with regulatory jurisdiction.”

**Assessment:** Efforts to implement this policy are ongoing; no changes are required.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Natural Resource Preservation and Community Health + Safety

*Policy 5.06.04.*

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“Approved best management practices, as published by the DEP, shall be used before, during, and after construction to reduce siltation and erosion.”

**Assessment:** Efforts to implement this policy are ongoing; policy revisions should incorporate reference to DEP’s best management practices into the LDC for before, during, and after construction.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Natural Resource Preservation and Water + Sewage

*Policy 5.06.05.*

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“Seawalls and other shoreline modifications shall be set at, or landward of, the mean high-water line, except as provided by law. The City and other agencies having regulatory jurisdiction shall coordinate in establishing appropriate setbacks.”

**Assessment:** Efforts to implement this element are ongoing; no changes are required.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation and Community Health + Safety

*Policy 5.06.06.*

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“The City's land development regulations will provide for control and permitting of all on-site changes in land contours associated with dredging and filling activities.”

**Assessment:** This policy has been partially implemented. It is recommended that the City evaluate strategies for control and permitting in areas other than the Coastal Upland Protection Zone.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Natural Resource Preservation and Land Use + Urban Form

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**OBJECTIVE 5.07. COASTAL HIGH-HAZARD AREAS**

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“The City shall protect property, residents, and visitors within the coastal high hazard area. Protection shall be provided through appropriate designations on the Future Land Use Map to ensure that population is directed away from the coastal high hazard area, limitations on construction of infrastructure in the coastal high hazard area, and coordination with hazard mitigation and post-disaster plans.”

**Assessment:** Efforts to implement this objective are ongoing.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form, Disaster Preparedness, Community Health + Safety, Housing + Community Development and Community Economic Development

*Policy 5.07.01.*

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“All new permanent building construction shall meet the standards of the national flood insurance program and the City’s floodplain protection regulations, including:

- a. Nonresidential construction within the coastal high hazard area shall meet storm and flood proofing standards exceeding those required for a 100-year storm; and
- b. If a structure located within the CHHA receives storm damage in excess of fifty (50) percent of its appraised value, all such damaged structures shall be required to meet all current laws and ordinances, including those enacted since construction of the subject structure.”

**Assessment:** Efforts to implement this objective are ongoing; revise to eliminate subsection (b) as included in Policy 5.03.08, or retain policy here, but address exemption for historic structures.

**Major Local Issues:** N/A

**Sustainability:** Housing + Community Development and Cultural Resource Preservation

*Policy 5.07.02.*

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“Proposed development shall be evaluated for impacts on traffic circulation, evacuation routes, critical locations, on-site hurricane shelter provisions, and proximity to off-site shelter facilities.”

**Assessment:** Efforts to implement this policy are ongoing; the following updates are recommended:

- Clarify “on-site hurricane shelter provisions;” public shelters not permissible on the island.
- Clarify “critical locations.”
- Revise “off-site shelter facilities” to read “off-island shelter facilities.”

**Major Local Issues:** N/A

**Sustainability:** Disaster Preparedness, Community Health + Safety, Land Use + Urban Form and Transportation Planning + Traffic Management

*Policy 5.07.03.*

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“The City shall not allow public expenditures for infrastructure improvements which subsidize increases in development in the CHHA. An increase in development means a change in land use to a more dense or intense category or a redevelopment activity which increases density or intensity. Improvements to a facility which are necessary to address a deficiency, necessary to serve the existing population, and constructed in a manner that minimizes impacts from storm events may be allowable.”

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**Assessment:** Efforts to implement this policy are ongoing; the following updates are recommended:

- Address development in the Community Redevelopment Area west of Front Street to make language in this policy compatible with 5.07.04.
- Update map of CHHA boundaries utilizing best available data.

**Major Local Issues:** N/A

**Sustainability:** Disaster Preparedness, Land Use + Urban Form, Housing + Community Development and Community Economic Development

*Policy 5.07.04.*

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“The City shall prohibit amendments to the FLUM which result in a net increase in residential density in the CHHA except within the Community Redevelopment Area. Density increases are permitted within the CHHA for parcels in the WMU Future Land Use category if the criteria in Policy 1.06.09(e) are met. (Amended 12/19/2006 by Ordinance 2006-28)”

**Assessment:** Efforts to implement this policy are ongoing; update map of CHHA boundaries utilizing best available data.

**Major Local Issues:** N/A

**Sustainability:** Disaster Preparedness, Land Use + Urban Form and Housing + Economic Development

*Policy 5.07.05.*

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“The City shall maintain a list of infrastructure facilities located in the CHHA which could be relocated, mitigated or replaced should State funding become available for such activities. It is the City’s intent to relocate, replace, or mitigate impacts to listed infrastructure facilities as funds become available.”

**Assessment:** This policy has yet to be implemented; policy revisions should include state “and federal” funding.

**Major Local Issues:** N/A

**Sustainability:** Housing + Community Development, Land Use + Urban Form, Transportation Planning + Traffic Management, Water + Sewage and Energy Efficiency + Renewables

*Policy 5.07.06.*

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“The City shall continue to allow development within the CHHA; however, the City shall direct population concentrations, including nonresidential development, away from the CHHA. Development and/or redevelopment in the CHHA shall not increase the intensity currently allowed by the Comprehensive Plan. (Amended 12/19/2006 by Ordinance 2006-28)”

**Assessment:** Efforts to implement this policy are ongoing; recommended changes include revision to clarify first sentence and to address Community Redevelopment Area.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form and Housing + Community Development

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**OBJECTIVE 5.08. NATURAL RESOURCE PROTECTION**

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“The City shall protect ecological systems which are sensitive to development impacts and provide important natural functions for maintenance of environmental quality and wildlife habitats.”

**Assessment:** Efforts to implement this objective are ongoing; the following actions are recommended:

- Create separate objective addressing wetland protection and move wetland-related policies in this section to the new objective.
- Address other natural resources in this section, such as wildlife, trees and vegetation, open space, and scenic corridors.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Natural Resource Preservation, Land Use + Urban Form and Community Health + Safety

*Policy 5.08.01.*

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“Wetlands and other environmentally sensitive lands shall be depicted on the FLUM as “conservation” in order to ensure maximum protection.”

**Assessment:** This policy has yet to be implemented; the following updates are recommended:

- Define wetlands and how they are to be delineated;
- Define environmentally sensitive lands.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Natural Resource Preservation and Land Use + Urban Form

*Policy 5.08.02.*

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“The City shall protect open space, trees and native vegetation, scenic corridors, and wildlife habitats.”

**Assessment:** Efforts to implement this policy are ongoing; the following updates are recommended:

- Specify how the City will implement these protection efforts.
- Adopt separate policies to address each issue independently.

**Major Local Issues:** N/A

**Sustainability:** Natural & Cultural Resource Preservation, Land Use + Urban Form, Atmospheric Change + Air Quality and Community Health + Safety

*Policy 5.08.03.*

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“The City shall coordinate with the DEP and the SJRWMD to prohibit illegal development in wetland areas and require that these areas be restored and/or mitigated if such illegal development occurs.”

**Assessment:** This policy has yet to be implemented; the following updates are recommended:

- Adopt coordination policy with DEP and SJRWMD to detect illegal wetland development.
- Establish policy with DEP and SJRWMD regarding restoration and mitigation in the event illegal development in wetlands occurs.

**Major Local Issues:** Issue 4 – Wetland Regulation

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**Sustainability:** Natural Resource Preservation*Policy 5.08.04.*

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“The City shall ensure the protection and mitigation of wetlands, consistent with existing State and federal regulations, and shall ensure the following:

- a. Appropriate land uses which will have little or no adverse impact on wetlands;
- b. Standards and criteria for wetlands which possess significant functional value; and
- c. Activities that would provide direct public benefits and that would exceed those benefits lost to the public as a result of the degradation or destruction of wetlands.”

**Assessment:** This policy has not been fully implemented; the following actions are recommended:

- Revise policy to read “The City shall protect and mitigate for loss of wetlands, consistent with existing State and federal regulations, by ensuring the following...”
- Clarify how City will ensure appropriate land uses which will have little or no adverse impact on wetlands.
- Identify wetlands with significant functional value, and establish standards and criteria for their protection.
- Clarify statement (c).
- Consider incorporating no net loss policy for wetlands.

**Major Local Issues:** Issue 4 – Wetlands Regulation**Sustainability:** Natural Resource Preservation, Land Use + Urban Form and Community Health + Safety*Policy 5.08.05.*

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“The City shall protect estuarine systems and water quality through the following requirements:

- a. Marinas shall contain sewage pump-out facilities and, for those which sell petroleum and other such products, adequate spill containment equipment shall be required;
- b. Permits from all agencies with regulatory jurisdiction shall be required prior to any construction of canals, manmade waterways, or any other dredge and fill activities;
- c. All development shall comply with the City’s water quality standards; and
- d. Coordination with regional, State, and federal agency programs to improve the class III waters in the Intracoastal Waterway.”

**Assessment:** This policy has not been fully implemented; the following actions are recommended:

- Adopt separate policies to address each issue independently.
- Remove Policy 5.08.05(b). It is redundant and addressed in Policy 5.06.01.
- Clarify City’s water quality standards.
- Specify coordination policy to improve the class III waters in the Intracoastal Waterway.

**Major Local Issues:** N/A**Sustainability:** Natural Resource Preservation and Water + Sewage

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*Policy 5.08.06.*

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“The City shall protect wetlands from impacts of adjacent development, and shall ensure:

- a. Proper siting of development structures and infrastructure, including clustering of dwelling units away from wetlands;
- b. Location of buffer zones of native vegetation around wetlands and surface water bodies to prevent erosion, retard runoff, and provide habitat; and
- c. Setback of buildings and other structures from wetlands and water bodies.”

**Assessment:** Efforts to implement this policy are ongoing; no changes are required.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Natural Resource Preservation, Land Use + Urban Form and Housing + Community Development

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*Policy 5.08.07.*

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“The City shall limit the density of dwelling units within FEMA designated 100-year floodplains to the low-density land use classification (zero (0) to four (4) dwelling units per acre) so that existing flood storage is maintained and allowable densities do not create potential flood hazards, or degrade the natural functions of the floodplain.”

**Assessment:** Efforts to implement this policy are ongoing; the following updates are recommended:

- Revise policy to acknowledge existing instances of this development.
- Evaluate feasibility of reducing density in these areas.
- Map existing density in the 100-year floodplain.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Land Use + Urban Form, Housing + Community Development, Disaster Preparedness and Community Health + Safety

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*Policy 5.08.08.*

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“Hazardous materials or hazardous waste shall not be stored within the floodplain.”

**Assessment:** This policy has yet to be implemented; recommended actions include updates to the LDC to reference this policy.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Natural Resource Preservation and Community Health + Safety

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*Policy 5.08.09.*

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“The City shall protect environmentally sensitive areas by prohibiting the following land use activities:

- a. Industrial uses;
- b. Sanitary landfills;
- c. Wastewater treatment facilities;
- d. Animal feedlots;
- e. Incinerators;
- f. Petroleum or pesticide storage facilities;
- g. Above-ground or below-ground pipes for pollutants or contaminants, excluding pipes carrying treated stormwater runoff or wastewater effluent; and
- h. Any land use that stores, handles, or generates hazardous material or waste.”

**Assessment:** This policy has not been fully implemented; define and identify environmentally sensitive lands where these uses are to be prohibited, and integrate into Land Development Code.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation, Community Health + Safety and Land Use + Urban Form

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*Policy 5.08.10.*

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“The City shall protect and retain existing trees and require replacement of trees lost to land clearing. The objective shall be to achieve no net loss of trees. The City’s land development regulations shall, at a minimum, include the following:

- a. A permitting process for the removal or damage to protected trees;
- b. Requiring measures such as protective barriers around trees during construction, including construction by utility companies;
- c. Allowing the number of required parking spaces to be reduced in order to preserve existing trees which are at least six (6) inches in diameter at breast height;
- d. Allowing existing healthy trees to be counted in meeting landscaping requirements;
- e. Requiring tree and landscape area plantings within: residential areas, front yards, designated rights-of-way, perimeter boundaries of parcels, off-street parking and vehicular circulation areas, and buffers. The City shall require that fifty (50) percent of all landscaped areas consist of native or drought-tolerant vegetation; and
- f. Requiring fair and equitable restoration and/or compensatory mitigative measures in order to compensate for loss of vegetation and to enhance stabilization of fragile slopes and/or shorelines.”

**Assessment:** This policy has not been fully implemented; the following updates are recommended:

- Assess new tree protection measures that could be included.
- Implement allowance of reduction in parking spaces in order to preserve trees at least six (6) inches in diameter.
- Implement requirement that 50% of all landscaped areas consist of native or drought-tolerant vegetation.
- Address creation of tree management plan.
- Consider inclusion of additional tree policies that address air quality, community health, and energy efficiency.
- Address urban forestry and tree management plan.
- Explore strategies to encourage broader variety of indigenous species to reduce chance of catastrophic loss due to disease.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation, Community Health + Safety and Atmospheric Change + Air Quality

---

**OBJECTIVE 5.09. AQUISITION AND PRESERVATION**

“The City shall maintain or increase the quality of natural resources, including coastal wetlands, marine habitats, Egans Creek, and associated wetlands, through ongoing programs for preservation or acquisition of lands containing important environmental resources.”

**Assessment:** Efforts to implement this objective are ongoing.

**Major Local Issues:** Issue 3 – Annexation Plan, Issue 4 – Wetlands Regulation

**Sustainability:** Natural Resource Preservation, Land Use + Urban Form and Community Health + Safety

*Policy 5.09.01.*

“The City will continue to maintain an inventory of unique coastal and upland systems for inclusion in State land purchase programs for undisturbed wetlands, beach access, and other recreational lands. In addition, the City shall develop and periodically update an inventory of all of the City’s natural resources. This inventory shall examine the quantity and quality of each natural resource, as well as identify and prioritize conservation lands for purchase either through federal, State, regional, local, or private initiatives.”

**Assessment:** This policy has yet to be implemented; the following actions are recommended:

- Develop an inventory of the City’s natural resources, and provide for annual update.
- Develop a priority list of lands for acquisition, and provide for annual update.

**Major Local Issues:** Issue 2- Annexation Plan, Issue 4 – Wetlands Regulation

**Sustainability:** Natural Resource Preservation, Community Health + Safety and Land Use + Urban Form

*Policy 5.09.02.*

“The City shall cooperate with the State and the County in efforts to acquire and/or preserve environmentally sensitive lands to ensure their conservation and protect their availability for future generations.”

**Assessment:** Efforts to implement this policy are ongoing; the following updates are recommended:

- Define environmentally sensitive lands.
- Identify and map environmentally sensitive lands targeted for acquisition as part of priority list referenced in Policy 5.09.01.

**Major Local Issues:** Issue 2 – Annexation Plan, Issue 4 – Wetlands Regulation

**Sustainability:** Natural Resource Preservation, Land Use + Urban Form and Community Health + Safety

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*Policy 5.09.03.*

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“The City’s land development regulations shall include special requirements for preservation and conservation areas. Such special requirements shall limit development that will destroy or harm the natural functions of the river, lakes, floodplains, harbors, and beaches and shores.”

**Assessment:** This policy has been implemented; revise policy to include wetlands and identified wildlife habitats.

**Major Local Issues:** Issue 4- Wetlands Regulation

**Sustainability:** Natural Resource Preservation and Land Use + Urban Form

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*Policy 5.09.04.*

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“The City will actively pursue State and federal grants to acquire and establish natural pathways between nature preserves, parks, and historical sites.”

**Assessment:** Efforts to implement this policy are ongoing; the following updates are recommended:

- Include scenic corridors and wildlife corridors.
- Incorporate pathways and corridors into Capital Improvements Plan for pedestrian/bicycle/wildlife connectivity.

**Major Local Issues:** N/A

**Sustainability:** Natural + Cultural Resource Preservation and Community Health + Safety

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*Policy 5.09.05.*

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“The City shall develop and periodically update a list of potential federal, State, regional, and local fund sources, as well as private resources that can be used to acquire conservation lands. The City shall identify the amount of funding needed to purchase the three (3) areas with the highest priority, based upon the priority established in Policy 5.09.01. The City shall submit applications when funds become available.”

**Assessment:** This policy has yet to be implemented; the following updates are recommended:

- Complete the priority list referenced in Policy 5.09.01.
- Develop the list of funding sources and a timeline for updating the list.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation

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*Policy 5.09.06.*

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“The City shall identify, determine feasibility, and implement alternative methods to acquire conservation lands. Alternative methods shall include, but are not limited to, transfer of development rights, conservation dedications, conservation easements, and donations to private conservation groups.”

**Assessment:** This policy has yet to be implemented; recommended revisions include establishing policies to encourage these alternative methods and consider incentives which enhance development rights.

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**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation

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**OBJECTIVE 5.10. THREATENED AND ENDANGERED SPECIES**

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“The City will protect significant habitats of viable populations of threatened or endangered species.”

**Assessment:** Efforts to implement this objective are ongoing; policy revisions should identify and map locations of significant habitats. A new policy should be considered to establish protection policies for these habitats.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation and Land Use + Urban Form

*Policy 5.10.01.*

---

“Marinas and ports shall not be located in or adjacent to designated manatee sanctuaries, areas of essential manatee habitat, manatee foraging areas, aquatic preserves, or class II waters.”

**Assessment:** Efforts to implement this policy are ongoing; the following actions are recommended:

- Identify and map designated manatee sanctuaries, areas of essential manatee habitat, and manatee foraging areas.
- Identify and map waterway classifications.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation

*Policy 5.10.02.*

---

“All species of sea turtles, which nest on the sand beaches fronting the Atlantic Ocean, shall be protected from human interference, including activities such as beach re-nourishment, beachfront lighting, coastal construction, and mechanical beach cleaning during nesting season.”

**Assessment:** Efforts to implement this policy are ongoing; policy revisions should identify protection policies.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation

*Policy 5.10.03.*

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“Developments proposed adjacent to “Outstanding Florida Waters”; wildlife sanctuaries; wildlife refuges; State preserves; sanctuaries; forests; and publicly owned parks, gardens, and wildlife management areas in the City shall be limited by type and intensity in order to conserve wildlife populations and habitat.”

**Assessment:** Efforts to implement this policy are ongoing; the following actions are recommended:

- Identify and map any OFW, wildlife sanctuaries, wildlife refuges, state preserves, sanctuaries, forests and publicly owned parks, gardens, and wildlife management areas.
- Develop policies for development surrounding these identified spaces to address type and intensity.

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**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation and Land Use + Urban Form

*Policy 5.10.04.*

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“The City shall protect significant habitats for native wildlife and vegetation in areas of known environmentally sensitive habitats, including habitats of endangered species. Prior to the issuance of development permits in such areas, detailed inventories and assessments of impacts of development shall be conducted. If on-site habitat will be disturbed by new development, the habitat shall be relocated or the impacts mitigated, if viable by virtue of its size, configuration, and connecting habitat.”

**Assessment:** This policy has not been fully implemented; the following actions are recommended:

- Identify and map areas of known environmentally sensitive habitats.
- Once areas are identified, enforce requirement of inventories and assessments of impacts.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation and Land Use + Urban Form

*Policy 5.10.05.*

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“The City shall seek assistance from the Florida Game and Fresh Water Fish Commission, the U.S. Fish and Wildlife Service, and any other appropriate entity for the identification and protection of species of special concern, or threatened and endangered species. These agencies shall also be requested to assist in the development of the City’s land development regulations and future ordinances for the protection of these resources.”

**Assessment:** This policy has not been fully implemented; the following actions are recommended:

- Update language to read “Florida Fish and Wildlife Conservation Commission” instead of “Florida Game and Fresh Water Fish Commission.”
- Identify and map location of species of special concern, or threatened or endangered species.
- Provide timeline for regular coordination with state and federal agencies.
- Provide timeline for allowing agencies to comment on proposed changes to the Land Development Code and ordinances regarding species of special concern, or threatened and endangered species.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation and Land Use + Urban Form

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## **OBJECTIVE 5.11. AIR QUALITY**

“The City will strive to meet air quality standards established by the EPA and the DEP.”

**Assessment:** Efforts to implement this objective are ongoing; the following updates are recommended:

- Obtain baseline air quality data.
- Elaborate upon which air quality standards are to be met; particularly ozone and particulate matter.
- Elaborate upon how the City will strive to meet these standards.
- Develop policies acknowledging greenhouse gases and role of land use, building, and transportation decisions in affecting climate change.
- Develop policies acknowledging sources that contribute to ozone depletion.

- Develop policies acknowledging industry within the City limits and coordination with City to retain air quality.

**Major Local Issues:** N/A

**Sustainability:** Atmospheric Change + Air Quality, Land Use + Urban Form, Energy Efficiency + Renewables and Transportation Planning + Traffic Management

*Policy 5.11.01.*

---

“The City will coordinate with the DEP and the EPA to ensure enforcement of air quality regulations by reporting all known violations of air quality standards.”

**Assessment:** Efforts to implement this policy are ongoing; provide timeline for coordination and reporting with the DEP and EPA.

**Major Local Issues:** N/A

**Sustainability:** Atmospheric Change + Air Quality

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**OBJECTIVE 5.12. PROTECT AND PRESERVE WETLANDS**

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“The City shall protect and preserve wetlands from physical and hydrologic alterations, and shall direct incompatible land uses away from wetlands.”

**Assessment:** Efforts to implement this objective are ongoing; relocate wetland policies under Objective 5.08 to this Objective.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Natural stormwater treatment, flood protection, wildlife habitat, Natural Resource Preservation, Land Use + Urban Form and Disaster Preparedness

*Policy 5.12.01.*

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“The City’s land development regulations shall require that any application for development approval for sites containing wetlands shall include wetland delineation. A delineation of the upland wetland boundary shall be established based upon an on-site field survey by a professional biologist or registered engineer provided by the applicant and coordinated with the SJRWMD, the DEP, and/or the U.S. Army Corps of Engineers.”

**Assessment:** This policy has not been implemented; the following actions are recommended:

- Determine standard identification policy for “sites containing wetlands” requiring an on-site field survey.
- Incorporate this requirement into the Land Development Code.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Natural Resource Preservation and Land Use + Urban Form

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*Policy 5.12.02.*

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“The boundary of a wetland transition area shall be established by an on-site field survey by a professional biologist or registered engineer provided by the applicant and coordinated with the SJRWMD, the DEP, and/or the U.S. Army Corps of Engineers. The City shall maintain land development regulations which ensure that the transition area provides a buffer between wetlands and upland development.”

**Assessment:** This policy has not been implemented; the following actions are recommended:

- Determine standard identification policy for “wetland transition areas” requiring an on-site field survey.
- Incorporate “wetland transition areas” into Land Development Code buffering requirements.
- Establish buffering standards in comprehensive plan.

**Major Local Issues:** Issue 4 – Wetland Regulation

**Sustainability:** Natural Resource Preservation and Land Use + Urban Form

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*Policy 5.12.03.*

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“The following uses shall be prohibited within the wetland transition areas:

- a. Industrial uses;
- b. Sanitary landfills;
- c. Wastewater treatment facilities;
- d. Animal feedlots;
- e. Incinerators;
- f. Petroleum or pesticide storage facilities;
- g. Above-ground or below-ground pipes for pollutants or contaminants, excluding pipes carrying treated stormwater runoff or wastewater effluent; and
- h. Any land use that stores, handles, or generates hazardous material or waste.”

**Assessment:** This policy has not been implemented; the following actions are recommended:

- Determine standard identification policy for “wetland transition areas” and map these areas.
- Incorporate this policy into the Land Development Code.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Natural Resource Preservation, Land Use + Urban Form and Community Health + Safety

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*Policy 5.12.04.*

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“The City shall require, when appropriate, the dedication of conservation easements or reservations where the City finds that the dedication is reasonable in order to protect the value and function of a wetland.”

**Assessment:** This policy has not been implemented; the following actions are recommended:

- Revise policy to address in what instances it would be appropriate to require the dedication of conservation easements.
- Revise policy to elaborate through what methodology it will be determined that dedication is reasonable in order to protect the value and function of a wetland.
- Revise policy to indicate the entity or entities to hold the conservation easements.
- Eliminate language “or reservations.”

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**Major Local Issues:** Issue 4 – Wetlands Regulation**Sustainability:** Natural Resource Preservation*Policy 5.12.05.*

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“The City shall ensure wetland protection, in part, through a review process that includes the following:

- a. Coordination with the agencies with regulatory jurisdiction over wetlands for purposes of rendering legal, equitable, and environmentally sensitive determinations of the development rights to be permitted on such wetlands and/or lands under the jurisdiction of the state or federal government.
- b. The applicant shall bear the burden of proof in demonstrating that development will not adversely impact wetlands, transitional wetlands, and other environmentally fragile natural systems.
- c. Coordination with the County as well as representatives of the DEP, the U.S. Army Corps of Engineers, the SJRWMD, or the U.S. Fish and Wildlife Service for assistance in identifying and delineating wetlands.”

**Assessment:** Efforts to implement this policy are ongoing; the following updates are recommended:

- Revise subsections (a) and (c) to read “The City shall coordinate” instead of “Coordination.”
- Revise policy so that subsection (c) becomes subsection (a).
- Define transitional wetlands and environmentally fragile natural systems.
- Provide timeline for coordination with agencies with regulatory jurisdiction on a regular basis.

**Major Local Issues:** Issue 4 – Wetlands Regulation**Sustainability:** Natural Resource Preservation and Land Use + Urban Form*Policy 5.12.06.*

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“The City shall protect wetlands from physical or hydrologic alterations in order to maintain the following natural functions:

- a. Natural biological functions, including food chain production;
- b. General habitat;
- c. Nesting, spawning, rearing, and resting sites for aquatic or land species;
- d. Natural drainage systems impacting sedimentation patterns, salinity distribution, flushing characteristics, current patterns, and other environmental characteristics;
- e. Shielding other areas from wave action, erosion, or storm damage;
- f. Storage areas for stormwater and flood waters;
- g. Natural recharge areas; and
- h. Natural water filtration processes that serve to purify water.”

**Assessment:** This policy is redundant with Objective 5.12 and does not set any policy. Policy revisions should incorporate language into Objective 5.12.

**Major Local Issues:** Issue 4 – Wetlands Regulation**Sustainability:** Natural Resource Preservation

*Policy 5.12.07.*

“No development shall be permitted in wetlands. However, approved passive recreation areas, open space, restricted access ways, bird sanctuaries, natural stormwater retention/detention areas, natural preserves, or other similar uses may be permissible.”

**Assessment:** Efforts to implement this policy are ongoing; the following updates are recommended:

- Determine whether this policy is enforceable as written.
- Identify mechanism to enforce this policy.
- Apply policy to public and private development.
- Reconcile this policy and Policy 5.08.04 which references mitigation for degradation or destruction of wetlands, which is inconsistent with this policy’s intent to disallow any development in wetlands.
- Incorporate standards and criteria for wetlands which possess significant functional value as referenced in Policy 5.08.04.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Natural Resource Preservation, Land Use + Urban Form and Community Health + Safety



## RECREATION AND OPEN SPACE ELEMENT

### Overview

The Recreation and Open Space Element is intended to identify and address existing recreation/open space facilities and opportunities for possible improvements. Consideration of the potential need of future facilities and the prioritization of capital improvements is also part of this evaluation. Levels of service for recreation are based on the total acres of parkland available per 1000 population. Element goals are to provide access to recreational facilities for all citizens and to increase the amount of available open space within the City.

### Successes and Shortcomings

Generally, the Recreation and Open Space Element is functioning well. Certain policies could be strengthened by updating processes and procedures involved in policy implementation. A few policies could be either eliminated or merged with other policies to reduce redundancy. Lastly, language in some policies needs to be more clearly defined, and some policies direct needed changes in the Land Development Code.

Recreation and open space involves many sustainability components, particularly as relating to Greening the City and Community Health + Safety. As part of the element review, existing policies have been identified with their associated sustainability building block(s). In addition to sustainability, **Table IV-6** describes the legislative updates required as they pertain to the Recreation and Open Space Element.

**Table IV-6 Legislative Updates and Requirements for the Recreation and Open Space Element**

STATUTE REF.	DESCRIPTION
163.3177 (6)(e)	Added waterways to the system of sites addressed by the recreation and open space element.
HB 7135 Approved by Gov. Crist 6/25/08	All county, municipal, school district, water management district, state university, community college, and Florida state court buildings shall be constructed to meet the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative's Green Globes rating system, the Florida Green Building Coalition standards, or a nationally recognized, high performance green building rating system as approved by the Department of Management Services. This section shall apply to all county, municipal, school district, water management district, state university, community college, and Florida state court buildings the architectural plans of which are commenced after July 1, 2008.

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**Objective and Policy Review****OBJECTIVE 6.01. AVAILABILITY OF PARKS**

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“The City shall ensure the availability of neighborhood and community recreational facilities at the adopted level of service.”

**Assessment:** Efforts to implement this objective are ongoing; a policy should be created within this objective to improve and maintain our current park inventory.

**Major Local Issues:** N/A

**Sustainability:** Greening the City, Land Use + Urban Form, Natural Resource Preservation and Community Health + Safety

*Policy 6.01.01.*

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“The City shall maintain an inventory of parks, including the classification of parks (neighborhood, community, or regional) and the recreational facilities available in each park.”

**Assessment:** This objective has been met; updates are ongoing.

**Major Local Issues:** N/A

**Sustainability:** Greening the City and Community Health + Safety

*Policy 6.01.02.*

---

“The City shall provide incentives for the dedication of recreational land through PUD zoning and subdivision standards.”

**Assessment:** This policy has yet to be formally implemented; the following updates are recommended:

- Define “recreational land” to be dedicated.
- Identify requirements and/or incentives for dedication and incorporate into Land Development Code.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form

*Policy 6.01.03.*

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“The City shall pursue available grant sources for the acquisition and development of park and recreational areas, including, but not limited to, Department of Defense, federal, and State funding.”

**Assessment:** This objective has been met; consider potential grant opportunities on an ongoing basis.

**Major Local Issues:** N/A

**Sustainability:** Greening the City and Community Health + Safety

*Policy 6.01.04.*

---

“The City shall develop and maintain existing parks to meet the needs of the area served, considering the functional capacity of the parks and the specific requirements of the population served.”

**Assessment:** This objective has been met; evaluate existing parks on an annual basis.

**Major Local Issues:** N/A

**Sustainability:** Greening the City, Land Use + Urban Form and Community Health + Safety

*Policy 6.01.05.*

---

“The City shall measure the impact of development orders on the level of service for recreation and open space for inclusion in the concurrency management tracking system.”

**Assessment:** This policy has yet to be formally implemented; the following updates are recommended:

- Establish concurrency management tracking system, and adjust for impacts of Senate Bill 360 (2009).
- Measure the impact of development orders on recreation and open space levels of service.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form

*Policy 6.01.06.*

---

“The level of service standard is 7.5 acres of parkland per 1,000 residents.”

**Assessment:** This objective has been met; it is recommended that the City consider increasing the level of service standard to 10 acres of parkland per 1,000 residents.

**Major Local Issues:** Issue 3- Annexation Plan.

**Sustainability:** Greening the City, Land Use + Urban Form and Community Health + Safety

*Policy 6.01.07.*

---

“To increase efficiency and convenience in the recreation system, the City will initiate use agreements with other public agencies which have recreational areas in the County.”

**Assessment:** Eliminate this policy as unnecessary due to existing City facilities; City residents have access to City facilities and County facilities as residents of both.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** N/A

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**OBJECTIVE 6.02. ACCESS TO RECREATIONAL AREAS**

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“The City shall ensure the availability of adequate vehicular, pedestrian, and bicycle access to public recreational areas.”

**Assessment:** Efforts to implement this objective are ongoing.

**Major Local Issues:** N/A

**Sustainability:** Transportation Planning + Traffic Management and Community Health + Safety

*Policy 6.02.01.*

---

“The City will provide parking for vehicles, handicapped spaces, and bicycle racks, at City-owned parks and recreational facilities.”

**Assessment:** This policy has been met and is monitored for compliance with requirements; it is recommended this policy be merged with the language in Policy 6.02.03, and include language regarding barrier-free access.

**Major Local Issues:** N/A

**Sustainability:** Transportation Planning + Traffic Management and Community Health + Safety

*Policy 6.02.02.*

---

“Sidewalks, bicycle paths, and/or multipurpose trails shall be required in new developments to provide safe access to recreational facilities.”

**Assessment:** This policy has yet to be fully implemented; the following actions are recommended:

- Incorporate this requirement into the Land Development Code with ties to transportation plans for connectivity.
- Expand this policy to include access to waterways and shorelines.

**Major Local Issues:** N/A

**Sustainability:** Transportation Planning + Traffic Management and Community Health + Safety

*Policy 6.02.03.*

---

“The City will provide handicapped parking and barrier-free access to all types of City-owned recreational facilities.”

**Assessment:** Remove policy; redundant with policy 6.02.01.

**Major Local Issues:** N/A

**Sustainability:** N/A

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*Policy 6.02.04.*

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“All future City owned parks and recreational facilities shall have direct access on a public street or easement.”

**Assessment:** Efforts to meet this objective are ongoing; the following language is recommended to be included:

- All City facilities must have access from public streets, rights-of-way or easements.

**Major Local Issues:** N/A

**Sustainability:** N/A

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**OBJECTIVE 6.03. OPEN SPACE**

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“The City shall continue to maintain standards in its land development regulations for the provision and maintenance of open space in private developments and publicly-owned lands.”

**Assessment:** Efforts to implement this objective are ongoing; the following updates are recommended:

- Establish policies regarding strategies for protection of open space, such as acreage or percentage.
- Incorporate strategies into Land Development Code.

**Major Local Issues:** N/A

**Sustainability:** Greening the City, Land Use + Urban Form, Natural Resource Preservation, Housing + Community Development, Community Health + Safety, Atmospheric Change + Air Quality and Energy Efficiency + Renewables

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*Policy 6.03.01.*

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“The City shall include conservation and preservation areas on the FLUM.”

**Assessment:** This objective has been achieved.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Greening the City, Natural Resource Preservation and Land Use + Urban Form

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*Policy 6.03.02.*

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“The City shall encourage applicants for development approvals to provide open space beyond the minimum standards.”

**Assessment:** This policy has yet to be achieved; the following updates are recommended:

- Consider changing language from encouragement to mandatory requirement in accordance with new LOS standards and transportation plans.
- Establish minimum standards for open space.
- Consider open space zoning strategies, such as cluster development.
- Establish incentives for development to balance minimum standard requirements.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Greening the City, Natural Resource Preservation, Land Use + Urban Form and Community Health + Safety

*Policy 6.03.03.*

“The City shall encourage applicants for PUD and cluster type development approvals to provide large areas of open space and to provide recreational facilities concurrent with the additional community needs they create.”

**Assessment:** This policy has yet to be achieved; the following updates are recommended:

- Consider changing language from encouragement to mandatory requirement.
- Define “large areas of open space” through specific minimum standards.
- Establish incentives for development to balance minimum standard requirements.

**Major Local Issues:** N/A

**Sustainability:** Greening the City, Natural Resource Preservation, Land Use + Urban Form and Community Health + Safety

*Policy 6.03.04.*

“Open spaces shall be protected within urbanized areas for their aesthetic, health, environmental, and economic benefits. Open space which consists of conservation areas shall be protected through the acquisition of conservation easements and the accompanying identification of the conservation areas by posting signs.”

**Assessment:** Efforts to implement this policy are ongoing; the following updates are recommended:

- Remove first sentence and include in Objective 6.03.
- Clarify policy to define “open space which consists of conservation areas.”
- Clarify policy to identify who is to acquire and hold the conservation easements.
- Continue to monitor signage on a monthly basis.

**Major Local Issues:** N/A

**Sustainability:** Greening the City, Natural Resource Preservation, Land Use + Urban Form and Community Health + Safety

**OBJECTIVE 6.04. ACQUISITION OF LANDS**

“The City shall establish a program to guide the acquisition of land for parks, recreation, conservation, and open spaces, and also to address the types of recreational and open space needs.”

**Assessment:** Efforts to implement this objective are ongoing; the following updates are recommended:

- Revise objective to read “The City shall continually evaluate the potential purchase of land for parks, recreation, conservation, and open space needs.”
- Include policy directing City to identify and map potential lands for acquisition as recreation or park space.

**Major Local Issues:** Issue 4 – Wetlands Regulation, Issue 3- Annexation Plan

**Sustainability:** Greening the City, Natural Resource Preservation, Land Use + Urban Form and Community Health + Safety

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*Policy 6.04.01.*

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“The City shall consider the use of floodplains, conservation areas, and other similar areas for recreational land, provided that the City determines that recreational use of these sites would not endanger the public health, safety, and welfare.”

**Assessment:** Effort to implement this policy are ongoing; the following updates are recommended:

- Revise policy to read “The City shall use City-owned floodplains, conservation areas, and other similar areas for passive recreational land, provided that the City determines that passive recreational use of these sites would not endanger the public health, safety, welfare, or environment.”
- Define passive and active recreation in the comprehensive plan definitions section.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Natural Resource Preservation and Community Health + Safety

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*Policy 6.04.02.*

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“Whenever possible, recreational sites should be established with multi-use purposes to provide both recreational facilities and to ensure preservation or conservation of environmentally sensitive lands.”

**Assessment:** Efforts to implement this policy are ongoing; the following updates are recommended:

- Define “multi-use purposes” in context of active and passive recreation.
- Update definition of environmentally sensitive areas/lands.
- Identify recreational sites containing environmentally sensitive lands and strategies to accommodate both recreation and conservation.

**Major Local Issues:** N/A

**Sustainability:** Greening the City, Natural Resource Preservation and Community Health + Safety

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*Policy 6.04.03.*

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“The City will give high priority in its five-year capital improvement plan to acquisition of lands in the CHHA and in or adjacent to jurisdictional wetlands for passive recreational purposes, including bike trails, hiking paths, greenways, and corridors.”

**Assessment:** Efforts to implement this policy are ongoing; the following updates are recommended:

- Revise policy to read “The City will give high priority to acquisition of lands in the CHHA and in or adjacent to jurisdictional wetlands for passive recreational purposes, provided that that the City determines that recreational use of these sites would not endanger the public, health, safety, welfare or environment.”
- Move policy to follow Policy 6.04.01.

**Major Local Issues:** Issue 4 – Wetlands Regulation

**Sustainability:** Natural Resource Preservation and Community Health + Safety

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*Policy 6.04.04.*

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“The City shall seek public and private support for the acquisition, development, operation, and maintenance of recreational facilities and open space areas.”

**Assessment:** Efforts to implement this policy are ongoing; no changes are required.

**Major Local Issues:** N/A

**Sustainability:** Greening the City, Natural Resource Preservation and Community Health + Safety

*Policy 6.04.05.*

“The City shall consider the use of ad valorem taxes, impact fees, recreational vehicle and boating registration fees, and fishing and hunting licenses to fund the acquisition and maintenance of parks and recreational areas. Use of other mechanisms, as may become necessary, shall also be utilized, if feasible.”

**Assessment:** Efforts to implement this policy are ongoing; the following updates are recommended:

- Eliminate recreational vehicle and boating registration fees and fishing and hunting licenses as these are done at the state-level.
- Revise policy to read “The City shall continue to use ad valorem taxes and impact fees to fund the acquisition of parks and recreational areas.”
- Define “other mechanisms” and include in policy.

**Major Local Issues:** N/A

**Sustainability:** Greening the City and Community Health + Safety



## INTERGOVERNMENTAL COORDINATION ELEMENT

### Overview

The Intergovernmental Coordination Element of the Comprehensive Plan establishes the processes by which the City shall coordinate with the various governmental agencies that provide services to, are adjacent to, or that have regulatory authority over development activities within the City of Fernandina Beach. Coordination between the City of Fernandina Beach and the various governmental agencies serves to ensure the efficient use of resources as well as the efficient implementation of the goals, objectives and policies of the Fernandina Beach Comprehensive Plan. The Intergovernmental Coordination Element was last amended on July 15, 2008 by Ordinance 2008-05 to reflect changes to Objective 7.05, Planning for Public Schools within Fernandina Beach.

### Successes and Shortcomings

Intergovernmental coordination between the City and other governmental agencies is an ongoing process. The policies in this element primarily focus on establishing formal coordination efforts, such as through interlocal agreements and written procedures, to address specific planning issues. The City has shown progress in formalizing some coordination efforts, for example, the City has entered into an interlocal agreement with the Nassau County School Board to address school planning issues, and is participating in the creation of a Post Disaster Redevelopment Plan (PDRP) in coordination with Nassau County and other agencies. But an assessment of the policies contained in this element show that, while the City is coordinating with other governmental agencies, it is primarily through informal means.

The objectives and policies contained in this element provide a good foundation for intergovernmental coordination by identifying both specific planning issues and agencies. An assessment of the element's objectives and policies generated a number of recommendations that the City may want to consider when working on EAR based amendments to the Comprehensive Plan. Specific recommendations can be found under the assessment for those particular objectives and policies. **Table IV-7** describes legislative changes as they pertain to the Intergovernmental Coordination Element.

**Table IV-7 Legislative Updates and Requirements for the Intergovernmental Coordination Element**

STATUTE REF.	DESCRIPTION
163.3177 (6) (h) 1.	The intergovernmental coordination element must address coordination with <b>regional water supply authorities.</b> (St. Johns Water Management District)
163.3177(6)(A)	Requires local governments to address airport compatibility based on surveys, studies and data regarding land use adjacent to public airports including criteria to achieve compatibility of land uses adjacent to public airports and requiring amendments to the Intergovernmental Coordination Element, Transportation Element and Future Land Use Element
SB 360 (2009) – 186.509	Requires update to ICE to provide for a dispute resolution process under s. 186.509

**Objective and Element Review****OBJECTIVE 7.01. INTERLOCAL AGREEMENTS**

“Planning activities projected in the FBCP shall be coordinated through interlocal agreements with the comprehensive plans for Nassau County, the Nassau County School Board, and all other public agencies which provide service in and around the City’s corporate limits.”

**Assessment:** Efforts to meet this objective are ongoing. The City has an interlocal agreement with the Nassau County School Board. The following actions are recommended:

- Create an inventory of all interlocal agreements.
- Identify “all other public agencies which provide service in and around the City’s corporate limits.”
- Identify which City planning activities require interlocal agreements.
- Evaluate whether the City should enter into any additional interlocal agreements. For example, should the City and Nassau County enter into an interlocal agreement to assess or ensure municipal service delivery of utilities to properties adjacent to, but not within the City limits? Should the City enter into an interlocal agreement with St. Mary’s or Camden County regarding the City’s waterfront?

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Natural Resource Preservation, Water + Sewage, Waste Reduction + Recycling, Energy Efficiency + Renewables, Transportation Planning + Traffic Management, Land Use + Urban Form, Housing + Community Development, Community Economic Development

*Policy 7.01.01.*

“The City shall maintain a formal process whereby adjacent local governments are notified and given the opportunity to comment on applications for development approval regarding land located adjacent to the City’s corporate limits.”

**Assessment:** This policy has yet to be implemented. The following actions are recommended:

- Identify the appropriate contacts. Create a formal process for notification via mail or other means.
- Determine if this policy can be combined with Policy 7.04.04.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Natural Resource Preservation, Water + Sewage, Waste Reduction + Recycling, Energy Efficiency + Renewables, Transportation Planning + Traffic Management, Land Use + Urban Form, Housing + Community Development, Community Economic Development

*Policy 7.01.02.*

“The joint local planning agency for Amelia Island shall provide the coordination needed between the City and unincorporated Amelia Island regarding land use and development.”

**Assessment:** Efforts to meet this policy are ongoing. The Joint Local Planning Agency (JLPA) meets as needed to discuss land use, development, or other issues that affect the City and unincorporated Amelia Island. There is no formal coordination at the staff level to discuss these issues.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Natural Resource Preservation, Water + Sewage, Transportation Planning + Traffic Management, Land Use + Urban Form, Housing + Community Development

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*Policy 7.01.03.*

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“The City shall request that the NEFRPC assist in mediation processes to resolve conflicts between the City and other local governments.”

**Assessment:** Efforts to meet this policy are ongoing. The following actions are recommended:

- Update this policy to reflect that the NEFRPC is now the NEFRC.
- Determine if this policy can be combined with Policy 7.04.03.

**Major Local Issues:** Issue 3- Annexation Plan and Issue 4- Wetlands regulation

**Sustainability:** N/A

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*Policy 7.01.04.*

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“The City shall establish procedures for the review of the plans of the City and Nassau County School Board to ensure sufficient and appropriate siting of future schools, as well as ensuring the compatibility of adjacent land uses involving school sites.”

**Assessment:** Efforts to meet this policy are ongoing. Procedures are already in place in the Amended Interlocal Agreement for Public School Facility Planning, which has been adopted as part of the Fernandina Beach Comprehensive Plan. This policy (7.01.04) and Policy 7.05.07 are very similar. Review both policies to determine whether this policy can be eliminated.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form

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*Policy 7.01.05.*

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“The City shall pursue, with Nassau County, an interlocal agreement to establish procedures to resolve annexation issues and to set forth the City’s future annexation areas.”

**Assessment:** This policy has yet to be implemented. The following actions are recommended:

- Develop an annexation plan to be presented to Nassau County.
- Develop and adopt an interlocal agreement that outlines the City’s future annexation areas and that provides a timeline and procedures for the annexation of County properties.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Natural Resource Preservation, Water + Sewage, Waste Reduction + Recycling, Transportation + Traffic Management, Land Use + Urban Form, Housing + Community Development

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*Policy 7.01.06.*

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“The City shall seek a formal agreement with the FDOT and Nassau County for the permitting and inspection of driveways on roads of overlapping jurisdiction but not controlled by the City.”

**Assessment:** This policy has yet to be implemented. The following actions are recommended:

- Identify the roads that meet these criteria.
- Review the existing permitting requirements for the County and FDOT to determine whether their permit requirements meet City requirements for driveways as contained in the LDC.
- Contact both Nassau County and FDOT and request a formal agreement regarding permitting for and inspection of driveways on identified roads.

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**Major Local Issues:** N/A**Sustainability:** Transportation Planning + Traffic Management, Land Use + Urban Form*Policy 7.01.07.*

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“The City shall seek an interlocal agreement with Nassau County regarding water supply planning issues, specifically to coordinate the availability of sufficient capacity in the City’s water system to serve the needs of residents of the unincorporated County located within the City’s water service area.”

**Assessment:** Efforts to meet this policy are ongoing. The City’s water system currently has three separate water plants that are interconnected. The entire water system can be serviced from any one of the plants. Nassau–Amelia Utilities serves the unincorporated portions of Amelia Island. The following actions are recommended:

- Continue to coordinate with Nassau-Amelia Utilities regarding the possibility of a future interconnect of the two water systems.
- Enact an interlocal agreement is needed to address water supply planning, reuse facilities and service agreements.

**Major Local Issues:** Issue 3- Annexation Plan**Sustainability:** Water + Sewage*Policy 7.01.08.*

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“The City shall suggest a formal agreement with Nassau County to ensure the protection and conservation of bays, harbors, estuaries, and coastal resources.”

**Assessment:** This policy has yet to be implemented. The following actions are recommended:

- Determine whether a formal agreement with Nassau County regarding these protections is realistic or if this policy should be amended.
- Review the County’s comprehensive plan to determine how the County addresses these elements. Incorporate and reference County policies in the City’s comprehensive plan ensuring that the City is maintaining the minimum standards of the County’s comprehensive plan in relation to the protection of these resources, including wetlands. Where the City’s standards are more stringent, communicate those with the County so that the County can incorporate and reference City policies in its comprehensive plan, if so desired.
- Ensure that the City’s comprehensive plan acknowledges and references existing state regulations about the protection of these resources.
- Contact St. Mary’s and Camden County Georgia to see if they have these protections in their plans and if it is feasible to coordinate with them for protections related to the Cumberland Sound.

**Major Local Issues:** Issue 4- Wetlands Regulation**Sustainability:** Natural Resource Preservation and Greening the City*Policy 7.01.09.*

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“The City shall suggest a formal intergovernmental coordination mechanism between the City, Nassau County, and other necessary agencies to assure proper planning for disaster situations and ensure timely

recovery there from. Coordination shall include, but not be limited to, the use of new schools for public evacuation shelter, transportation/evacuation routes, and special needs population.”

**Assessment:** Efforts to meet this policy are ongoing. The City is currently participating in the creation of a Post Disaster Redevelopment Plan (PDRP) in coordination with Nassau County and other agencies, as per Florida Statutes. The PDRP will focus on post disaster redevelopment and recovery. Comprehensive Plan amendments are expected to result from the implementation of the PDRP.

The PDRP does not address pre-disaster planning, but it does provide a vulnerability assessment that can be used for pre-disaster planning. Pre-disaster planning is currently managed through education and outreach efforts by the City and the Nassau County Department of Emergency Management.

**Major Local Issues:** Issue 4- Wetlands Regulation

**Sustainability:** Community Health + Safety, Transportation Planning + Traffic Management, Atmospheric Change + Air Quality, Land Use + Urban Form

## **OBJECTIVE 7.02. IMPLEMENTATION**

“The City shall ensure that the impacts resulting from the implementation of the FBCP upon development in the State, region, Nassau County, and municipalities are addressed through intergovernmental coordination mechanisms.”

**Assessment:** Efforts to meet this objective are ongoing. The City already follows through with State-mandated protocols for the coordination of permitting and other regulatory responsibilities by incorporating these regulations into its comprehensive plan and land development code. Consider rephrasing this objective to reflect that the City incorporates the regulations of other governmental entities into its comprehensive plan and that the implementation of the City’s comprehensive plan should not be affecting development. The regulations that the City incorporates into its comprehensive plan may be stricter than other governmental regulations, but they will at least be the minimum that is required.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation, Water + Sewage, Waste Reduction + Recycling, Energy Efficiency + Renewables, Transportation Planning + Traffic Management, Land Use + Urban Form, Housing + Community Development, Community Economic Development

### *Policy 7.02.01.*

“The City shall negotiate with the County to adopt regulations similar to the City’s requirements regarding building codes, stormwater management, development within the 100-year floodplain, and coastal high hazard areas.”

**Assessment:** Efforts to meet this policy are ongoing. The City Building Department staff currently meets with Nassau County’s Building Department staff to coordinate on issues related to building codes. The following actions are recommended:

- Compare County regulations for building codes, stormwater management, development within the 100 year floodplain, and coastal high hazard areas to the City’s requirements to determine if any changes should be made.
- Consider eliminating the reference to building codes, as the City and County are both governed by State building codes.
- Establish stormwater management regulations.

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**Major Local Issues:** Issue 3- Annexation Plan and Issue 4-Wetlands Regulation**Sustainability:** Natural Resource Preservation, Water + Sewage*Policy 7.02.02.*

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“The City shall work with the County on an ongoing basis to ensure that their respective comprehensive plans are compatible.”

**Assessment:** This policy has yet to be implemented. The following actions are recommended:

- Establish a formal procedure to advise Nassau County and to have Nassau County notify the City when a comprehensive plan amendment is proposed.
- Review both comprehensive plans to determine if there are any areas where the plans are incompatible. If so, establish a process to address the incompatible areas.

**Major Local Issues:** Issue 3- Annexation Plan, Issue 4- Wetlands Regulation and Issue 1-Neighborhood Preservation**Sustainability:** Natural Resource Preservation, Water + Sewage, Waste Reduction + Recycling, Energy Efficiency + Renewables, Transportation Planning + Traffic Management, Land Use + Urban Form, Housing + Community Development, Community Economic Development*Policy 7.02.03.*

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“The City shall coordinate with the NEFRPC in the implementation of those policies included within the “Northeast Florida Regional Comprehensive Policy Plan” which necessitate intergovernmental coordination.”

**Assessment:** Efforts to meet this policy are ongoing. The following actions are recommended:

- This policy is redundant with Policy 7.04.08. Determine if this policy can be eliminated or combined with Policy 7.04.08.
- Update this policy to reflect that the NEFRPC is now the NEFRC.
- Update this policy to reflect that the “Northeast Florida Regional Comprehensive Policy Plan” is now the “Strategic Regional Policy Plan”.
- Review the “Strategic Regional Policy Plan” and identify which policies necessitate intergovernmental coordination between the City and the NEFRC. Determine whether any comprehensive plan amendments are necessary to address intergovernmental coordination.

**Major Local Issues:** Issue 3- Annexation Plan and Issue 4-Wetlands Regulation**Sustainability:** Natural Resource Preservation, Transportation Planning + Traffic Management, Land Use + Urban Form, Housing + Community Development, Community Economic Development

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**OBJECTIVE 7.03. CONSISTENCY OF LOS**

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“The City shall seek the establishment of level of service standards that are consistent among the City, County, service providers, and other units of local government having responsibility for level of service standards.”

**Assessment:** Efforts to meet this objective are ongoing. Review existing LOS standards included in the City’s Comprehensive Plan and compare those to the LOS standards established by Nassau County, service providers, and other units of local government to determine consistency. If inconsistencies are noted, determine whether the City’s Comprehensive Plan should be amended to resolve the discrepancies in the LOS standards between the different entities.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Water + Sewage, Waste Reduction + Recycling, Transportation Planning + Traffic Management, Community Health + Safety

*Policy 7.03.01.*

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“The City shall work with the County to establish consistent level of service standards for public facilities for inclusion in the City’s concurrency management tracking system.”

**Assessment:** This policy has yet to be implemented. The City does not have a concurrency management tracking system except for transportation. The following actions are recommended:

- Review existing LOS standards included in the City’s Comprehensive Plan and compare those to the LOS standards established by Nassau County to determine consistency.
- Establish a concurrency management tracking system for other public facilities in the City.
- Recognize the effects of Senate Bill 360 on transportation concurrency.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Water + Sewage, Waste Reduction + Recycling, Transportation Planning + Traffic Management, Community Health + Safety

*Policy 7.03.02.*

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“The City shall work with Nassau County and the SJRWMD to ensure that development regulations regarding stormwater management and flood control are compatible and effective for each jurisdiction.”

**Assessment:** Efforts to meet this policy are ongoing, Review existing and future City development regulations for stormwater management and flood control to assess their effectiveness and compare them to those of SJRWMD and Nassau County to evaluate whether they are compatible.

**Major Local Issues:** Issue 4- Wetlands Regulation

**Sustainability:** Natural Resource Preservation, Water + Sewage

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**OBJECTIVE 7.04. INTERGOVERNMENTAL COORDINATION ACTIVITIES**

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“The City shall continue to improve coordination activities among government agencies with planning and impact assessment responsibilities affecting the City. The City shall coordinate with other units of local government providing services, but not having regulatory authority over the use of land, such as the Nassau County School Board.”

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**Assessment:** Efforts to meet this objective are ongoing. This policy should be updated to be more specific and include policy language to participate in the development of updates to the SJRWMD Water Supply Assessment and District Water Supply Plan by including the policy provided by SJRWMD Comment #4 (10/12/2009).

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form

*Policy 7.04.01.*

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“The City Commission shall be responsible for ensuring an effective intergovernmental coordination program for the City.”

**Assessment:** Efforts to meet this policy are ongoing. The Nassau County Commission and the Fernandina Beach City Commission convene as the Amelia Island Joint Local Planning Agency (JLPA) as needed to discuss planning-related issues affecting the City and the unincorporated island. The City also has an interlocal agreement with the Nassau County School Board for public school facility planning. The following actions are recommended:

- Update this policy to be more specific.
- Identify other public agencies with which the City should be coordinating for planning purposes, and work to create a process for intergovernmental coordination.

**Major Local Issues:** Issue 3- Annexation Plan and Issue 4-Wetlands Regulation

**Sustainability:** N/A

*Policy 7.04.02.*

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“The City shall maintain ongoing intergovernmental coordination activities regarding issues involving: traffic and transportation systems improvement planning and financing; potable water expansion, replacement, and financing; wastewater expansion, replacement, and financing; and land development projects within and adjacent to the City.”

**Assessment:** Efforts to meet this policy are ongoing.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Water + Sewage, Transportation Planning + Traffic Management, Land Use + Urban Form

*Policy 7.04.03.*

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“The City shall participate in ongoing discussions with Nassau County toward the adoption of a formal process to determine and mitigate potential extra jurisdictional impacts resulting from proposed development, with an option for regional mitigation. In addition, the City shall seek resolution of development and growth management issues with impacts transcending the City’s political jurisdiction, by participating in conflict resolution forums sponsored by the NEFRPC.”

**Assessment:** Efforts to meet this policy are ongoing. The following actions are recommended:

- Update this policy to reflect that the NEFRPC is now the NEFRC.
- Update this policy to be more specific in terms of identifying extra jurisdictional impacts.

- Coordinate with Nassau County to create and adopt a formal process regarding impacts from proposed development.
- Determine if this policy can be combined with Policy 7.01.03.
- Update policy to include FDOT coordination regarding the extra-jurisdictional impacts of development in developing comprehensive plan policies where roadway concurrency requirements and mitigation are involved.

**Major Local Issues:** Issue 4- Wetlands regulation

**Sustainability:** Natural Resource Preservation, Transportation Planning + Traffic Management, Land Use + Urban Form

*Policy 7.04.04.*

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“The review of proposed developments shall include findings regarding the relationships of such proposed developments to the comprehensive plans of adjacent local governments.”

**Assessment:** This policy has yet to be implemented. The following actions are recommended:

- Update this policy to be more specific. During the review of proposed developments, the City can notify the applicant and the County of any issues or potential issues related to the County’s comprehensive plan.
- Determine if this policy can be combined with Policy 7.01.01.

**Major Local Issues:** N/A

**Sustainability:** Water + Sewage, Transportation Planning + Traffic Management, Land Use + Urban Form

*Policy 7.04.05.*

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“The City shall ensure efficient and timely coordination with those agencies which have jurisdiction over land and water management issues within the City.”

**Assessment:** Efforts to meet this policy are ongoing. Update this policy to be more specific.

**Major Local Issues:** Issue 4- Wetlands regulation

**Sustainability:** Natural Resource Preservation and Water + Sewage

*Policy 7.04.06.*

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“The City shall initiate and participate in discussions with the Nassau County School Board to establish formal agreements between the City and the School Board. The agreements shall include, but are not limited to, the following issues:

1. Expansion of existing school sites;
2. Traffic circulation in and around school sites;
3. Acquisition of new sites; and
4. Use of School Board property and facilities by the City.”

**Assessment:** This policy has been implemented. In 2008, the City of Fernandina Beach entered into an interlocal agreement with the Nassau County School Board that includes the above referenced issues as well as other issues related to public school facility planning. Move this policy to fall under Objective

7.05, Planning for Public Schools Within Fernandina Beach or eliminate it as these items are included within Policy 7.05.01.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form and Transportation Planning + Traffic Management

*Policy 7.04.07.*

“The City shall pursue resolution of development and growth management issues of regional and state significance. The City shall participate in ongoing discussions with the NEFRPC, the SJRWMD, and/or State agencies having jurisdictional authority. Issues to be pursued include, but are not limited to, the following:

- a. Impacts of development proposed in the comprehensive plan of the County, the region, the State, and any governmental entity that may have jurisdiction;
- b. Land development activities adjacent to the City’s corporate limits within the County or any other governmental entity having jurisdiction;
- c. Research regulatory framework and implementation of affordable housing programs;
- d. City land development activities adjacent to the unincorporated area of the County;
- e. Potential annexation issues;
- f. Area-wide drainage and stormwater management master plans, proposed improvements, and implementing programs;
- g. Solid waste disposal, including development of new landfill facilities, recycling resources, and other improvements;
- h. Research, engineering, and strategies for managing level of service impacts of new development and tourism on traffic, major transportation linkages, and critical intersections impacting the City and adjacent areas;
- i. Implementation of an area-wide concurrency system and tracking systems;
- j. Level of service standards for infrastructure systems impacting the City and adjacent areas, including potable water, wastewater, and transportation; and
- k. Conservation of natural and historic resources.”

**Assessment:** Efforts to meet this policy are ongoing. The following actions are recommended:

- Update this policy to reflect that the NEFRPC is now the NEFRC.
- Rewrite third sentence to say, “Issues to be addressed include, but are not limited to, the following:”
- Policy 7.04.07 may need to be amended due to the passage of Senate Bill 360.
- Amend this policy to reflect all level of service standards included in the Capital Improvements Element (adding level of service standards for fire/rescue, police, bicycle lanes, pedestrian ways, waterways, etc.)

**Major Local Issues:** Issue 3- Annexation Plan, Issue 4- Wetlands Regulation and Issue 1-Neighborhood Preservation

**Sustainability:** Natural Resource Preservation, Water + Sewage, Waste Reduction + Recycling, Transportation Planning + Traffic Management, Land Use + Urban Form, Housing + Community Development, Community Health + Safety

*Policy 7.04.08.*

“The City shall require that development applications be coordinated, as appropriate, with the County, the Nassau County School Board, other special districts, the NEFRPC, the SJRWMD, as well as applicable State and federal agencies prior to issuance of a development order or permit. The City shall coordinate

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with the NEFRPC in meeting regional policies contained in the “Northeast Florida Regional Comprehensive Policy Plan.”

**Assessment:** Efforts to meet this policy are ongoing. When reviewing permit applications, the City requests copies of permits from SJRWMD, the FDEP, and other permitting agencies as applicable. As part of its “Strategic Regional Policy Plan” the NEFRPC outlines both formal and informal opportunities for coordination with local governments and other stakeholders regarding growth management, planning and other regional issues. The City of Fernandina Beach coordinates with the NEFRPC as needed to implement regional policies. The following actions are recommended:

- This policy is redundant with Policy 7.02.03. Determine if this policy can be combined with Policy 7.02.03.
- Update this policy to reflect that the NEFRPC is now the NEFRC.
- Update this policy to reflect that the “Northeast Florida Regional Comprehensive Policy Plan” is now the “Strategic Regional Policy Plan”.

**Major Local Issues:** Issue 3- Annexation Plan and Issue 4-Wetlands Regulation

**Sustainability:** Natural Resource Preservation, Water + Sewage, Transportation Planning + Traffic Management, Land Use + Urban Form, Housing + Community Development, Community Economic Development

*Policy 7.04.09.*

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“The City shall coordinate all transportation improvements proposed by new development with the FDOT, the DCA, the NEFRPC, the County, and other State and regional agencies concerned with assessing traffic impacts of proposed development.”

**Assessment:** Efforts to meet this policy are ongoing. The following actions are recommended:

- Update this policy to reflect that the NEFRPC is now the NEFRC.
- Recognize the impacts of Senate Bill 360 on transportation improvements.

**Major Local Issues:** N/A

**Sustainability:** Transportation Planning + Traffic Management and Land Use + Urban Form

*Policy 7.04.10.*

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“The City shall suggest a single regulatory framework to be adopted in both the City’s land development regulations and the County’s land development regulations. The regulatory framework shall address, at a minimum, the following issues:

- a. Signage;
- b. Buffering/screening;
- c. Concurrency management
- d. Ingress/egress points; and
- e. Landscaping, tree protection, and irrigation.”

**Assessment:** This policy has yet to be implemented. The following actions are recommended:

- Compare the regulatory framework in the City’s LDC to the regulatory framework in the County’s LDC for the above referenced issues and determine if they are compatible.
- Determine if there are other issues for which a single regulatory framework can be suggested.
- Assess the appropriateness of the shared regulatory framework for the entire county compared to unincorporated Amelia Island and/or Yulee.

- Recognize the impacts that Senate Bill 360 may have on Policy 7.04.10 c. (Concurrency management).

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation, Transportation Planning + Traffic Management, Community Health + Safety

*Policy 7.04.11.*

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“In order to maximize the opportunities for improving intergovernmental coordination, the City shall have a seat on the NEFRPC.”

**Assessment:** This policy has yet to be implemented. The NEFRC is governed by a thirty-five (35) member Board of Directors, four (4) of which are from Nassau County. None of the Nassau County members specifically represent the City of Fernandina Beach. The following actions are recommended:

- Update this policy to reflect that the NEFRPC is now the NEFRC.
- Work with the NEFRC to determine the feasibility of the City of Fernandina Beach getting its own seat on the Council.

**Major Local Issues:** N/A

**Sustainability:** Water + Sewage, Transportation Planning + Traffic Management, Land Use + Urban Form, Housing + Community Development

*Policy 7.04.12.*

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“The City shall participate in a study group that Nassau County is required to establish for the purpose of coordinating with the SJRWMD’s efforts to uniformly collect and analyze water use data every two (2) years to determine water use trends, including projections and water quality.”

**Assessment:** This policy has yet to be implemented. Coordinate with Nassau County to determine whether this policy will be implemented or amended.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation and Water + Sewage

*Policy 7.04.13.*

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“The City shall coordinate with SJRWMD staff in projecting future supply and demand of potable water and alternative water sources to meet projected needs.”

**Assessment:** Efforts to meet this policy are ongoing.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation and Water + Sewage

*Policy 7.04.14.*

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“The City shall coordinate with the SJRWMD in preparing amendments to the Water Facilities Work Plan and the Consumptive Use Permit process.”

**Assessment:** Efforts to meet this policy are ongoing.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation and Water + Sewage

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**OBJECTIVE 7.05. PLANNING FOR PUBLIC SCHOOLS WITHIN FERNANDINA BEACH**

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“The City shall cooperate with the County, the School District and the municipalities of Callahan and Hilliard to share information and address multi-jurisdictional public school issues in order to assure the coordination of planning and decision-making.”

**Assessment:** Efforts to meet this objective are ongoing. In 2008, the City of Fernandina Beach entered into an interlocal agreement for public school facility planning with the Nassau County School Board, Nassau County, and the towns of Hilliard and Callahan. The interlocal agreement establishes procedures for sharing information and coordinating planning and decision making regarding multi-jurisdictional public school issues.

**Major Local Issues:** N/A

**Sustainability:** Transportation Planning + Traffic Management and Land Use + Urban Form

*Policy 7.05.01.*

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“The City will implement the Inter-local Agreement for Public School Facility Planning between the City, the County, the other municipalities and the School District as required by Section 1013.33, Florida Statutes, including procedures for:

- a. Joint meetings;
- b. Student enrollment and population projections;
- c. Coordinating and sharing of information;
- d. School site analysis;
- e. Supporting infrastructure;
- f. Comprehensive plan amendments, rezonings, and development approvals;
- g. Education Plant Survey and Five-Year District Facilities Work program;
- h. Co-location and shared use;
- i. Implementation of school concurrency, including levels of service standards, concurrency service areas, and proportionate-share mitigation;
- j. Oversight process; and,
- k. Resolution of disputes.”

**Assessment:** This policy has been implemented. In 2008, the City of Fernandina Beach entered into an interlocal agreement with the Nassau County School Board, Nassau County, and the towns of Callahan and Hilliard that includes procedures for the above referenced matters as well as other issues related to public school facility planning.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Transportation Planning + Traffic Management and Land Use + Urban Form

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*Policy 7.05.02.*

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“The City shall maintain a representative of the School District, appointed by the School Board, as a member of the local planning agency (Planning & Zoning Board), as required by Section 163.3174, Florida Statutes.”

**Assessment:** This policy has been implemented. The Fernandina Beach Planning Advisory Board (PAB) has ten members, one of which is a non-voting member appointed by the Nassau County School Board. This policy should be amended to reflect that the local planning agency is the Planning Advisory Board and not the Planning & Zoning Board.

**Major Local Issues:** N/A

**Sustainability:** N/A

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*Policy 7.05.03.*

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“The City shall coordinate with the School District and the municipalities regarding annual review of school enrollment projections, and procedures for annual update and review of School District and local government plans consistent with policies of this element.”

**Assessment:** Efforts to meet this policy are ongoing. Procedures for coordination are included in the Amended Interlocal Agreement for Public School Facility Planning as executed in 2008.

**Major Local Issues:** N/A

**Sustainability:** N/A

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*Policy 7.05.04.*

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“The City shall support School District efforts to ensure satisfactory capacity for current and future school enrollment by providing data on growth trends in order to establish a financially feasible capital improvements program for schools.”

**Assessment:** Efforts to meet this policy are ongoing.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form

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*Policy 7.05.05.*

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“In order to coordinate the effective and efficient provision and siting of educational facilities with associated infrastructure and services within the City, the City Commission and the School Board shall coordinate educational and facilities planning with residential growth trends in the County and the City, and discuss issues of mutual concern.”

**Assessment:** Efforts to meet this policy are ongoing.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form

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*Policy 7.05.06.*

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“The School District shall be notified of all residential development review requests and development proposals, pursuant to the adopted Inter-local Agreement on Public School Facility Planning. A notice of review will be mailed to the Superintendent of Schools and to the Director of Facilities. The School District will be given the opportunity to respond with written comments and to appear before the Planning Advisory Board and the City Commission to discuss any comments.”

**Assessment:** Efforts to meet this policy are ongoing. In 2008, the City of Fernandina Beach entered into an interlocal agreement for public school facility planning with the Nassau County School Board. The interlocal agreement establishes procedures for school site selection.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form

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*Policy 7.05.07.*

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“The City shall coordinate with the School District on the planning and siting of new public schools to ensure that school facilities are provided with the necessary services and infrastructure and are compatible and consistent with the Comprehensive Plan.”

**Assessment:** Efforts to meet this policy are ongoing. In 2008, the City of Fernandina Beach entered into an interlocal agreement for public school facility planning with the Nassau County School Board. The interlocal agreement establishes procedures for school site selection. Determine whether this policy can be combined with Policy 7.01.04.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Land Use + Urban Form



## CAPITAL IMPROVEMENTS ELEMENT

### Overview

The Capital Improvements Element (CIE) details which public facilities will be provided to the public and how these facilities and improvements will be funded. Within this element, the City is required to address the need for and location of public facilities, acceptable level of service standards for these facilities, the financial feasibility of providing these facilities, and concurrency requirements for public facilities.

### Successes and Shortcomings

Provision of public facilities is an ongoing process. The schedule of capital improvements is updated annually to reflect needed capital improvements and projected funding sources over the next five years. The policies in this element primarily focus on establishing level of service standards, funding mechanisms for capital improvements, and concurrency management. The City has shown progress in creating a financially feasible plan by annually adopting an updated capital improvements plan and budget as well as adopting level of service standards for its public facilities. But an assessment of the policies contained in this element show that, while the City is identifying capital improvements needs and funding sources, it is primarily based upon the opinion of City staff, and not necessarily based on meeting the adopted level of service standards.

The City's Planning Department is the administrative entity that implements the Plan's objectives and policies, including those contained in the CIE. As such, it should have a role in evaluating the capital improvements schedule to ensure that necessary capital projects are included, and that proposed capital improvements will meet level of service standards. Also lacking are formal tracking mechanisms to continually assess the cumulative impacts of new development and redevelopment on existing public facilities. A monitoring system to track capacity and deficiency information for existing facilities would facilitate annual reporting requirements, as included in the CIE, facilitate a proper capital improvements schedule and aid in the annual decision making process to adopt the updated Capital Improvements Plan.

It is recommended that the City adopt qualitative maintenance standards in addition to the already stipulated capacity level of service provisions. Providing minimum maintenance standards demonstrates the community's expected functional quality of its public facilities. Further, it is recommended that the City include level of service standards and minimum maintenance criteria for fire/ rescue facilities, police facilities, bicycle and pedestrian facilities, the golf course, airport, marina, boating improvements and waterway/ shoreline access. The CIE was last amended on July 15, 2008 by Ordinance 2008-05 to reflect changes to Objective 8.06, School Concurrency. The 2008-2009 & 2009-2010 Capital Improvements Program has been included as **Appendix M**.

The objectives and policies contained in this element provide a good foundation for providing public facilities to all City residents by identifying methods for determining whether public facilities are needed and how they will be funded. An assessment of the element's objectives and policies generated a number of recommendations that the City may want to consider when working on EAR based amendments to the Plan. **Table IV-8** describes required legislative changes that impact the Capital Improvements Element.

**Table IV-8 Legislative Updates and Requirements for the Capital Improvements Element**

STATUTE REF.	DESCRIPTION
163.3180 (16)	(New 2005 section) Required local governments to adopt by December 1, 2006 a method for assessing proportionate fair-share mitigation options. FDOT will develop a model ordinance by December 1, 2005.
163.3164	26) Expands the definition of “ <b>urban redevelopment</b> ” to include a community redevelopment area. Ch. 2007-204, LOF. (32) Revises the definition of “ <b>financial feasibility</b> ” by clarifying that the plan is financially feasibility for transportation and schools if level of service standards are achieved and maintained by the end of the planning period even if in a particular year such standards are not achieved. In addition, the provision that level of service standards need not be maintained if the proportionate fair share process in s.163.3180(12) and (16), F.S., is used is deleted. Ch. 2007-204, LOF.
163.3177 (SB 360 REIVISION)	2) Clarifies that <b>financial feasibility</b> is determined using a five-year period (except in the case of long-term transportation or school concurrency management, in which case a 10 or 15-year period applies). Ch. 2007-204, LOF. (3)(b)1. Requires an annual update to the Five-Year Schedule of Capital Improvements to be submitted by December 1, 2008 and yearly thereafter. If this date is missed, no amendments are allowed until the update is adopted. Ch. 2007-204, LOF. (3)(c) Deletes the requirement that the Department must notify the Administration Commission if an annual update to the <b>capital improvements element</b> is found not in compliance (retained is the requirement that notification must take place is the annual update is not adopted). Ch. 2007-204, LOF. (3)(e) Provides that a comprehensive plan as revised by an amendment to the future land use map is <b>financially feasible</b> if it is supported by (1) a condition in a development order for a development of regional impact or binding agreement that addresses proportionate share mitigation consistent with s.163.3180(12), F.S., or (2) a binding agreement addressing proportionate fair-share mitigation consistent with s.163.3180(16)(f), F.S., and the property is located in an urban infill, urban redevelopment, downtown revitalization, urban infill and redevelopment or urban service area. Ch. 2007-204, LOF.
HB 7135 Approved by Gov. Crist 6/25/08	All county, municipal, school district, water management district, state university, community college, and Florida state court buildings shall be constructed to meet the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative’s Green Globes rating system, the Florida Green Building Coalition standards, or a nationally recognized, high performance green building rating system as approved by the Department of Management Services. This section shall apply to all county, municipal, school district, water management district, state university, community college, and Florida state court buildings the architectural plans of which are commenced after July 1, 2008
SB 360 (REVISION)	CIE need not comply with financial feasibility requirement until 12/1/2011- CIE must continue to be updated annually and transmitted to the Department of Community Affairs for formal adoption as part of its Comprehensive Plan.

**Objective and Policy Review****OBJECTIVE 8.01. CAPITAL IMPROVEMENTS**

“Capital improvements shall be provided to correct existing deficiencies, to accommodate desired future growth, and to replace obsolete facilities, as required.”

**Assessment:** Efforts to meet this objective are ongoing. Through its annual budget process, the City generates a five year capital improvements plan in which proposed projects are given a priority rating. The priority ratings take into consideration whether projects are needed to correct existing deficiencies, to accommodate future growth or to replace obsolete facilities, among other factors. It is recommended that this objective be expanded to address a logical schedule for retrofitting existing facilities to be energy efficient and incorporate sustainable building practices. The objective should also direct that all new facilities and construction projects comply with the requirements provided as part of 2008 House Bill 7135.

**Major Local Issues:** Issue 1- Neighborhood Preservation and Issue 3- Annexation Plan

**Sustainability:** Water + Sewage, Energy Efficiency + Renewables, Transportation Planning + Traffic Management, Land Use + Urban Form, Housing + Community Development, Community Health + Safety

*Policy 8.01.01.*

“Capital improvements projects are those projects with a cost of \$25,000 or more and all projects needed to maintain adopted level of service standards.”

**Assessment:** Efforts to implement this policy are ongoing however; this appears to be more of a definition than a policy. Consider rephrasing this as a policy, include it as a definition or combine it as part of Objective 8.01.

**Major Local Issues:** N/A

**Sustainability:** N/A

*Policy 8.01.02.*

“The City shall rank proposed capital improvements according to the following criteria:

## Priority A

- a. Capital improvements needed to protect public health and safety.

## Priority B

- a. Capital improvements needed to correct existing deficiencies.
- b. Capital improvements needed to replace or repair obsolete or worn out public facilities, in order to maintain adopted level of service standards.

## Priority C

- a. Capital improvements that will increase efficient use of existing public facilities where the economic benefit that results from the improvement exceeds the economic cost of making the improvement.
- b. Capital improvements that will promote redevelopment and/or infill development.

## Priority D

- a. Capital improvements needed to accommodate projected new development, that are consistent with the FLUM, and which represent a logical extension of public facilities.
- b. Capital improvements needed to serve developments that were approved prior to the adoption of the FBCP.

**Priority E**

- a. Capital improvements that will further the plans of the SJRWMD and/or other State agencies that may provide public facilities within the City.”

**Assessment:** Efforts to implement this policy are ongoing. Through its annual budget process, the City generates a five year capital improvements plan in which proposed projects are given a priority rating based on the above-referenced criteria. The priority rating for each project is assigned by the department under which the project falls. The following actions are recommended:

- Consider adopting a policy so that proposed capital improvements projects are reviewed to determine whether they are needed to maintain adopted level of service standards. Currently, proposed capital improvements projects are not evaluated to determine whether level of service standards are being met. One of the criteria, Priority B, that capital improvements are ranked by is, “Capital improvements are needed to replace or repair obsolete or worn out public facilities, in order to maintain adopted level of service standards.” When using this criterion, individual departments are determining whether improvements are needed to replace or repair obsolete or worn out facilities, not whether they are needed to maintain the adopted level of service standards; Consider breaking up Priority B, number 2 into two (2) different criteria as follows: 2. Capital improvements are needed to replace or repair obsolete or worn out public facilities. 3. Capital improvements are needed in order to maintain adopted level of service standards;
- Consider adding a third standard under Priority C such as: 3. Capital improvements that will increase energy efficiency;
- Consider adopting a policy in which the departments submit proposed capital improvements to the Planning Department for review. Specifically, the Planning Department can evaluate whether proposed projects are needed to maintain level of service standards (Priority B) and whether they meet Priority D. The Planning Department can also reference other plans to ensure that projects that should be included in the Five Year Capital Plan have not been omitted.

**Major Local Issues:** Issue 1- Neighborhood Preservation, Issue 3-Annexation Plan

**Sustainability:** Natural Resource Preservation, Water + Sewage, Waste Reduction & Recycling, Energy Efficiency + Renewables, Transportation Planning + Traffic Management, Land Use + Urban Form, Housing + Community Development, Community Economic Development, Community Health + Safety

*Policy 8.01.03.*

“The City shall consider the financial feasibility to determine which of the proposed capital improvements will be funded by the City.”

**Assessment:** Efforts to implement this policy are ongoing. The City considers financial feasibility of capital improvements through its annual budget process. Specifically, the City generates a five year capital improvements plan in which projects are listed by department. As part of the capital improvements plan, the project cost and anticipated funding sources are also included. The plan itemizes what percentage of the project cost comes from which funding source, be it from the general fund, bonds, loans, grants, impact fees or from other funding sources.

**Major Local Issues:** N/A

**Sustainability:** Community Economic Development

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**OBJECTIVE 8.02. FEES FOR FUTURE DEVELOPMENT**

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“Future development will bear a proportionate cost of facility improvements necessitated by the development in order to maintain the adopted level of service standards.”

**Assessment:** Efforts to meet this objective are ongoing. It is recommended that the City consider additional policies to address the adoption of impact fees for improvements in addition to policy statements directing the collection of fees for transportation improvements (Policy 8.02.01). The City currently assesses impact fees for fire protection, police protection, parks and recreation, and public facilities. The additional policies would strengthen the need to collect impact fees on these facilities.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Greening the City, Water + Sewage, Waste Reduction + Recycling, Transportation Planning + Traffic Management, Land Use + Urban Form, Community Health + Safety

*Policy 8.02.01.*

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“Impact fees will be adopted to assess new development a pro rata share of the costs required to finance transportation improvements necessitated by such development.”

**Assessment:** This policy has not been implemented. To date, the City has not adopted impact fees to finance transportation improvements necessitated by new development. The City does, however, collect fees on behalf of the County. These fees do provide some benefits to the City’s traffic circulation improvements. It is recommended that the City take action that recognizes the effects of the 2009 Senate Bill 360 on transportation concurrency requirements and the City’s designation as a Dense Urban Land Area (DULA) will warrant revisions to this policy as written with regards to transportation planning. The City should adopt impact fees to assess new development a pro rata share of the costs required to finance transportation improvements necessitated by the development. Alternatively, if the City does not intend to adopt impact fees for this purpose, then other funding mechanisms should be evaluated to address transportation impacts from new development.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Transportation Planning + Traffic Management

*Policy 8.02.02.*

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“The City shall continue to use mandatory dedications or fees in lieu of dedication as a condition of plat approval for the provision of recreation and open space.”

**Assessment:** Efforts to implement this policy are ongoing. The City’s Land Development Code requires dedication of land for parks and recreation purposes for the subdivision of parcels into three (3) or more lots. The LDC does not provide for the assessment of fees in lieu of dedication. Determine whether the City intends to offer the option of charging fees in lieu of dedication. If the City does not intend to offer this option, then this policy should be amended.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Greening the City and Community Health + Safety

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**OBJECTIVE 8.03. DEVELOPMENT REQUIREMENTS**

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“Decisions regarding the issuance of development orders will be based upon coordination of the development requirements included in the FBCP, the City’s land development regulations, and the availability of necessary public facilities needed to support such development at the time needed.”

**Assessment:** Efforts to meet this objective are ongoing. It is recommended that this objective be expanded to incorporate review of energy efficiency criteria, sustainable building practices and environmental impacts.

**Major Local Issues:** Issue 1- Neighborhood Preservation, Issue 3- Annexation Plan and Issue 4- Wetlands Regulation

**Sustainability:** Water + Sewage, Transportation Planning + Traffic Management, Land Use + Urban Form, Housing + Community Development, Community Economic Development, Community Health + Safety

*Policy 8.03.01.*

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“The City shall use the level of service standards included in the Capital Improvements Element in reviewing the impacts of new development and redevelopment upon public facilities.”

**Assessment:** Efforts to implement this policy are ongoing. There is no formal coordination of the level of service standards to address the cumulative impacts of new development and redevelopment on public facilities. The City continue to utilize existing review processes during Future Land Use change considerations and the site plan review process to assess the adopted level of service standards included in the Capital Improvements Element of the Comprehensive Plan to assess cumulative the impacts of new development and redevelopment upon public facilities as they appear before the Planning Advisory Board and the City’s Technical Review Committee for site plan review.

**Major Local Issues:** Issue 1- Neighborhood Preservation, Issue 3- Annexation Plan and Issue 4- Wetlands Regulation

**Sustainability:** Water + Sewage, Waste Reduction + Recycling, Transportation Planning + Traffic Management, Land Use + Urban Form and Community Health + Safety

*Policy 8.03.02.*

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“The City shall evaluate proposed plan amendments and requests for new development or redevelopment according to the following guidelines as to whether the proposed action would:

- a. Contribute to a condition of public hazard as described in the Public Facilities Element, or the Conservation and Coastal Management Element.
- b. Exacerbate any existing condition of public facility capacity deficits, as described in the Traffic Circulation Element; Public Facilities Element; or Recreation and Open Space Element;
- c. Generate public facility demands that may be accommodated by capacity increases planned in the five-year schedule of improvements;
- d. Conform with future land uses as shown on the FLUM, and service areas as described in the Public facilities Element;
- e. Accommodate public facility demands based upon adopted level of service standards; and
- f. Affect the public facilities plans of the County, State agencies, or the SJRWMD.”

**Assessment:** Efforts to implement this policy are ongoing. It is recommended that additional criteria be included to review amendments and development orders for minimum energy efficiency criteria and sustainable building practices.

**Major Local Issues:** Issue 1- Neighborhood Preservation, Issue 4- Wetlands Regulation

**Sustainability:** Water + Sewage, Waste Reduction + Recycling, Transportation Planning + Traffic Management, Land Use + Urban Form, Community Economic Development and Community Health + Safety

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#### **OBJECTIVE 8.04. FISCAL RESOURCES**

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“The City shall manage its fiscal resources to ensure the provision of needed capital improvements for previously issued development orders and for future development and redevelopment.”

**Assessment:** Efforts to meet this objective are ongoing. The City should ensure that any needed capital improvements for previously issued development orders, future development, and redevelopment are included in the City’s Five Year Capital Plan as reviewed annually by the Planning Department. Further, this objective should consider review of the projected population growth and any proposed annexation areas’ future impacts on existing City facilities. This may be accomplished through the creation of a 20-year Capital Improvements Plan.

**Major Local Issues:** Issue 1- Neighborhood Preservation, Issue 3- Annexation Plan

**Sustainability:** Water + Sewage, Waste Reduction + Recycling, Transportation Planning + Traffic Management, Land Use + Urban Form, Community Economic Development and Community Health + Safety

##### *Policy 8.04.01.*

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“The ratio of outstanding indebtedness for projects which are not financed with the proceeds of revenue bonds shall not exceed ten (10) percent of the property tax base in any given year.”

**Assessment:** Efforts to implement this policy are ongoing. The City complies with this ratio as of the date of the EAR assessment. This ratio will change year to year as the outstanding debt and the property tax base change.

**Major Local Issues:** N/A

**Sustainability:** Community Economic Development

##### *Policy 8.04.02.*

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“The City shall consider a range of revenue and project cost projections based on varying assumptions with regard to the local property tax base, shared tax revenues, inflation, contingency costs, and the level and sources of shared projected funding commitment by other jurisdictions.”

**Assessment:** Efforts to implement this policy are ongoing. Each year, the City adopts an operating budget that includes capital projects as part of the 5-Year Capital Plan. The 5 -Year Capital Plan is updated annually. The budget includes specifics regarding the source of funding for each item. The City regularly monitors the State shared revenues and all other sources of funding during the year to ensure that there are adequate financial resources to cover each of the identified expenditures. During budget preparation, a comprehensive projection is developed that determines if and when capital expenditures are

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made. For example, if a project is expected to be partially funded through grant dollars, this funding source is included in the budget. If the grant is not awarded, an alternate source of funding must be identified or the project will not be completed in that budget year.

**Major Local Issues:** N/A

**Sustainability:** Community Economic Development

*Policy 8.04.03.*

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“Where feasible, the City’s capital improvement program shall recognize specific funding sources for specific projects or project categories.”

**Assessment:** Efforts to implement this policy are ongoing. The City’s 5- Year Capital Plan includes both the project cost and the anticipated funding source. The plan itemizes what percentage of the project cost comes from which funding source, be it from the general fund, bonds, loans, grants, impact fees or from other funding sources. The City should consider whether it is feasible to include an operations and maintenance line item in the capital improvements schedule in order to reflect the costs of maintaining each capital improvement.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Community Economic Development

*Policy 8.04.04.*

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“The Director of Finance shall prepare annual estimates of anticipated proceeds from State revenue sharing sources.”

**Assessment:** Efforts to implement this policy are ongoing. The Finance Director prepares a monthly report for the City Commission and the City Manager which includes details on State shared revenues. In addition, Finance Department staff monitors trends in the shared revenue accounts and on State websites, and adjusts projections accordingly. Revisions in estimates are included in the Finance Director’s monthly reports. Anticipated proceeds from State revenue sharing sources are also estimated during the budget process for the upcoming fiscal year.

**Major Local Issues:** N/A

**Sustainability:** Community Economic Development

*Policy 8.04.05.*

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“The City shall adopt guidelines which set apportionment criteria for transportation-generated revenues relative to operations, maintenance, and capital improvements after debt service have been met.”

**Assessment:** Efforts to implement this policy are ongoing. The City receives a share of the State revenues from gas taxes. A proportion of this revenue is required to be spent on roads and other infrastructure improvements. The City places the required share in the capital improvements fund, and restricts the use of it to be in compliance with the minimum requirements.

**Major Local Issues:** N/A

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**Sustainability:** Transportation Planning + Traffic Management, Land Use + Urban Form, Community Health + Safety and Community Economic Development

*Policy 8.04.06.*

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“The City shall adopt a five-year capital improvement program and annual capital budget as part of its budgeting process.”

**Assessment:** Efforts to implement this policy are ongoing. The City annually adopts a five year capital plan and a budget that includes capital expenditures. Consider adopting a twenty (20) year capital plan and budget to better plan for capital projects. The twenty year plan would outline which public facilities will need to be replaced within the next twenty years based on maintenance schedules, and would also project which new public facilities will be needed based on growth projections and other anticipated needs.

**Major Local Issues:** N/A

**Sustainability:** Natural Resource Preservation, Water + Sewage, Waste Reduction + Recycling, Transportation Planning + Traffic Management, Land Use + Urban Form, Community Health + Safety and Community Economic Development

*Policy 8.04.07.*

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“Efforts shall be made to secure grants or private funds to finance the provision of capital improvements.”

**Assessment:** Efforts to implement this policy are ongoing. The City employs a full time Grants Administrator who searches for grants and other funding opportunities to assist in the financing of capital improvements.

**Major Local Issues:** N/A

**Sustainability:** Community Economic Development

*Policy 8.04.08.*

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“The City shall establish as a priority the reservation of enterprise fund surpluses for major capital expenditures.”

**Assessment:** Efforts to implement this policy are ongoing. The City currently has seven (7) enterprise funds. Of these, the Golf Course is the only enterprise fund that is building a reserve for capital expenditures. (Note that this reserve can be used for operational expenditures, if necessary). None of the other enterprise funds currently has a reserve fund for capital expenditures. Instead, these enterprise funds budget for capital expenditures by including anticipated capital projects in the 5 -Year Capital Plan. Any reserves are rolled forward to the next fiscal year and are used as needed for operational or capital expenditures. It is recommended that policy revisions include defining “major capital expenditures” and establishing minimum reserve levels for major capital expenditures for each enterprise fund.

**Major Local Issues:** N/A

**Sustainability:** N/A

**OBJECTIVE 8.05. CONCURRENCY MANAGEMENT**

“The City shall use level of service standards to measure the adequacy of existing public facilities and to ensure that future development will be served with adequate public facilities.”

**Assessment:** Efforts to meet this objective are ongoing. It is recommended that the City develop a more formal process and data maintenance schedule for purposes of ongoing assessment of existing public facilities to determine if they meet the adopted level of service standards.

**Major Local Issues:** Issue 3-Annexation Plan

**Sustainability:** Natural Resources, Water + Sewage, Waste Reduction + Recycling, Transportation Planning + Traffic Management, Land Use + Urban Form, Housing + Community Development, Community Economic Development, Community Health + Safety

*Policy 8.05.01.*

“The following standards for level of service are adopted for all new development:

<b>Public Facility Category</b>	<b>City Standard – Peak Hour LOS</b>		
	<u>FDOT</u>	<u>City</u>	<u>County</u>
Roadways:			
Minor Arterials	C	N/A	N/A
Collectors	-	C	D
Sanitary Sewer Facilities:	172 gallons per capita per day with 1.2 peak factor		
Solid waste facilities:	Average solid waste generation rate of 5.9 pounds per capita per day		
Drainage facilities	<p>All subdivisions, multifamily, commercial, industrial and institutional projects must provide for retention of stormwater within the boundaries of the project. For projects within areas designated for “zero discharge,” storage shall accommodate a ten (10)-year, twenty-four (24)-hour storm event. For all other areas, storage shall accommodate the twenty-five (25)-year, twenty-four (24)-hour storm event, and retention must accommodate the greater of: (a) the first one-half (1/2) inch of stormwater within the boundaries of their project, or (b) the first one (1) inch of storm flow from all roofs, sidewalks, paved surfaces and parking areas (at 100 percent runoff), whether paved or not. The project must also provide detention for all storm flows. Detention must prevent peak flows after development from exceeding the peak flow prior to development.</p> <p>All Drainage facilities shall meet all applicable local, State and federal water quality standards.</p>		
Potable Water	Water allocation level of service: 350 gallons per day per ERC.		
Park and recreation facilities:	Parkland 7.5 acres per 1,000 population”		

**Assessment:** Efforts to implement this policy are ongoing. The following actions are recommended:

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- The City should consider adding level of service standards for police and fire services to this policy.
  - The City should consider adopting level of service standards for bicycle and pedestrian facilities and adding them to this policy.
  - The City should reference level of service standards for schools as outlined in Policy 8.06.01.
  - The City should consider modifying the parks and recreation facilities level of service standards to include standards for parks and recreation facilities, such as for neighborhood parks, community parks, ball fields, etc.
  - The City should consider modifying the parks and recreation facilities level of service standards to include minimum maintenance standards for parks and recreation facilities, such as for neighborhood parks, community parks, ball fields, etc.
  - The City should consider adopting level of service standards including minimum maintenance standards for public facilities that provide waterway or shoreline access. (This may be a separate standard or fall under the above recommendation for parks and recreation facilities.)
  - The City should consider adopting level of service standards including minimum maintenance standards for public facilities that provide boating facilities.
  - The City should consider improvements related to the Stormwater and Drainage Master Plan (currently way) to assess current level of services standards and needed improvements.

**Major Local Issues:** Issue 3- Annexation Plan and Issue 1-Neighborhood Preservation

**Sustainability:** Natural Resource Preservation, Water + Sewage, Waste Reduction + Recycling, Transportation Planning + Traffic Management, Land Use + Urban Form, Community Health + Safety and Community Economic Development

*Policy 8.05.02.*

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“Pursuant to Chapter 163, F.S., and Chapter 9J-5, F.A.C., the concurrency management system shall require that the City not issue any development orders for development unless the applicant provides narrative and graphic information demonstrating to the City’s satisfaction that public facilities required by the subject development will be in place concurrent with the impacts of development. Furthermore, the applicant shall assure the City that the subject development will not reduce the level of service associated with public facilities serving the development below the adopted level of service standards. Public facilities for the purpose of concurrency shall mean facilities related to traffic, drainage, solid waste, potable water, wastewater, and parks and recreation. In addition, the City shall implement a tracking system for concurrency management. The purpose of the tracking system is to maintain a record of the current available capacity of each facility.”

**Assessment:** This policy has yet to be implemented. The City does not have a concurrency management tracking system except for transportation. The following actions are recommended:

- Consider breaking this policy into several policy statements as it is too immense and the intent is difficult to follow as written.
- The last 2 sentences of this policy are similar to Policy 8.05.12. Consider eliminating the last 2 sentences of this policy to avoid repetition with Policy 8.05.12.
- Establish a concurrency management tracking system for other public facilities in the City.
- Recognize the effects of Senate Bill 360 on transportation concurrency.
- Consider adding fire, police, bicycle and pedestrian facilities to the list of public facilities that should be considered under concurrency requirements and consider including these facilities as plan objectives within the Public Facilities Element or the Recreation and Open Space Element.
- Consider adding schools to the list of public facilities included in the policy. (Include a reference to Objective 8.06 School Concurrency).

- Delete the phrase “to the City’s satisfaction” as written in the first sentence of this policy as it is vague.

**Major Local Issues:** N/A

**Sustainability:** Greening the City, Water + Sewage, Transportation Planning + Traffic Management, Land Use + Urban Form, Community Health + Safety and Community Economic Development

*Policy 8.05.03.*

“The City shall periodically update facility demand and capacity information, based on the issuance of concurrency certificates.”

**Assessment:** Efforts to implement this policy are ongoing. The Northeast Florida Regional Council issues transportation concurrency determinations on behalf of the City. It is recommended that the City establish a procedure to track and update facility demand and capacity information. Recognize that effects of the 2009 Senate Bill 360 on transportation concurrency requirements and the City’s designation as a Dense Urban Land Area (DULA) will warrant revisions to this policy as written with regards to transportation planning.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Greening the City, Water + Sewage, Transportation Planning + Traffic Management, Land Use + Urban Form, Community Health + Safety

*Policy 8.05.04.*

“The following criteria shall be used to determine when concurrency has been satisfied for potable water, sanitary sewer, solid waste, and drainage:

- a. The necessary facilities and services are in place at the time the development order is issued;
- b. A development order is issued subject to the conditions that the necessary facilities and services will be in place when the impacts of development occur;
- c. At the time the development order is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, to be available when the impacts of development occur.”

**Assessment:** Efforts to implement this policy are ongoing. It is recommended that the City establish a concurrency management tracking system for potable water, sanitary sewer, and solid waste and drainage facilities in the City. The policy should be amended to reflect the need for continued coordination with the utility provider prior to the issuance of a development order or certificate of occupancy.

**Major Local Issues:** Issue 3- Annexation plan

**Sustainability:** Water + Sewage, Waste Reduction + Recycling, Community Health + Safety

*Policy 8.05.05.*

“The following criteria shall be used to determine when concurrency has been satisfied for recreation and parks:

- a. The necessary facilities and services are in place or under construction at the time the development order is issued; or
- b. A development order is issued subject to the condition that the acreage to serve the new development is dedicated or acquired by the City, or that funds in the amount of the development’s fair share are committed.”

**Assessment:** Efforts to implement this policy are ongoing. It is recommended that the City establish a concurrency management tracking system for recreation and parks facilities, bicycle and pedestrian facilities, boating improvements and access to waterways and shorelines.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Greening the City, Community Health + Safety

*Policy 8.05.06.*

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“The following criteria shall be used to determine when concurrency has been satisfied for roads:

- a. The necessary facilities and services are in place or under construction at the time the development order is issued;
- b. A development order is issued subject to the condition that the necessary facilities and services needed to serve the new development are scheduled to be in place or under construction not more than three (3) years after the issuance of the development order, and the facilities and services are included in the City’s five (5)-year schedule of capital improvements. The schedule of capital improvements may recognize and include transportation projects included in the first three (3) years of the Florida DOT five (5)-year work program; or ;
- c. At the time a development order is issued, the necessary facilities and services are guaranteed in an enforceable development agreement to be available or under construction not more than three (3) years after the development order is issued.”

**Assessment:** Efforts to implement this policy are ongoing. Recognize the effects of the 2009 Senate Bill 360 on transportation concurrency and the City’s designation as a Dense Urban Land Area (DULA) will warrant revisions to this policy as written. It is recommended that the Planning Department review the Five Year Capital Plan to ensure that any transportation projects included in the first three (3) years of the Florida DOT five (5) year work program are included in the City’s schedule of capital improvements.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Transportation Planning + Traffic Management and Land Use + Urban Form and Community Economic Development

*Policy 8.05.07.*

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“A plan amendment is required in order to eliminate, defer, or delay construction of any road which is needed to maintain the adopted transportation level of service and which is listed in the five (5)-year capital improvements schedule.”

**Assessment:** Efforts to implement this policy are ongoing. At this time, the City does not list specific streets for construction or resurfacing in its Five Year Capital Plan. The following actions are recommended:

- The Five Year Capital Plan should detail which streets are to be constructed and/or resurfaced by the Streets Department or any other department.
- The Five Year Capital Plan should detail which sidewalks and bicycle facilities will be constructed, improved or expanded by the Streets Department or any other department.
- Recognize the effects of the 2009 Senate Bill 360 on transportation concurrency and the City’s designation as a Dense Urban Land Area (DULA) will warrant revisions to this policy as written. The City’s required mobility study may result in the adoption of new criteria to meet stipulated mobility strategies and will become part of the annual Capital Improvement Plan review processes.

- It is recommended that the Planning Department review the Five Year Capital Plan to ensure that any streets or other facilities are included that should be included in order to maintain the adopted level of transportation service.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Transportation Planning + Traffic Management, Community Health + Safety and Community Economic Development

*Policy 8.05.08.*

“As part of the preparation of the five (5)-year schedule of capital improvements, the City shall prepare an annual report that details the capacity or deficiency of the following public facilities: roads, sanitary sewer, solid waste, drainage, potable water, and parks and recreation. The annual report shall, at a minimum, include the following information for each facility:

- Adopted level of service standard;
- Existing deficiency or capacity;
- Reserved capacity for approved, but un-built development;
- Improvements to be made by all approved developments; and
- Improvements to be made by the City or any other governmental agency.”

**Assessment:** This policy has not been implemented. At this time, the City does not prepare such a report. The following actions are recommended:

- The City should identify which department is responsible for preparing this report and take the proper steps to begin preparation of the report annually.
- The report should build upon an overall tracking system that continuously reviews these criteria.
- The City should consider adding police, fire, bicycle and pedestrian facilities, and facilities that provide waterfront access and boating access to the list of public facilities to be reviewed as part of this policy. The City should identify other types of capital improvements for which level of service standards should be adopted.
- Include in this report, information regarding school capacities and deficiencies as received annually from the Nassau County School Board Work Plan.
- Include in this report, the City’s efforts to become more sustainable and energy efficient.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Greening the City, Water + Sewage, Transportation Planning + Traffic Management, Land Use + Urban Form, Community Health + Safety and Community Economic Development

*Policy 8.05.09.*

“Prior to approval of an application for a final subdivision plan or final site plan, the City shall review the proposed development application to ensure that public facilities needed to support the development are available.”

**Assessment:** Efforts to implement this policy are ongoing. At present, these facilities are reviewed prior to land use change consideration and when the project appears before the City’s Technical Review Committee for site plan review. There is no formal tracking system using the level of service standards to address the cumulative impacts of new development and redevelopment on public facilities. Determine whether this policy can be combined with Policy 8.05.11 and/ or Policy 8.03.01 and establish a formal review process using the level of service standards included in the Capital Improvements Element of the

Comprehensive Plan to ensure that public facilities needed to support the proposed development are available.

**Major Local Issues:** N/A

**Sustainability:** Water + Sewage, Transportation Planning + Traffic Management, Land Use + Urban Form, Community Health + Safety

*Policy 8.05.10.*

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“The City may approve developments in phases or stages.”

**Assessment:** Efforts to implement this policy are ongoing.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Water + Sewage, Transportation Planning + Traffic Management, Land Use + Urban Form

*Policy 8.05.11.*

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“The City shall not issue a development order within those areas of the City where public facilities do not meet the adopted level of service standards. The areas to be evaluated to determine whether public facilities meet the adopted level of service standard are described for each type of public facility, as follows:

- a. Roads – the area of impact is determined on a case-by-case basis; the impacts of development will be considered for all roads which are expected to be impacted by such development;
- b. Sanitary sewer – the entire sewer service area;
- c. Solid waste – City-wide;
- d. Drainage – City-wide;
- e. Potable water – the entire water service area; and
- f. Parks and recreation – City-wide.”

**Assessment:** Efforts to implement this policy are ongoing. The following actions are recommended:

- Determine whether this policy can be combined with Policy 8.05.09.
- Recognize the effects of the 2009 Senate Bill 360 on transportation concurrency.
- Establish a concurrency management tracking system for sanitary sewer, solid waste, drainage, potable water, parks and recreation facilities as detailed above.
- Include fire/ rescue services, police services, boating facilities, bicycle facilities, pedestrian facilities and waterway and shoreline access
- Expand the review to include minimum facility maintenance standards and related costs that address the quality of our facilities in addition to their capacity as may be adopted through EAR- based revisions
- Establish a formal review process using the level of service standards included in the Capital Improvements Element of the Comprehensive Plan to ensure that public facilities needed to support the proposed development are available.

**Major Local Issues:** N/A

**Sustainability:** Greening the City, Water + Sewage, Waste Reduction + Recycling, Transportation Planning + Traffic Management, Land Use + Urban Form, Community Health + Safety and Community Economic Development

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*Policy 8.05.12.*

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“The City shall establish a monitoring system to monitor the remaining capacity and deficiencies of the public facilities addressed in the Capital Improvements Element and to determine whether concurrency certificates shall be issued.”

**Assessment:** Efforts to implement this policy are ongoing. The following actions are recommended:

- This policy is similar to the last 2 sentences of Policy 8.05.02. Consider eliminating the last 2 sentences of Policy 8.05.02, and rephrase this policy if necessary.
- Recognize the effects of the 2009 Senate Bill 360 on transportation concurrency.
- Establish a monitoring system to monitor the deficiencies and remaining capacity for sanitary sewer, solid waste, drainage, potable water, parks and recreation, and school (Policy 8.06.05) facilities.
- Consider adding schools to the list of public facilities included in the policy. (Include a reference to Objective 8.06 School Concurrency).
- Consider adding fire, police, bicycle, pedestrian and boating facilities as well as facilities that provide waterway and shoreline access to the list of public facilities that should be monitored.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Greening the City, Water + Sewage, Waste Reduction + Recycling, Transportation Planning + Traffic Management, Land Use + Urban Form, Community Health + Safety

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*Policy 8.05.13.*

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“A concurrency certificate shall be required prior to the issuance of any final development order. Final development orders shall contain a specific plan for development including the densities and intensities of development.”

**Assessment:** Efforts to implement this policy are ongoing. The Northeast Florida Regional Council issues transportation concurrency determinations on behalf of the City. Recognize the effects of Senate Bill 360 on transportation concurrency.

**Major Local Issues:** Issue 1- Neighborhood Preservation

**Sustainability:** Greening the City, Water + Sewage, Transportation Planning + Traffic Management, Land Use + Urban Form, Community Health + Safety

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**OBJECTIVE 8.06. SCHOOL CONCURRENCY**

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“The City shall manage the timing of residential growth to ensure adequate school capacity is available consistent with adopted level of service standards for public school concurrency.”

**Assessment:** Efforts to implement this objective are ongoing. Any objective or policy changes related to School Concurrency will need to be reviewed and agreed upon by the Nassau County School Board.

**Major Local Issues:** N/A

**Sustainability:** Land Use + Urban Form, Community Health + Safety

*Policy 8.06.01.*

“Consistent with the Inter-local Agreement, the uniform, district-wide level-of service standards shall be based upon the Florida Inventory of School Houses (FISH) maintained by the Department of Education (DOE). They are initially set and are hereby adopted as shown in **Table 8.1**.”

**Table 8.1**

Type of School	Max. Permanent FISH Capacity	Level of Service	Minimum Acreage
Elementary	800	95%	25
Middle	1200	100%	40
K-8	1200	100%	50
Combination 6-12	1500	100%	60
High	1500	100%	60

These standards shall be consistent with the Inter-local Agreement agreed upon by the School District, and the local governments within Nassau County.”

**Assessment:** Efforts to implement this policy are ongoing.

**Major Local Issues:** N/A

**Sustainability:** N/A

*Policy 8.06.02.*

“The City hereby incorporates by reference the School District’s Five-Year Facilities Work Program for fiscal years 2007-08 through 2011-12, adopted September 13, 2007, that includes school capacity sufficient to meet anticipated student demands projected by the County and municipalities, in consultation with the School Board’s projections of student enrollment, based on the adopted level of service standards for public schools.”

**Assessment:** Efforts to implement this policy are ongoing. The City has incorporated the Nassau County School District’s 2008-2009 Work Program as part of the Capital Improvements Element. Remove the reference to the Five-Year Facilities Work Program for fiscal years 2007-2008 through 2011-2012, adopted September 17, 2007, and change the language in this policy to reflect that the City should be incorporating the most current 5-Year District Facilities Work Program.

**Major Local Issues:** N/A

**Sustainability:** N/A

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*Policy 8.06.03.*

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“The City, in coordination with the School Board, shall annually update the Capital Improvements Element by adopting by reference the School District’s Five-Year Facilities Work Program, to ensure maintenance of a financially feasible capital improvements program and to ensure level of service standards will continue to be achieved and maintained during the five-year planning period.”

**Assessment:** Efforts to implement this policy are ongoing. The City has incorporated the Nassau County School District’s 2008-2009 5-Year District Facilities Work Program as part of the Capital Improvements Element.

**Major Local Issues:** N/A

**Sustainability:** N/A

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*Policy 8.06.04.*

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“The City shall ensure that future development pays a proportionate share of the costs of capital facility capacity needed to accommodate new development and to assist in maintaining adopted level of service standards.”

**Assessment:** Efforts to implement this policy are ongoing. The following actions are recommended:

- Consider rephrasing it to refer specifically to school facilities
- This policy should be more specific about how the City is to ensure that development pays a proportionate share of these costs.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Greening the City, Water + Sewage, Waste Reduction + Recycling, Transportation Planning + Traffic Management, Land Use + Urban Form, Community Health + Safety

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*Policy 8.06.05.*

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“The City shall amend the adopted concurrency management system to include public school facilities as part of the development approval process by conditioning development orders upon the availability of public school facilities at the adopted Level of Service.”

**Assessment:** Efforts to implement this policy are ongoing. The City does not have a concurrency management tracking system except for transportation. Establish a concurrency management tracking system for other public facilities in the City including schools.

**Major Local Issues:** Issue 3- Annexation Plan

**Sustainability:** Community Health + Safety and Community Economic Development

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**OBJECTIVE 8.07. SCHEDULE OF IMPROVEMENTS**

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“A five-year schedule of capital improvement needs for public facilities will be maintained and updated annually in conformance with the review process for the capital improvements element of the FBCP.”

**Assessment:** Efforts to meet this objective are ongoing. Through its annual budget process, the City generates a five year capital improvements plan (CIP) in which proposed projects are given a priority rating in conformance with Policy 8.01.02 and detail specific funding sources in conformance with Policy 8.8.04.03. **Appendix M** contains the 2008-2009 & 2009-2010 approved CIP’s for the City. **Appendix N** contains the July 2009 update to the School Concurrency Program, Data and Analysis and Work Plan for Nassau County. The following actions are recommended:

- Consider making the proposed capital projects more specific. For example, the capital projects for the Streets Department are street resurfacing and sidewalk repairs. No specific streets or sidewalks are identified. If a reserve for emergency repairs to these facilities is needed, that can be specified as a separate project.
- Consider creating a longer term (20 year) schedule of capital improvements to better plan for future needs.

**Major Local Issues:** Issue 1- Neighborhood Preservation and Issue 3-Annexation Plan

**Sustainability:** Water + Sewage, Waste Reduction + Recycling, Energy Efficiency + Renewables, Transportation Planning + Traffic Management, Land Use + Urban Form, Community Economic Development, Community Health + Safety



**PORT ELEMENT****Overview**

The Ocean, Highway and Port Authority prepare the City's adopted Port Facilities Element. The last amendment to this element was received in April 2002 and includes stipulated goals, objectives and policies of the Port in addition to a Port Master Plan. The primary purpose of this element is to clearly define a direction for the Port's Future by providing a guide for long and short term planning and development opportunities.

**Successes and Shortcomings**

At present, this element functions as a standalone document within the City's Comprehensive Plan (Plan). However, there are policy directives in the Port element that should be incorporated as policy statements in the Plan's Traffic Circulation Element, Coastal and Conservation Element and Public Facilities Element. EAR based amendments should consider policy statements within these elements to solidify the Port's role within the City and to better incorporate goals of the Port within its Plan. Additionally, the formatting of the overall Port element should be merged to fit the City's Plan layout. The City will need to identify key staff at the Port Authority to facilitate EAR based amendment considerations and to obtain a modifiable version of the Port Element to incorporate as policy statements in the City's Plan.

It is suggested that the Port Facilities Element be amended to include policy statements related to the City's future sustainability goals. Policy considerations may include coordinated outreach efforts such as developing recycling programs and/or goals, include policy statements to encourage reuse of existing facilities or materials, utilizing low impact development practices and incorporating sustainable building and design strategies. Any policy considerations related to the Port Facilities Element would first need to be reviewed and agreed upon by the Ocean, Highway and Port Authority. The City will work to establish a more coordinated working relationship with the Ocean, Highway and Port Authority staff to discuss any EAR based amendments and coordinate meetings with the Authority.

**Table IV-9 Legislative Updates and Requirements for the Port Element**

STATUTE REF.	DESCRIPTION
163.3178(3)	Exempts the DRI process for port- related industrial or commercial projects within 3 miles of or in a port master plan area which rely on the utilization of port and intermodal transportation facilities

**Public Schools Facilities Element****Overview**

The City adopted its Public School Facilities Element (PSFE) on July 15, 2009 by Ordinance 2008-05. On November 25, 2008, the Department of Community Affairs found the element in compliance with F.S. 163.3180 (13). Further, the City amended its existing Inter-local Agreement for Public School Planning with the Nassau County School Board on July 15, 2008 to be compliant with F.S. 163.3191 (2)(k). The goal of the Public School Facilities Element is to continue to ensure a high quality, fiscally sound public school system that meets the needs of the City's existing and future populations by providing and maintaining adequate public school facilities. The updated Nassau County School Concurrency Program dated July 2009 is contained in **Appendix N**.

**Successes and Shortcomings**

Due to the brief period of time that this element and its corresponding amended ILA have been adopted, it is difficult to provide a full assessment of the successes or shortcomings of how they are functioning. Starting this school year, the City will have one (1) less elementary school. Atlantic Elementary School has been closed due to the age and cost of operation of the facility. This closure was anticipated in the "Planning" section of the adopted 2008-2009 Nassau County School District Work Plan. On-going coordination as related to the PSFE has been successful throughout the past year, the City has continued to be kept apprised of upcoming changes to the Data and Analysis report and future adoption of the 2009-2010 Work Plan. The amended Work Plan will be transmitted to the Department of Community Affairs, along with the City's adopted Capital Improvements Plan by December 1st 2009. The City has discussed implications of the identified EAR major issues with staff at the Nassau County School Board. It was agreed that any proposed policy language changes or additions must be agreed upon by the Nassau County School Board.

It is suggested that the PSFE be amended to include policy statements related to the City's future sustainability goals. Policy considerations may include coordinated outreach efforts such as developing recycling programs and/or goals, providing information about safe biking and sidewalk availability, or participating in community health programming. Additional considerations may include statements to encourage reuse of existing facilities or materials, utilizing low impact development practices and incorporating sustainable building and design strategies. The City recognizes that any local programs or policies adopted can not be binding on the school district's standards, State Requirements for Educational Facilities and the Florida Building Code. The City will continue to work with the Nassau County School Board staff to discuss any EAR based amendments and coordinate meetings with the School Board.

**Table IV-10 Legislative Updates and Requirements for the Public Schools Facilities Element**

STATUTE REF.	DESCRIPTION
HB 7135 Approved by Gov. Crist 6/25/08	All county, municipal, school district, water management district, state university, community college, and Florida state court buildings shall be constructed to meet the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative's Green Globes rating system, the Florida Green Building Coalition standards, or a nationally recognized, high performance green building rating system as approved by the Department of Management Services. This section shall apply to all county, municipal, school district, water management district, state university, community college, and Florida state court buildings the architectural plans of which are commenced after July 1, 2008.