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# **Finding of Necessity**

## **City of Fernandina Beach, Florida**

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### **Study for the Proposed Community Redevelopment Agency (CRA) Area**

Amended and Revised by City of Fernandina Beach Planning Department

Amended and Restated, May, 3<sup>rd</sup> 2005

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## Finding of Necessity for the City of Fernandina Beach

Fernandina Beach, a city of 11,021 persons, is located on Amelia Island at the northeastern corner of Florida across the Cumberland Sound and St. Mary's River on the Atlantic Ocean. Within its traditional downtown area is a historic waterfront, including industrial, commercial, and residential uses. Traditional industries such as shrimping and seafood processing once flourished in the waterfront district. The proposed CRA area is along the industrial waterfront, which can be categorized into three areas: (1) Marina; (2) Shrimping and seafood processing area; and (3) adjacent residential areas. The State of Florida port facilities abut the area, but are not included in the CRA. However, its presence must be considered as part of the planning process. Each of the areas is unique and represents opportunity for redevelopment. The City of Fernandina Beach considers this area ready for redevelopment, in order to realize its full potential. Plans are to identify and develop a Community Redevelopment Agency (CRA) for the waterfront area. Per Chapter 163 in the Florida Statutes, a Finding of Necessity must first be conducted and adopted before a CRA can be established:

*Section 163.355, Florida Statute reads: No county or municipality shall exercise the community redevelopment authority conferred by this part until after the governing body has adopted a resolution, supported by data and analysis, which makes a legislative finding that the conditions in the area meet the criteria described in s. 163.340 (7) or (8). The resolution must state that:*

- (1) One or more slum or blighted areas, or one or more areas in which there is shortage of housing affordable to residents of low or moderate income, including the elderly, exist in such county or municipality; and*
- (2) The rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas, including, if appropriate, the development of housing which residents of low or moderate income, including the elderly, can afford, is necessary in the interest of public health, safety, morals, or welfare of the residents of such county or municipality.*

The University of Florida's Urban and Regional Planning Department, via its Center for Building Better Communities (CBBC), has conducted this Finding of Necessity for use by the City of Fernandina Beach in developing and adopting a resolution justifying the necessary conditions for establishing a CRA. This first step in the CRA process is for the City to make a finding that one or more areas have conditions of slum or blight and there is a need to redevelop. The second step is to create the Community Redevelopment

Agency, followed by preparation and adoption of the redevelopment plan. All three steps are effectuated by resolution or ordinance by the City of Fernandina Beach.

The City of Fernandina Beach, as a local government in the state of Florida, can use the Community Redevelopment Act (Florida Statutes, Chapter 163) for redevelopment within its community. The Act is focused on alleviating deterioration in older areas of a community through use of a comprehensive approach that includes financing mechanisms (bonding and tax increment financing) and legal framework (resolutions, ordinances, and police powers such as eminent domain). The presence of slum and blight conditions in a community contributes to decreased revenues and other undesirable impacts. The Community Development Act can provide powerful tools to a community to improve these conditions, but the process must be followed, per Chapter 163.

This document provides the crucial first step of the CRA process for the City of Fernandina Beach. It provides a summary of the information needed to justify conditions of blight, as well as identifies and defines the boundaries of the proposed CRA district along the waterfront and adjacent areas of the City of Fernandina Beach.

# Requirements and Definitions

## Finding of Necessity for the City of Fernandina Beach

The State of Florida Statute Chapter 163, amended in 2002, outlines the requirements of the Finding of Necessity. Specifically, subsections (7) and (8) of s. 163.340 are used in determining the conditions to justify establishment of a CRA.

(7) "Slum area" means an area having physical or economic conditions conducive to disease, infant mortality, juvenile delinquency, poverty, or crime because there is a predominance of buildings or improvements, whether residential or nonresidential, which are impaired by reason of dilapidation, deterioration, age, or obsolescence exhibiting one or more of the following factors:

- (a) Inadequate provision for ventilation, light, air, sanitation, or open spaces;
- (b) High density of population, compared to the population density of adjacent area within the county or municipality; and overcrowding, as indicated by government-maintained statistics or other studies and the requirements of the Florida Building Code; or
- (c) The existence of conditions that endanger life or property by fire or other causes.

(8) "Blighted area" means an area in which there are A substantial number of deteriorated, or deteriorating structures, in which conditions, as indicated by government-maintained statistics or other studies, are leading to economic distress or endanger life or property, and in which two or more of the following factors are present:

- (a) Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities;
- (b) Aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the 5 years prior to the finding of such conditions;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (d) Unsanitary or unsafe conditions;

- (e) Deterioration of site or other improvements;
- (f) Inadequate and outdated building density patterns;
- (g) Falling lease rates per square foot of office, commercial, or industrial space compared to the remainder of the county or municipality;
- (h) Tax or special assessment delinquency exceeding the fair value of the land;
- (i) Residential and commercial vacancy rates higher in the area than in the remainder of the county or municipality;
- (j) Incidence of crime in the area higher than in the remainder of the county or municipality;
- (k) Fire and emergency medical service calls to the area proportionately higher than in the remainder of the county or municipality;
- (l) A greater number of violations of the Florida Building Code in the area than the number of violations recorded in the remainder of the county or municipality;
- (m) Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; or
- (n) Governmentally owned property with adverse environmental conditions caused by a public or private entity.

However, the term "blighted area" also means any area in which at least one of the factors identified in paragraphs (a) through (n). For purposes of qualifying for the tax credits authorized in chapter 220, "blighted area" means an area as defined in this subsection.

Section  
**3**

# Proposed CRA Area

## Finding of Necessity for the City of Fernandina Beach

### Location

Fernandina Beach is located on Amelia Island at the northeastern corner of Florida, 32 miles north of Jacksonville. Its geographic position is at 30.65 degrees north of the equator and 81.44 degrees west of the prime meridian. The City of Fernandina Beach occupies 7 square miles of Amelia Island's 10.65 square mile area. The amount of land area in the City is 27,592 square kilometers.

#### Amelia Island Location Relative to Jacksonville

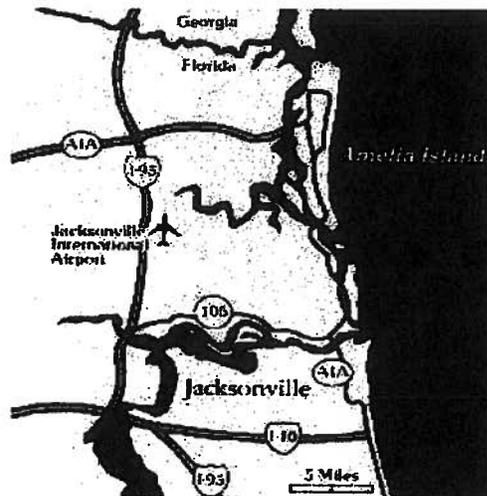


Exhibit A. Source: <http://www.ameliainland.com/>, 2003

The City of Fernandina Beach on Amelia Island is the southernmost Atlantic coast barrier island in the United States. It is across from St. Mary's River and the Cumberland Sound, and is rich in early American history. Amelia Island has had eight different flags flown over it - its cultural and historic resource are tremendous. Its environment has earned it the reputation as "Nature Island." This 13.5 mile-long by 2 mile-wide island has 13 miles of beaches. Fernandina Beach claims to be the oldest city in the United States because of its historic community status dating back to the mid-1500's. Its 50-block Historic District is on the National Register of Historic Places.

## City of Fernandina Beach Location Relative to Amelia Island



Exhibit B. Source: University of Florida, Map and Imagery Library,  
United States Geological Survey Map

Industry has thrived throughout history in Fernandina Beach, birthplace of the modern shrimping industry. It is reputed to produce the world's sweetest shrimp. In addition to modern industry approaches, some of the shrimping industry's customs are preserved in Fernandina Beach, such as the handcrafting skill of netmaking. Given industry decline through the years, the area along the historic waterfront is now in need of redevelopment. Some traditional industries still exist, yet the opportunity for redevelopment in alternative uses is very high.

The proposed CRA boundary is along the historic waterfront, incorporating the area of the marina, the traditional shrimping and seafood processing area, and adjacent uses.

The general study area of the CRA is reflected in Exhibit C below. The blighted areas are located in that part of Fernandina Beach more particularly described as all of the lots abutting the Amelia River also known as waterfront lots 1-8 and 25-40. The westerly ½ of Block 3 including lots 1-18 and 29-34, east to the westerly ½ of Block 8 particularly lots 1-14 and 31-34; and the northerly ½ of lot 30. The westerly ½ of block 9 lots 1-14 and 33, 34. All of Block 2; lots 5-26 of Block 1 and of all Blocks 270 and 271; containing 56 parcels of property. The proposed area does not include the downtown historic area bordering Centre Street, but rather abuts it.

## CRA Study Area Location in Fernandina Beach

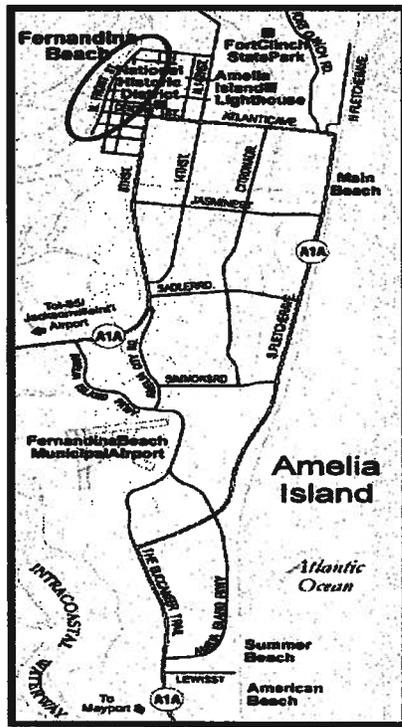


Exhibit C. CRA Study Area Location in Fernandina Beach

## Land Uses

The proposed CRA district contains 56 parcels total. The uses for these parcels include industrial, warehouses, public, and commercial. The majority of the area is focused on industrial, commercial and warehousing activities along the waterfront (Front Street and N. Second Street). The following table lists the district by types in the proposed boundary.

**Table 1. Land Use in Fernandina Beach Proposed CRA**

C-2	7
C-3	8
IM	13
IW	14
PUD	8



Section

4

# Analysis of Requirements Met

## Finding of Necessity for the City of Fernandina Beach

During this project, we conducted a comprehensive analysis of the targeted area to examine parcels and conditions within the area. This was accomplished via analysis of data collected from primary and secondary sources, including databases and through on-site surveying techniques. The analysis and determination of conditions have been made according to the statutory requirements. From the list of required factors, we must justify conditions of slum or blight, gauging the level and type of slum or blight conditions prerequisite to establishment of a CRA. Since the stipulations were amended in 2002, standards have become higher to establish a CRA. However, conditions exist in the proposed district to qualify for the necessary status.

### Blighted Area Conditions

Two or more of the factors (a) through (n) have to be met to justify conditions of blight. We have examined all factors, and found the following four to be highly justifiable for conditions of blight. Through direct study, via this project, we have collected the following information to use as the basis for justification.

#### 1. (Subsection "a") – Inadequate street layout, parking facilities -

The railway divides the waterfront district from the adjacent historic district, cutting off access for visitors to the downtown district. With the exception of the marina at the end of Centre Street, the rest of the waterfront district is not appealing or accessible enough to entice visitors to continue exploration of the area. One of the rail lines is no longer in use, which could possibly provide space for improving the roadway and creating a pedestrian passageway from the State of Florida port facilities to the historic downtown, via Front Street. In its current condition, it is not adequate to support transfer of tourists from cruise boats at the Port to the downtown, for example. There is lack of pedestrian or bicycle facilities, including sidewalks in the district.

Parking facilities at the south end of the district need to be upgraded (currently unpaved and otherwise unimproved), to alleviate congestion on Centre Street as well as provide better facilities for visitors to the marina area. Additionally, the industrial district generates traffic, including heavy trucking activities. These activities are economically valuable to the city as a whole, and within the district, the issues surrounding traffic flow need to be

addressed. Overall, the district along the waterfront needs to have better access to the downtown area, as the current street layout does not provide adequate circulation or access.



Exhibit E. Unused rail line, dividing historic downtown and Front Street, along the waterfront. Also, there are no sidewalks or safe pedestrian passageways from the Port to the downtown area.



Exhibit F. Unimproved and deteriorating parking facilities in the proposed district.

## 2. (Subsection "d") – Unsanitary or unsafe conditions

There exist unsanitary and unsafe conditions in the proposed district. The presence of these conditions contributes to economic decline of the area, and the district is not realizing its development potential, nor is it generating the types of economic activities needed to improve tax revenue collections in the district. The majorities of these conditions are present along the waterfront, on Front Street and include economically obsolete industrial buildings on the waterside. Older pier structures also contribute to the physical decline of the district, as well as industrial debris that has not been adequately disposed. Certainly, this area is not safe in the sense that this corridor is the one in which visitors arriving via cruise boats are to travel through to reach downtown. There are not sidewalks or other safe pedestrian or bicycle passageways in much of the district, leading to unsafe conditions.

The issue of safe passageways for pedestrians is evidenced throughout the district. In general, there is a lack of lighting throughout the district, although some streets have a light on the corner. Exhibit G shows additional conditions that influence safe conditions.

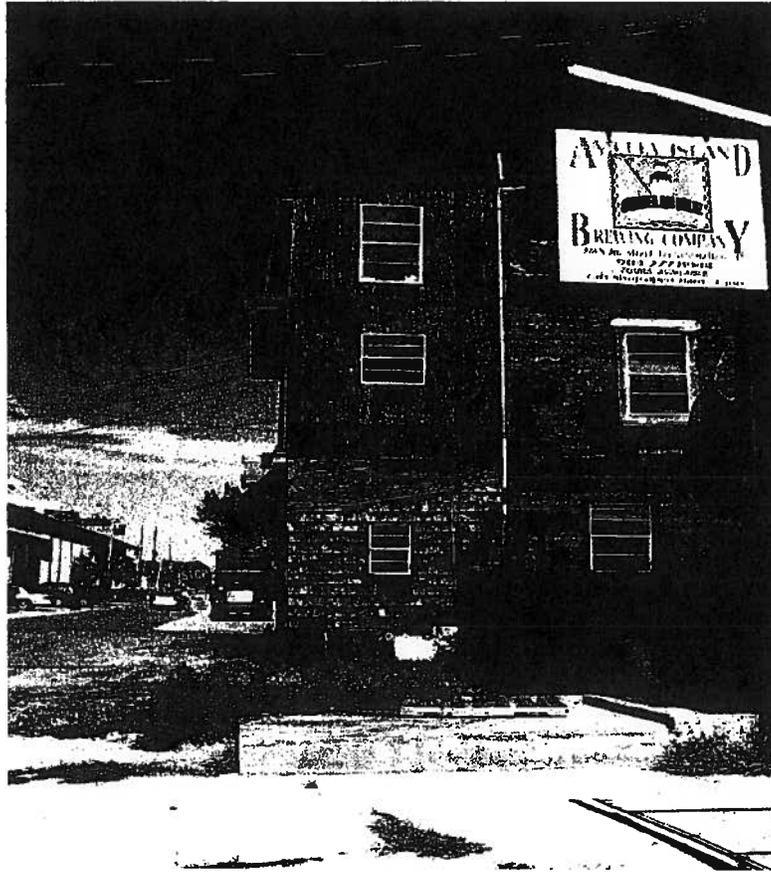


Exhibit G. Lack of sidewalks and other amenities do not promote a safe environment. Coupled with heavy industrial traffic, the residential use is not compatible with surrounding land uses. Dilapidation of structure is evident. (North 3<sup>rd</sup> Street)

3. (Subsection "e") – Deterioration of site or other improvements – A large number of properties in the district exhibit deterioration. This includes industrial, commercial, and public properties. Deterioration leads to economic distress, as well as unsafe conditions. Several sites are illustrated below as demonstration of deterioration of sites, and of past improvements. Exhibits H and I illustrate deterioration adjacent to the marina.

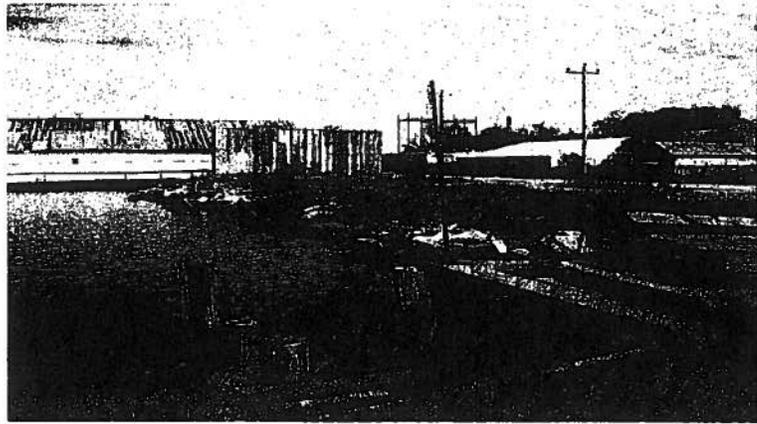


Exhibit H. Deterioration of waterfront areas, adjacent to public space.

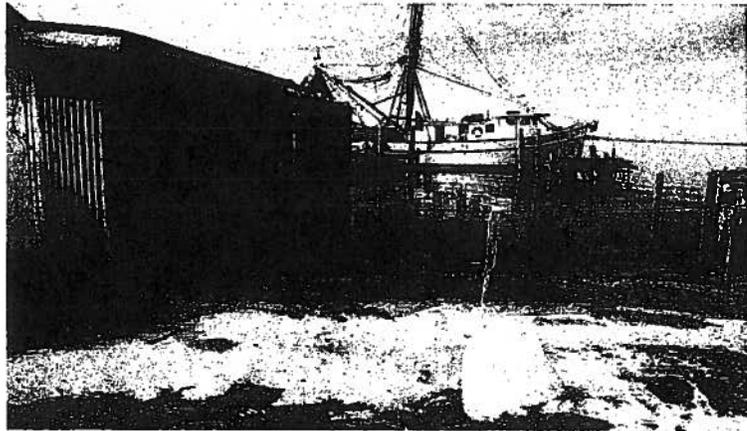


Exhibit I. Deterioration of site. Front Street.

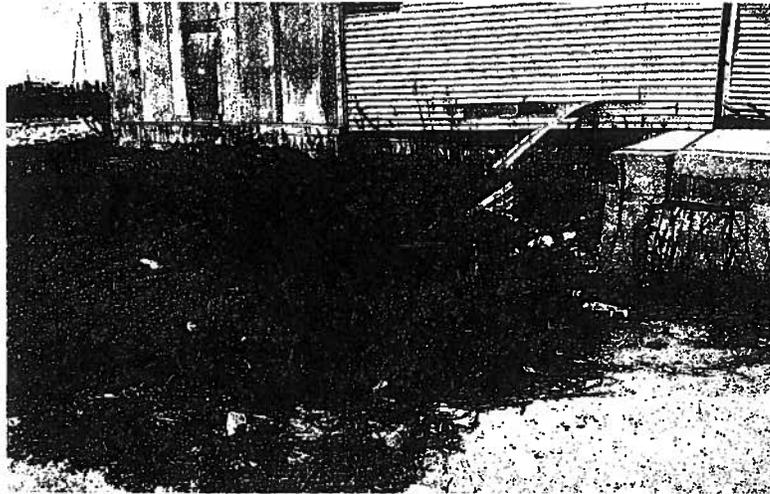


Exhibit J. Deterioration of site on Front Street.

4. (Subsection "f") – Inadequate and outdated building density patterns – The area along the waterfront, and indeed, the entire district, is positioned within the context of waterfront property in a desirable Florida location. Given this locational attribute, the current building pattern is outdated. The district suffers from a lack of usability for pedestrians and bicyclists in general, with no sidewalks in much of the area. Current industrial activities provide greatly needed job and revenue opportunities; however, the building density pattern in the area for these uses is inadequate and this issue needs to be thoroughly addressed in the planning process, including the flow of traffic from the industrial areas.

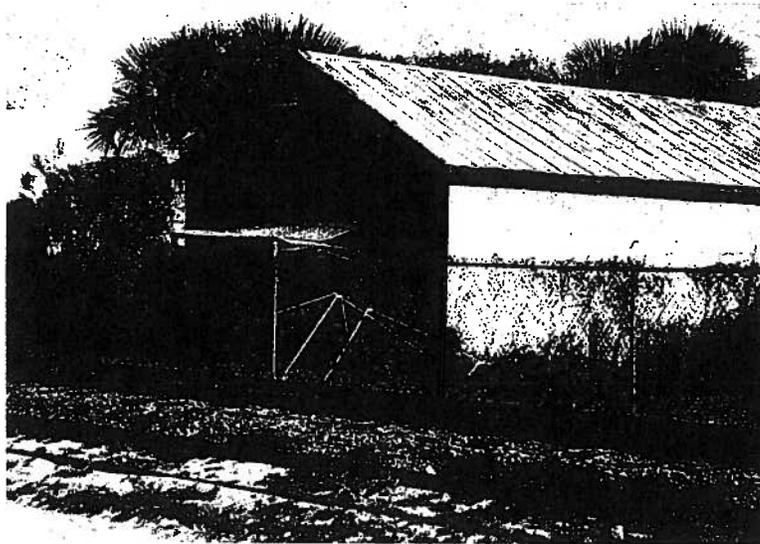


Exhibit K. Outdated building patterns; lack of usability, and no longer compatible with surrounding land uses.

# Summary and Conclusions

## Finding of Necessity for the City of Fernandina Beach

### Finding of Necessity Justification

Based on the data collected and the analysis conducted in this study, the City of Fernandina Beach Waterfront Redevelopment Area qualified as a CRA area as defined by Florida Statutes, Chapter 163.340. The proposed area clearly meets the conditions of blight with four criteria (only two are required). This study clearly indicates the need for establishment of a CRA and development of a CRA plan so the area will be in accordance with community goals and objectives and comprehensive planning and development approaches. The City of Fernandina Beach, in drafting a resolution to adopt the Finding of Necessity, can utilize the information presented in this report for justification. Following adoption of the resolution, the next step, pursuant to Florida Statutes, Chapter 163.356, amended in 2002, is:

(1) Upon a finding of necessity as set forth in s. 163.355, an upon further finding that there is a need for a community redevelopment agency to function in the county or municipality to carry out the community redevelopment purposes of this part, any county or municipality may create a public body corporate and politic to be known as a "community redevelopment agency."

To summarize the justifications identified, we found:

- Blight Conditions:
  - Inadequate street layout, parking facilities
  - Unsanitary or unsafe conditions
  - Deterioration of site or other improvements
  - Inadequate and outdated building density patterns

These conditions support the Finding of Necessity for establishing the City of Fernandina Beach Waterfront CRA.

# Appendix

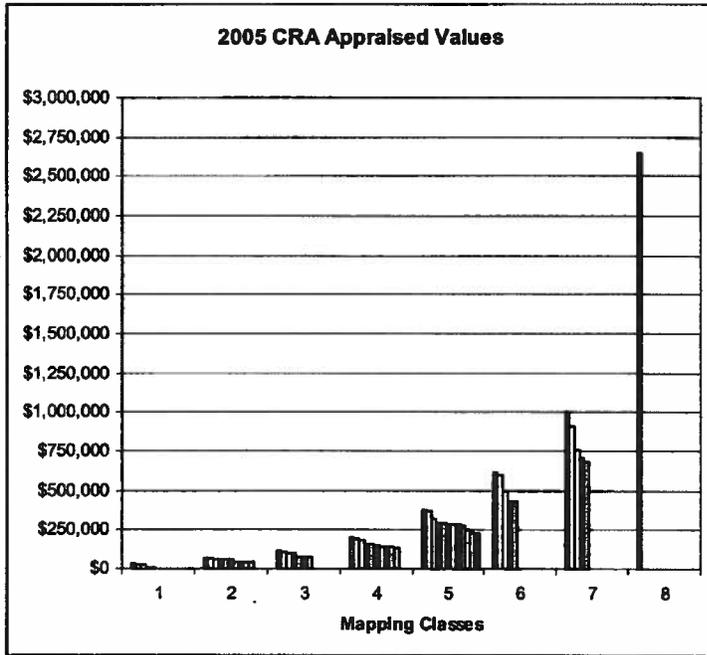
## Finding of Necessity for the City of Fernandina Beach

### 1. Assessed Values





# Community Redevelopment Area



All Appraised values come from Nassau County Property Appraiser (April 1st, 2005)

## Legend

CRA Boundary

### 2005 CRA Appraised Values

- 1 \$3,982.00 - \$30,195.00
- 2 \$30,195.00 - \$71,614.00
- 3 \$71,614.00 - \$114,144.00
- 4 \$114,144.00 - \$205,659.00
- 5 \$205,659.00 - \$379,345.00
- 6 \$379,345.00 - \$611,728.00
- 7 \$611,728.00 - \$1,001,879.00
- 8 \$10,01,879.00 - \$2,644,645.00

Involved Properties: 56  
 Total Acres: 37.364  
 Total Assessed Value: \$15,716,938

