



# **CITY OF FERNANDINA BEACH**

## **COMPREHENSIVE PLAN**

Adopted May 4, 2004

**DEFINITIONS**

- Buffer Land area and landscaping provided to separate a use which may have a negative impact on an adjacent use or natural resource. Buffers may include physical barriers, vegetated berms, hedges, landscape cover, walls, fences, or land area with dense vegetation and tree canopies.
- CCCL Coastal Construction Control Line.
- CHHA Coastal High Hazard Area.
- City City of Fernandina Beach.
- Coastal high hazard area The area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.  
(amended 12/19/2006 by Ordinance 2006-28)
- Community Redevelopment Area The City of Fernandina Beach Community Redevelopment Area, established in 2005.  
(amended 12/19/2006 by Ordinance 2006-28)
- County Nassau County.
- DEP Department of Environmental Protection for the State of Florida.
- DOT Department of Transportation for the State of Florida.
- Environmentally sensitive areas Estuarine shoreline areas, wetlands, wetland transitional areas, 100-year floodplains, and upland wildlife habitats.
- ERC Equivalent Residential Connection
- F.A.C. Florida Administrative Code.
- FBCP Fernandina Beach Comprehensive Plan.
- Floor Area Ratio (FAR) A measurement of the intensity of building development on a site. A floor area ratio is the relationship between the gross floor area on a site and the gross land area. The FAR is calculated by adding together the gross floor areas of all buildings on the site and dividing that figure by the gross land area.
- FLUM Future Land Use Map

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- Hazardous materials or hazard wastes      Solid waste, or a combination of solid wastes, which, because of the quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated or otherwise managed. Hazardous wastes include those wastes generated from non-residential sources.
- Infrastructure      Manmade structures that serve the common needs of population, including transportation facilities, sanitary sewer facilities, drainage facilities, stormwater systems, solid waste disposal sites, and potable water facilities.
- Infrastructure improvements      Those activities which lead to an increase in the capacity of a facility for transportation, potable water, or sanitary sewer.
- LOS      Level of Service.
- Media Peonia      One half of a Peonia, measured as 46'6" by 46'6". A Media Peonia does not constitute a platted lot of record for the purposes of Policy 1.04.03.  
(amended 12/19/2006 by Ordinance 2006-28)
- Natural resources      Potable water wells, wellhead protection areas, beaches, shores, shorelines, dunes, estuarine systems, rivers, bays, lakes, flood plains, harbors, wetlands, minerals, habitats for listed species, marine habitats, ecological communities, natural vegetative communities, fisheries, and coastal high hazard areas.
- NEFRPC      Northeast Florida Regional Planning Council.
- Net density      Determined by multiplying the "maximum allowable units per acre" by the "net buildable land area" expressed in acreage. "Net buildable land area" means those contiguous land areas under common ownership proposed for residential development, minus undevelopable environmentally sensitive areas, including wetlands, transitional wetlands, floodplains, and waters of the state. Lots adjoining an existing right of way may calculate half of the width of that right of way as part of the "net buildable land area" definition.  
(amended 12/19/2006 by Ordinance 2006-28)
- Open space      Any land, air, or water surface that affords unobstructed physical movement and is relatively free of defacing man-made structural

mass.

- Peonia                      Historic platted lot in Old Town, measuring 46'6" by 93'.  
(amended 12/19/2006 by Ordinance 2006-28)
- PUD                         Planned Unit Development
- SJRWMD                 St. Johns River Water Management District.
- State                        State of Florida.
- Substandard housing units     Dwelling units that fail to meet the building code, fail to meet the minimum housing code, lack complete plumbing, lack complete kitchen facilities, or are overcrowded.
- Supportive community facilities     Facilities that provide an essential public service, such as utility lines, lift stations, pumps, telephone equipment stations, gang mail boxes, newspaper vending boxes, parks and associated recreation facilities, and the like.
- Wetland transition areas             The land area separating wetlands and uplands.
- Wetlands                    Areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils.

Terms that are not defined herein shall have the meanings listed in Rule 9J-5.003, F.A.C., or in Section 163.3164, Florida Statutes.

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**FUTURE LAND USE ELEMENT**

**GOAL 1.0**

**THE GOAL OF THE CITY IS TO EFFECTIVELY MANAGE GROWTH AND DEVELOPMENT BY DESIGNATING AREAS FOR ANTICIPATED FUTURE DEVELOPMENT WHICH SATISFIES MARKET DEMAND IN A COST-EFFICIENT AND ENVIRONMENTALLY ACCEPTABLE MANNER. THE CITY WILL ENCOURAGE AND ACCOMMODATE LAND USES WHICH MAINTAIN THE CITY AS A VIABLE COMMUNITY, ENHANCE THE CITY'S ECONOMIC BASE, AND OFFER DIVERSE OPPORTUNITIES FOR A WIDE VARIETY OF LIVING, WORKING, SHOPPING, AND LEISURE ACTIVITIES, WITH MINIMAL ADVERSE IMPACT ON THE NATURAL ENVIRONMENT.**

**OBJECTIVE 1.01. GROWTH MANAGEMENT**

**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.**

**Policies**

*1.01.01.* 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.

*1.01.02.* 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.

*1.01.03.* 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.

1.01.04. 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.

1.01.05. 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.
- e. *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.
- f. *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.
- g. *Maximum building size.* Standards shall limit the gross square feet of a single building in order to ensure compatibility with development throughout the City.

1.01.06 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.

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

1.01.08. 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.

1.01.09 Any potential adverse impacts caused by different land uses located adjacent to each other shall be minimized by landscaping,

1.01.10 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.

1.01.11. 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

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

- a. The purpose of a PUD overlay zoning district shall be to:
  - 1. Improve the use of land where topography does not permit the application of the standard grid pattern subdivision of land; or
  - 2. Introduce more than one (1) land use within a mixed use development, for example, recreation and commercial activities within a residential development; or
  - 3. Allow more than one (1) housing type within a residential PUD; or
  - 4. Allow innovative arrangements of uses and buildings that are not permissible in the underlying zoning district; or
  - 5. Cluster homes, businesses, and other uses within a development to improve the efficiency of supporting infrastructure.
- b. 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.
- c. No PUD shall be allowed within the Coastal High Hazard Area.
- d. A mixed-use PUD shall conform to all of the following guidelines:
  - 1. Allowable commercial and office land uses shall not exceed a floor area ratio of 0.21;
  - 2. Residential density for the total project shall not exceed the residential density of the underlying land use category on the FLUM;

3. 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
4. Site design and other techniques shall be used to ensure the compatibility of the project with adjacent land uses.

1.01.13. 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.

### **OBJECTIVE 1.02. NATURAL RESOURCE PROTECTION**

**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.**

#### **Policies**

1.02.01. 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.

1.02.02. The City shall ensure that future public supply wellfields, 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.

1.02.03. Existing and future public supply wellfields 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).

1.02.04. Any land uses currently found within 500 feet of an existing wellfield 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.

1.02.05. Within 500 feet of a public supply wellfield, 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.

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

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

1.02.08. 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.

**OBJECTIVE 1.03. REDEVELOPMENT**

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

**Policies**

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.

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.

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 8<sup>th</sup> Street, Sadler Road, and 14<sup>th</sup> 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.

**OBJECTIVE 1.04. NONCONFORMITIES**

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

**Policies**

1.04.01. 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.

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

1.04.03. Existing platted lots of record that are located in Central Business District, Office Residential Mixed Use, 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 via Ordinance 2005-30, NOI 2006-01)

**OBJECTIVE 1.05. HISTORIC RESOURCES**

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

**Policies**

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

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

1.05.03. The City shall continue to provide assistance to the private sector to preserve the City's historic nature.

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.

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.

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

1.05.07. 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.

1.05.08. 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.

1.05.09. 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.

**OBJECTIVE 1.06. LAND USE CATEGORIES**

**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.**

**Policies**

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)

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)

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.
- 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.

1.06.04. 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.

1.06.05. High Density Residential (HDR)

- a. High-density residential development allows single- and multi-family dwellings at a minimum of four (4) units per acres 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 remain 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.
- f. 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 via Ordinance 2005-30, NOI 2006-01)

1.06.06. 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 floor area ratio 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)

1.06.07. 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 floor area ratio of 0.50.

1.06.08. 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 floor area ratio 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.

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. (1.06.09(e) 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)

**1.06.10. 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 floor area ratio 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.

**1.06.11. 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 floor area ratio 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.

1.06.12. 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 floor area ratio 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.

1.06.13. 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.

1.06.14. 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 floor area ratio for development within the Public and Institutional land use category is 0.50.

1.06.15. 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.

**OBJECTIVE 1.07. COMMERCIAL LAND USE CONVERSION**

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

1.07.01. 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.

1.07.02. 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 frontage 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.

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

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

**Policies**

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

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

1.08.03. 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.

1.08.04. 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.

1.08.05. 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.

1.08.06. 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.

### **OBJECTIVE 1.09. PLANNING FOR PUBLIC SCHOOLS**

**In order to provide proper planning for new public school facilities in the City, the City shall implement the following policies addressing public schools as an allowable land use, criteria for locating schools, and collocation of schools and community facilities.**

#### **Policies**

1.09.01. The City shall allow elementary and middle schools to be located within low-density residential, medium density residential, high density residential, office & mixed use, general commercial and public/institutional FLUM categories. High schools shall be allowed in medium density residential, high density residential, general commercial and public/institutional FLUM categories.

1.09.02. The City shall maintain an interlocal agreement with the Nassau County School Board to govern the process for locating new schools and/or expanding existing schools within the City. The interlocal agreement shall include the minimum criteria for locating a new school, as well as a method for resolving conflicts.

1.09.03. The City shall coordinate with the Nassau County School Board to collocate public facilities, such as parks, libraries, and community center, with schools to

greatest extent possible. In collocating facilities, the City shall use the following guidelines:

- a. *Elementary schools.* Playgrounds may be collocated with elementary schools. In areas with densities high enough to support them, a neighborhood park with facilities for the elderly, a neighborhood recreation center, and a library sub-branch may be collocated with an elementary school.
- b. *Middle schools.* A community park and athletic fields are appropriate to collocate with middle schools. The City will seek to use the school as a community center, providing meeting space for recreation and other public programs. Where it is infeasible to use the middle school as a community center, the City may collocate a community center with a middle school. A branch library is appropriate for collocation with a middle school.
- c. *High schools.* Community parks with a community center, if the school will not be used for this purpose, and athletic field may be collocated with high schools. A main or branch library is also appropriate. If justified by the population to be served, a district park may be collocated with the school.

**TRAFFIC CIRCULATION ELEMENT**

**GOAL 2.0**

**THE CITY WILL PROVIDE FOR THE SAFE AND EFFICIENT MOVEMENT OF PEOPLE AND GOODS, AND THE USE OF ALTERNATIVE MODES OF TRANSPORTATION.**

**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.**

**Policies**

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.

**Minimum Acceptable Peak Hour Level of Service**

**Roadway Classification**

Minor Arterials	C
Collectors, City Responsibility	C
Collectors, County Responsibility	D

**OBJECTIVE 2.02. SAFETY AND EFFICIENCY**

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

2.02.01. 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.

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

2.02.03. 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.

**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.

**Policies**

2.03.01. The roadway improvement projects listed below will be completed in the priority order indicated:

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

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 Street.

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 land use FLUM and the Future Traffic Circulation Map ~~transportation plan~~; and
- h. Provide service to development areas which may be approved as amendments to the FLUM and the Future Traffic Circulation Map.

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.

2.03.05. The City shall collect transportation impact fees on behalf of the County for specified County roads, based on the adopted interlocal agreement.

**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.

**Policies**

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

2.04.02. 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.

2.04.03. 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.

2.04.04. 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.

**OBJECTIVE 2.05. BICYCLE AND PEDESTRIAN WAYS**

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.

**Policies**

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

2.05.02. 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.

2.05.03. 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.

**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.**

**Policies**

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.

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.

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.

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.

**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.**

**Policies**

2.07.01. 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.

2.07.02. 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.

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

2.07.04. 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.

**OBJECTIVE 2.08. DOWNTOWN PARKING**

**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.**

**Policies**

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

2.08.02. 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.

**HOUSING ELEMENT**

**GOAL 3.0**

**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.**

**OBJECTIVE 3.01. HOUSING DEMAND**

**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.**

**Policies**

*3.01.01.* The City's land development regulations shall provide a process for the use of planned unit developments which offer a variety of housing types.

*3.01.02.* 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.

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

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

*3.01.05.* 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.

*3.01.06.* 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.

*3.01.07.* 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.

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

**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.**

3.02.01. 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.

3.02.02. 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.

3.02.03. 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.

**OBJECTIVE 3.03. SUBSTANDARD HOUSING**

**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.**

**Policies**

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

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

3.03.03. 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.

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.

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.

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

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

**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.**

**Policies**

3.04.01. 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.

3.04.02. 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.

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

3.04.04. 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.

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.

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.

**OBJECTIVE 3.05. GROUP HOMES**

**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.**

**Policies**

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

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

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

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

3.05.05. 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.

3.05.06. 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.

### **OBJECTIVE 3.06. RELOCATION**

**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.***

#### **Policies**

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

**PUBLIC FACILITIES ELEMENT**

**GOAL 4.0**

**THE CITY SHALL PROTECT INVESTMENTS IN EXISTING SANITARY SEWER, POTABLE WATER, SOLID WASTE, AND STORMWATER DRAINAGE FACILITIES, MAXIMIZE THE USE OF THESE FACILITIES, AND PROTECT THE QUALITY FOR BOTH SURFACE AND GROUNDWATER. THE CITY SHALL ENSURE THE AVAILABILITY OF SAFE AND ADEQUATE FACILITIES TO MEET THE NEEDS OF CURRENT AND FUTURE RESIDENTS AND VISITORS.**

**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.**

**Policies**

*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.

<b><u>Facility/Service Area</u></b>	<b><u>Level of Service Standard</u></b>
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

*4.01.02.* 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.

4.01.03. *Reserved.*

4.01.04. In order to ensure that these level 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.

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

**OBJECTIVE 4.02. WASTEWATER TREATMENT SYSTEMS**

**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.**

**Policies**

4.02.01. 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.

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

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

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

**Policies**

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.

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.

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.

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.

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. Nonpotable 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.

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.

**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.**

**Policies**

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

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

4.04.03. 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.

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

**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.**

**Policies**

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

4.05.02. The components of the Water Supply Facilities Work Plan are contained in the Public Facilities Element, the Potable Water Subelement, 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.

4.05.03. 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.

4.05.04. 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*.

**OBJECTIVE 4.06. SOLID WASTE**

**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.**

**Policies**

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*.

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.

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.

4.06.04. The City will continue to seek State funding for the purposes of establishing and expanding its proposed recycling program.

**OBJECTIVE 4.07. STORMWATER DRAINAGE PLANNING**

**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)

**Policies**

4.07.01. 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.

4.07.02. The City shall prepare and periodically update a drainage evaluation study which will: (1) determine the volume, rate, timing, and pollutant load of runoffs where improvements have been made; (2) identify areas which have recurring drainage problems; (3) evaluate the extent to which water bodies are being impacted by the City's stormwater discharges; and (4) determine where additional improvements are needed.

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

**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.**

**Policies**

4.08.01. 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.

4.08.02. 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.

4.08.03. 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.

4.08.04. 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.

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

4.08.06.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.

4.08.06.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.

4.08.07. 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 ch.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.

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

4.08.10. 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*.

#### **OBJECTIVE 4.09. MANAGING SURFICIAL AQUIFER RECHARGE**

**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.**

##### **Policies**

4.09.01. 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.

4.09.02. 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.

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.

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.

**CONSERVATION AND COASTAL MANAGEMENT ELEMENT**

**GOAL 5.0**

**THE CITY SHALL CONSERVE, UTILIZE, AND PROTECT THE NATURAL RESOURCES OF THE AREA, INCLUDING AIR, WATER WELLS, ESTUARIES, WATER BODIES, SOILS, MINERALS, VEGETATIVE COMMUNITIES, WILDLIFE, WILDLIFE HABITAT, AND OTHER NATURAL AND ENVIRONMENTAL RESOURCES, TO ENSURE THAT RESOURCES ARE PROTECTED AND AVAILABLE FOR FUTURE GENERATIONS.**

**OBJECTIVE 5.01. PUBLIC BEACH ACCESS**

**The City shall continue to maintain, improve, and increase public beach access through acquisition and other land use controls.**

**Policies**

5.01.01. The City shall maintain an inventory of public beach access points, including number, location, design, and availability of parking.

5.01.02. The City shall require, where appropriate, the dedication of public access to beaches from developments located within the coastal area.

5.01.03. The City shall not vacate necessary existing rights-of-way, easements, walkways, and other access points to beaches and shores.

5.01.04. The City shall promote, through dedication or other means, increased facilities for public beaches.

5.01.05. 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.

**OBJECTIVE 5.02. DUNE PRESERVATION**

**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.**

**Policies**

5.02.01. The City will identify and prioritize those beaches and dune systems which are in need of protection, enhancement, and renourishment.

5.02.02. 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.

5.02.03. The City shall implement standards for dune protection at public and private crossovers, stabilization, and restoration projects.

5.02.04. 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.

5.02.05. No motorized vehicles will be allowed on dune systems except in an emergency situation as designated by the local civil defense agency.

5.02.06. The City shall coordinate with DEP in evaluating the location of the CCCL.

5.02.07. 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.

5.02.08. 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.

**OBJECTIVE 5.03. HAZARD MITIGATION**

**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.**

**Policies**

5.03.01. The City shall coordinate with Nassau County for the safe evacuation of the coastal population in accordance with Nassau County's hurricane evacuation plan.

5.03.02. The City shall prioritize the improvement of transportation facilities to give special consideration to routes for hurricane evacuation.

5.03.03. 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
- e. Current information on the number and location of special needs population.

5.03.04. The City shall provide a hurricane guide showing evacuation routes, hurricane hazards, safety procedures, shelters, and other pertinent information for its citizens.

5.03.05. 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.

5.03.06. 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.

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.

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.

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.

5.03.10. Disaster preparedness plans shall address the needs of special needs populations, including evacuation and specific shelter requirements.

5.03.11. 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.

5.03.12. 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.

5.03.13. 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.

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.

**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.**

**Policies**

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.

5.04.02. 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 washdown water for dry storage areas.

5.04.03. Existing marina facilities shall be allowed to continue operation provided these facilities meet the City's adopted operational standards.

5.04.04. The City shall encourage new and expanded marina facilities to utilize dry storage to the fullest extent possible.

**OBJECTIVE 5.05. COASTAL PROTECTION**

**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.**

**Policies**

5.05.01. The City shall maintain water quality at the designated standards for the appropriate water body classification.

5.05.02. 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.

5.05.03. 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.

5.05.04. 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.

5.05.05. 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.

5.05.06. Docks and piers shall not obstruct or materially alter natural water flow or restrict navigation.

5.05.07. The City shall identify, regulate, and mitigate adverse impacts to water resources.

5.05.08. 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.

**OBJECTIVE 5.06. DREDGE AND FILL**

**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.**

**Policies**

5.06.01. 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.

5.06.02. 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.

5.06.03. All dredge spoil material shall be placed on suitable disposal sites approved by all agencies with regulatory jurisdiction.

5.06.04. Approved best management practices, as published by the DEP, shall be used before, during, and after construction to reduce siltation and erosion.

5.06.05. 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.

5.06.06. 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.

**OBJECTIVE 5.07. COASTAL HIGH-HAZARD AREAS**

**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,**

**Policies**

5.07.01. 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 floodproofing 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.

5.07.02. 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.

5.07.03. 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.

5.07.04. 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)

5.07.05. 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.

5.07.06. 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)

### **OBJECTIVE 5.08. NATURAL RESOURCE PROTECTION**

**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.**

#### **Policies**

5.08.01. Wetlands and other environmentally sensitive lands shall be depicted on the FLUM as “conservation” in order to ensure maximum protection.

5.08.02. The City shall protect open space, trees and native vegetation, scenic corridors, and wildlife habitats.

5.08.03. 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.

5.08.04. 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.

5.08.05. 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.

5.08.06. 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.

5.08.07. 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.

5.08.08. Hazardous materials or hazardous waste shall not be stored within the floodplain.

5.08.09. 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.

5.08.10. 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.

**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.**

**Policies**

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.

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.

5.09.03. 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.

5.09.04. The City will actively pursue State and federal grants to acquire and establish natural pathways between nature preserves, parks, and historical sites.

5.09.05. 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.

5.09.06. 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.

**OBJECTIVE 5.10. THREATENED AND ENDANGERED SPECIES**

**The City will protect significant habitats of viable populations of threatened or endangered species.**

**Policies**

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.

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 renourishment, beachfront lighting, coastal construction, and mechanical beach cleaning during nesting season.

5.10.03. 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.

5.10.04. 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.

5.10.05. 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.

**OBJECTIVE 5.11. AIR QUALITY**

**The City will strive to meet air quality standards established the EPA and the DEP.**

**Policies**

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.

**OBJECTIVE 5.12 PROTECT AND PRESERVE WETLANDS**

**The City shall protect and preserve wetlands from physical and hydrologic alterations, and shall direct incompatible land uses away from wetlands.**

**Policies**

5.12.01. The City’s land development regulations shall require that any application for development approval for sites containing wetlands shall include a 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.

5.12.02. 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.

5.12.03. 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.

5.12.04. 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.

5.12.05. 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.

5.12.06. 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.

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.

**RECREATION AND OPEN SPACE ELEMENT**

**GOAL 6.0**

**THE CITY SHALL ENSURE THE AVAILABILITY OF SUFFICIENT LAND FOR PARKS, RECREATIONAL FACILITIES, AND OPEN SPACE TO MEET THE HEALTH, SAFETY, AND WELFARE NEEDS OF CITY RESIDENTS AND VISITORS.**

**OBJECTIVE 6.01. AVAILABILITY OF PARKS**

**The City shall ensure the availability of neighborhood and community recreational facilities at the adopted level of service.**

**Policies**

6.01.01. 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.

6.01.02. The City shall provide incentives for the dedication of recreational land through PUD zoning and subdivision standards.

6.01.03. 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.

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.

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.

6.01.06. The level of service standard is 7.5 acres of parkland per 1,000 residents.

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.

**OBJECTIVE 6.02. ACCESS TO RECREATIONAL AREAS**

**The City shall ensure the availability of adequate vehicular, pedestrian, and bicycle access to public recreational areas.**

**Policies**

6.02.01. The City will provide parking for vehicles, handicapped spaces, and bicycle racks, at City-owned park and recreational facilities.

6.02.02. Sidewalks, bicycle paths, and/or multipurpose trails shall be required in new developments to provide safe access to recreational facilities.

6.02.03. The City will provide handicapped parking and barrier-free access to all types of City-owned recreational facilities.

6.02.04 All future city-owned parks and recreational facilities shall have direct access on a public street or easement.

**OBJECTIVE 6.03. OPEN SPACE**

**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.**

**Policies**

6.03.01. The City shall include conservation and preservation areas on the FLUM.

6.03.02. The City shall encourage applicants for development approvals to provide open space beyond the minimum standards.

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.

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.

**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.**

**Policies**

6.04.01. 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.

6.04.02. Whenever possible, recreational sites should be established with multiuse purposes to provide both recreational facilities and to ensure preservation or conservation of environmentally sensitive lands.

6.04.03 The City will give high priority in its five-year capital improvement plan to acquisition of lands in CHHA and in or adjacent to jurisdictional wetlands for passive recreational purposes, including bike trails, hiking paths, greenways, and corridors.

6.04.04. The City shall seek public and private support for the acquisition, development, operation, and maintenance of recreational facilities and open space areas.

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.

**INTERGOVERNMENTAL COORDINATION ELEMENT**

**GOAL 7.0**

**ESTABLISH PROCESSES AMONG THE VARIOUS GOVERNMENTAL AGENCIES TO COORDINATE ALL DEVELOPMENT ACTIVITIES TO PRESERVE AND ENHANCE THE QUALITY OF LIFE AND ENSURE THE EFFICIENT USE OF AVAILABLE RESOURCES.**

**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.**

**Policies**

*Land Use*

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.

7.01.02. The joint local planning agency for Amelia Island shall provide coordination needed between the City and unincorporated Amelia Island regarding land use and development.

7.01.03. The City shall request that the NEFRPC assist in mediation processes to resolve conflicts between the City and other local governments.

7.01.04. The City shall establish procedures for the review of the plans of the City and the 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.

7.01.05. 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.

*Traffic Circulation*

7.01.06. 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.

*Infrastructure*

7.01.07. 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.

*Coastal/Conservation*

7.01.08. The City shall suggest a formal agreement with Nassau County to ensure the protection and conservation of bays, harbors, estuaries, and coastal resources.

7.01.09. 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 therefrom. Coordination shall include, but not be limited to, the use of new schools for public evacuation shelter, transportation/evacuation routes, and special needs population.

**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.**

**Policies**

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.

7.02.02. The City shall work with the County on an ongoing basis to ensure that their respective comprehensive plans are compatible.

7.02.03. 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.

**OBJECTIVE 7.03. CONSISTENCY OF LOS**

**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.**

**Policies**

7.03.01. 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.

7.03.02. 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.

**OBJECTIVE 7.04. INTERGOVERNMENTAL COORDINATION ACTIVITIES**

**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.**

**Policies**

7.04.01. The City Commission shall be responsible for ensuring an effective intergovernmental coordination program for the City.

7.04.02. 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.

7.04.03. 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.

7.04.04. The review of proposed developments shall include findings regarding the relationships of such proposed developments to the comprehensive plans of adjacent local governments.

7.04.05. The City shall ensure efficient and timely coordination with those agencies which have jurisdiction over land and water management issues within the City.

7.04.06. 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:

- a. Expansion of existing school sites;
- b. Traffic circulation in and around school sites;

- c. Acquisition of new sites; and
- d. Use of School Board property and facilities by the City.

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 management 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.

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 with the NEFRPC in meeting regional policies contained in the "Northeast Florida Regional Comprehensive Policy Plan".

7.04.09. 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.

7.04.10. 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.

7.04.11. In order to maximize the opportunities for improving intergovernmental coordination, the City shall have a seat on the NEFRPC.

7.04.12. 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.

7.04.13. The City shall coordinate with SJRWMD staff in projecting future supply and demand of potable water and alternative water sources to meet projected needs.

7.04.14. The City shall coordinate with the SJRWMD in preparing amendments to the Water Facilities Work Plan and the Consumptive Use Permit process.

**OBJECTIVE 7.05 PLANNING FOR PUBLIC SCHOOLS WITHIN FERNANDINA BEACH**

**In order to provide proper planning for new public school facilities in the City, the City shall implement the following policies addressing public schools as an allowable land use, criteria for locating schools, and collocation of schools and community facilities.**

**Policies**

7.05.01. The City shall allow elementary, middle, and other similar low-intensity schools to be located within the low density residential, medium density residential, high density residential, public/institutional, and office & residential mixed use land use categories shown on the FLUM. High schools and similar high-intensity schools shall be allowed in public/institutional, medium density residential, high density residential, office & residential mixed use, and general commercial land use categories shown on the FLUM.

7.05.02. The City shall maintain an interlocal agreement with the Nassau County School Board to govern the process for locating new schools and/or expanding existing schools within the City. The interlocal agreement shall include the minimum criteria for locating a new school as well as a method for resolving conflicts.

7.05.03. The City shall seek to collocate public facilities, such as parks, libraries, and community centers, with schools to greatest extent possible. In collocating facilities, the City shall use the following guidelines:

- a. Elementary Schools. Playgrounds may be collocated with elementary schools. In areas with densities high enough to support them, a neighborhood park with

facilities for the elderly, a neighborhood recreation center, and a library sub-branch may be included in a collocation plan.

- b. Middle Schools. A community park and athletic fields are appropriate to collocate with middle schools. A community center, if the school will not be used for this purpose, and a library sub-branch or branch may be included, depending on the school's location and the population served.
- c. High Schools. Community parks with a community center, if the school will not be used for this purpose, and athletic field may be collocated with high schools. A main or branch library is also appropriate. If justified by the population to be served, a district park may be collocated with the school.

**CAPITAL IMPROVEMENTS ELEMENT**

**GOAL 8.0**

**THE CITY SHALL PROVIDE NEEDED PUBLIC FACILITIES TO ALL RESIDENTS WITHIN ITS JURISDICTION IN A MANNER WHICH PROTECTS INVESTMENTS IN EXISTING FACILITIES, MAXIMIZES THE USE OF EXISTING FACILITIES, AND PROMOTES ORDERLY COMPACT URBAN GROWTH.**

**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.**

**Policies**

8.01.01. Capital improvements projects are those projects with a cost of \$25,000.00 or more and all projects needed to maintain adopted level of service standards

8.01.02. The City shall rank proposed capital improvements according to the following criteria.

a. Priority A

1. Capital improvements needed to protect public health and safety.

b. Priority B

1. Capital improvements needed to correct existing deficiencies.
2. Capital improvements needed to replace or repair obsolete or worn out public facilities, in order to maintain adopted level of service standards.

c. Priority C

1. 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.
2. Capital improvements that will promote redevelopment and/or infill development.

d. Priority D

1. Capital improvements needed to accommodate projected new development, that are consistent with the FLUM, and which represent a logical extension of public facilities.
2. Capital improvements needed to serve developments that were approved prior to the adoption of the FBCP.

e. Priority E

1. Capital improvements that will further the plans of the SJRWMD and/or other State agencies that may provide public facilities within the City.

8.01.03. The City shall consider the financial feasibility to determine which of the proposed capital improvements will be funded by the City.

**OBJECTIVE 8.02. FEES FOR FUTURE DEVELOPMENT**

**Future development will bear a proportionate cost of facility improvements necessitated by the development in order to maintain the adopted level of service standards.**

**Policies**

8.02.01. 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.

8.02.02. 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.

**OBJECTIVE 8.03. DEVELOPMENT REQUIREMENTS**

**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.**

**Policies**

8.03.01. 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.

8.03.02. 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.

**OBJECTIVE 8.04. FISCAL RESOURCES**

**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.**

8.04.01. 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.

8.04.02. 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.

8.04.03. Where feasible, the City’s capital improvement program shall recognize specific funding sources for specific projects or project categories.

8.04.04. The Director of Finance shall prepare annual estimates of anticipated proceeds from State revenue sharing sources.

8.04.05. The City shall adopt guidelines which set apportionment criteria for transportation-generated revenues relative to operations, maintenance, and capital improvements after debt service has been met.

8.04.06. The City shall adopt a five-year capital improvement program and annual capital budget as part of its budgeting process.

8.04.07. Efforts shall be made to secure grants or private funds to finance the provision of capital improvements.

8.04.08. The City shall establish as a priority the reservation of enterprise fund surpluses for major capital expenditures.

**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.**

**Policies**

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>		
	<i>FDOT</i>	<i>City</i>	<i>County</i>
Roadways:			
Minor Arterials	C	N/A	N/A
Collectors	—	C	D
Sanitary sewer facilities:			
Fernandina Beach	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		

8.05.02. 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.

**8.05.03** The City shall periodically update facility demand and capacity information, based on the issuance of concurrency certificates.

**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; or
- 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.

**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;

**8.05.06.** 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.

8.05.07. 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.

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:

- a. Adopted level of service standard;
- b. Existing deficiency or capacity;
- c. Reserved capacity for approved, but un-built, development;
- d. Improvements to be made by all approved developments; and
- e. Improvements to be made by the City or any other governmental agency.

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.

8.05.010. The City may approve developments in phases or stages.

8.05.11. 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 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.

8.05.12. 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.

8.05.13. 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.

**OBJECTIVE 8.06. SCHEDULE OF IMPROVEMENTS**

**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.

Table 1. Schedule of Capital Improvements, 2003-04 through 2007-08

Project Description	Project Location	Estimated Cost	Funding Source	Target Year
<b>Traffic Circulation Element</b>				
Sidewalks	Throughout City	31,000	Gen. Fund.	2003-04
		29,000		2004-05
		29,000		2005-06
		29,000		2006-07
		29,000		2007-08
Paving	1 <sup>st</sup> Avenue N.	500,000	Assessments and loan	2003-04
	1 <sup>st</sup> Avenue S.	935,000		2003-04
<b>Public Facilities Element</b>				
<i>Potable Water</i>				
Reservoir	Water Treatment Plant #3	500,000	Enterprise Fund	2003-04
Renewal and replacement		160,000	Enterprise Fund	2003-04
Water main extensions	Simmons Road	75,000	Enterprise Fund	2003-04
<i>Drainage</i>				
S.3 <sup>rd</sup> to S.14 <sup>th</sup> & Beech to Lime		900,000	Gen. Fund	2005-06
		900,000		2006-07
Drainage projects	Throughout service area	75,000	Gen. Fund	2003-04
<i>Sewer System</i>				
Rehabilitation	Downtown	100,000	Enterprise Fund	2004-05
		100,000		2005-06
		100,000		2006-07
		100,000		2007-08
Master lift station		1,000,000	Utility Bond	2003-04
Sludge press system		1,000,000	Utility Bond	2003-04
Replace 200 SP Blower		28,000	Utility Bond	2004-05
		28,000		2005-06
Misc. equipment		80,000	Utility Bond	2003-04
Rehab. Manholes		60,000	Utility Bond	2003-04
Lift station generators		250,000	Utility Bond	2003-04
Wet well pump	Amelia Plaza	45,000	Enterprise Fund	2003-04
<b>Recreation and Open Space Element</b>				
Main beach development		50,000	G. O. Bond	2003-04
Playground	Central Park	60,000	G. O. Bond	2003-04
Repair and landscape dune walkovers		125,000	G. O. Bond	2003-04