

PART I INTRODUCTION

HISTORIC RAILROAD DEPOT



Summary

Part I is an introduction to the City of Fernandina Beach Evaluation and Appraisal Report (EAR). This part of the report contains descriptions of the format, processes and requirements of the EAR, including the process for identifying the City’s major issues and the public participation process taken to prepare the EAR. It also contains a discussion of the relevant changes to the State Comprehensive Plan, Chapter 163, F.S., the minimum criteria contained in Rule 9J-5, Florida Administrative Code (F.A.C.), and the Strategic Regional Policy Plan since the City’s last major Comprehensive Plan revisions in 2004.

Background

The State of Florida’s local government comprehensive planning law, Chapter 163, Part 2, Florida Statutes (F.S.), requires that all counties and municipalities throughout Florida maintain a long-range comprehensive planning program and that comprehensive planning be a continuous and ongoing process. The Comprehensive Plan is one of the primary growth management planning tools for the City, containing policy plan guidelines for the control of growth and maintaining quality of life. The City’s Comprehensive Plan (Plan) is made up of ten (10) specific elements: Future Land Use, Traffic Circulation, Housing, Public Facilities (includes sanitary sewer, stormwater drainage, potable water, natural groundwater recharge), Coastal Conservation Management, Recreation and Open Space, Intergovernmental Coordination, Capital Improvements, Port and Public School Facilities. Together, they provide a comprehensive look at the issues facing the City, and plan for future growth.

The Legislature mandates that the City periodically evaluate the level of success of its Plan in adequately addressing changing conditions and reflecting changes in State policy on planning and growth management. That mandate is carried out through the required preparation of an Evaluation and Appraisal Report (EAR) of the Plan once every seven (7) years.

The EAR is the first step in the process for updating the Plan. This overall review of the Plan affords the City an opportunity to identify changes or amendments that are needed to update the plan including reformulated objectives, policies or standards. The last EAR based text amendments were adopted by the City Commission in August 1999. In May 2004, the City adopted a series of revisions to its Plan to comply with required legislative changes. The May 2004 revisions represent the City’s last “major” rewrite of its Comprehensive Plan. This 2004 Plan document along with two (2) subsequent large- scale amendments submitted to the Department of Community Affairs (DCA) in 2006 (DCA No. 06-01, Ordinance 2005-30 and DCA No. 06-02, Ordinance 2006-28) and the §163.3184(1) (b), F.S. required addition of a public school facilities element/amendments in 2008 (DCA No. 08PEFE-1, Ordinance 2008-05), comprises the standing Plan document under review in this EAR.

In 1998, the legislature amended Chapter 163, Part 2 of the Florida Statutes to incorporate new criteria for EAR’s. Prior to 1998, the requirements of the EAR were uniform. Every local government in the State of Florida had similar EARs in terms their contents. The effect of the 1998 legislation allows each local government to evaluate only those major issues that affect its ability to achieve their desired future goals.

Contents of the EAR

The contents of the EAR document contain the following information as required by Section 163.3191(2), F.S. Each required section is followed by a description of where the requirement has been fulfilled within the report.

- Population growth and changes in land area, including annexation [§ 163.3191(2)(a), F.S.(2007)]; **(Part II)**
- The extent of vacant and developable land [§ 163.3191(2)(b), F.S.(2007)]; **(Part II)**
- The financial feasibility of implementing the Plan and providing needed infrastructure to achieve and maintain adopted level-of-service standards and sustain concurrency management systems through the capital improvements element, as well as the ability to address infrastructure backlogs and meet the demands of growth on public services and facilities [§ 163.3191(2)(c), F.S.(2007)]; **(Part V)**
- The location of existing development in relation to the location of development as anticipated in the original plan [§ 163.3191(2)(d), F.S.(2007)]; **(Part II)**
- An identification of the major issues and, where pertinent, the potential social, economic, and environmental impacts of these issues; **(Part III)**

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- Relevant changes to the State Comprehensive Plan, the requirements of Chapter 163, Florida Statutes, the minimum criteria contained in chapter 9J-5, Florida Administrative Code, and the appropriate strategic regional policy plan [§ 163.3191(2)(f), F.S.(2007)]; **(Appendix A and tables found in Part IV)**
 - An assessment of whether the plan objectives within each element, as they relate to major issues, have been achieved, and whether unforeseen or unanticipated changes in circumstances have resulted in problems or opportunities with respect to major issues identified in each element; **(Part IV)**
 - A brief assessment of successes and shortcomings related to each element of the plan. [§ 163.3191(2)(h), F.S.(2007)]; **(Part IV)**
 - Identification of any actions or corrective measures, including whether plan amendments are anticipated to address the major issues identified and analyzed in the report. Such identification shall include, as appropriate, new population projections, new revised planning timeframes, a revised future conditions map or map series, an updated capital improvements element, and any new and revised goals, objectives, and policies for major issues identified within each element; **(Part IV and Part VI)**
 - A summary of the public participation program and activities undertaken by the City in preparing the EAR. [§ 163.3191(2)(j), F.S.(2007)]; **(Part I)**
 - An assessment of the success or failure of coordinating the future land use map and associated planned residential development with public schools and their capacities; and establishing appropriate population projections and planning and siting of new schools jointly with the school board. [§ 163.3191(2)(k), F.S.(2007)]; **(Part II)**
 - An assessment of the Plan with respect to the water management district's regional water supply plan, including revisions of the potable water element to include a work plan, covering at least a 10-year period, for building water supply facilities to serve existing and projected development for which the City is responsible. Fernandina Beach and Nassau County are not located in a Priority Water Resource Caution Area [§163.3191(2)(l), F.S.(2007)]; **(Part V)**
 - An evaluation of whether any past reduction in land use density within the coastal high-hazard area impairs the property rights of current residents when redevelopment occurs [§ 163.3191(2)(m), F.S.(2007)]; **(Part V)**
 - An assessment of the extent to which a concurrency exemption area or multimodal transportation district has achieved the purpose for which it was created. [§ 163.3191(2)(o), F.S.(2007)]; **(Part V - Transportation Planning Section and Part IV -Traffic Circulation Element Overview)** and
 - An assessment of the extent to which changes are needed to develop a common methodology for measuring impacts on transportation facilities for the purpose of implementing its concurrency management system in coordination with the municipalities and counties, as appropriate pursuant to [§ 163.3191(2)(p), F.S.(2007)]. **(Part V)**

The City of Fernandina Beach does not contain any military installations within its jurisdiction and therefore has not evaluated or addressed these issues as acknowledged in the City's Letter of Understanding (LOU) with DCA dated November 18, 2008 (**Appendix A**). Additionally, the EAR report analyzes whether the Plan adequately includes strategies that will be used to preserve recreational and commercial working waterfronts pursuant to § 163.3178 (2) (g), F.S. (2007).

Organization of the EAR

The EAR is divided into six (6) parts:

- Part I – Introduction
- Part II – Community Assessment
- Part III – Local Major Issues
- Part IV– Assessment of Objectives and Policies
- Part V– Special Topics
- Part VI – Additional Recommendations

Part I contains the format of the EAR; and a description of the EAR process and requirements, including the process for identifying the City's major issues and the public participation process taken to prepare the EAR. It also contains a discussion of the relevant changes to the State Comprehensive Plan, Chapter 163 F.S., the Florida Statutes, the minimum criteria contained in Chapter 9J-5, Florida Administrative Code, and the Strategic Regional Policy Plan since the City's last major revisions to its Plan were adopted in May 2004.

Part II summarizes population and land use data changes that have occurred in the City since the adoption of the last major revisions to the Comprehensive Plan in May 2004. It also contains a summary of internal and external economic factors influencing future growth.

Part III presents an evaluation of the four (4) major issues identified by the City, and agreed upon by DCA, and includes recommendations to address each issue.

Part IV provides an assessment of key objectives and policies in each of the ten (10) elements of the City's Plan and how they relate to the four major issues.

Part V includes a discussion of special topics the City is required to address in the EAR per the requirements of Sec. 163.3191(2), Florida Statutes.

Part VI provides additional recommendations for the updating of the City's Plan, including universal changes in the format and style of the Plan, recommended changes for each Plan element, mapping needs and a summary of recommended supplemental plans or studies.

Public Participation

The Planning Advisory Board serves as the Local Planning Agency (LPA) for Fernandina Beach. Public participation towards the completion of the EAR consisted of a series of public hearings over a two (2) year time period and one public visioning workshop held in the spring of 2008. The LPA was updated on the procedural and substantive issues associated with the EAR at the public meetings held on January 9th, February 13th, March 12th, and September 24th, 2008. Similar updates were given to the City Commissioners at public hearings conducted on February 26th, 2008, May 6th, 2008, and November 5th, 2008.

The City held a public visioning workshop on March 10th, 2008 where City Planning Staff (Staff) conducted a visioning exercise with approximately 30 citizens in attendance. Following the visioning exercise, Staff provided a general review of the purpose and requirements of the EAR. Staff then introduced and explained the process of how the nine (9) Major Issues (issues) were compiled and selected in earlier meetings with City Directors and the LPA. Citizens, in attendance, were asked to consider the nine (9) issues and prioritize them by placing stickers next to the issues as depicted on

posters surrounding the meeting space. The nine (9) issues were narrowed down to the top four (4) through the help of this exercise. These four (4) major issues were finalized at the following LPA meeting on March 12th, 2008. City staff developed detailed summaries of the four (4) major issues and prepared for a voluntary scoping meeting.

The scoping meeting, held on July 17th, 2008 at the Northeast Florida Regional Council (NEFRC), was attended by representatives of Nassau County, NEFRC, the St. Johns River Water Management District, and District 2, FDOT. The purpose of this meeting was to assist in finalizing the list of major issues to send to DCA in preparation of a Letter of Understanding (LOU) (**Appendix A**). The list of major issues was presented to and approved by the LPA on September 24th, 2008, and by the City Commission on November 5th, 2008.

The City received a Letter of Understanding from DCA on November 18th, 2008. Since that time, the City's planning staff has been working to complete the EAR requirements. The LPA began their review of the document in at their regular meeting on June 10th, 2009. The board continued to review various sections of the report at their regular meeting dates held July 8th and August 12th. In addition to their regular meetings, three special meetings were scheduled for review and discussion of the EAR. These special meetings were held on July 22nd, August 17th, and August 25th, 2009. At the board's August 25th, 2009 Special Meeting, the full document was endorsed for submittal to the City Commission and for transmittal of a proposed EAR to DCA. All meetings were advertised and agendas posted in accordance with Florida's Sunshine Laws and City policies.

Major Local Issues

A substantial component of the EAR process is identifying the issues the City currently faces. Staff began this component by soliciting input and evaluation of the effectiveness of the City's Plan from all City Department Directors in January 2008. Staff reviewed all director input and developed a list of commonly identified issues that best represented general themes and concerns heard from the community during day-to-day planning activities.

Following this internal process, the issues were presented to the City's LPA and at a public visioning workshop. The issues were developed, identified, and refined through the process described in the Public Participation section. Summaries of the four (4) issues are contained in the following section.

Summary of Major Local Issues

Issue 1- Neighborhood Preservation- In addition to the two nationally recognized historic districts, the City of Fernandina Beach contains several historically and culturally distinctive neighborhoods built prior to the establishment of a land development code. Current code requires certain site design criteria be fulfilled that may result in substantial change to the existing character of a structure and in some cases encourages demolition in order to comply. Today's Plan does not adequately address the needs of the non-designated, yet historic neighborhoods. The purpose of this major issue is to direct support within the Plan to recognize these neighborhoods and support the continuation of their historical building patterns. The Plan should contain objectives and policies to foster maintenance of existing homes and provide direction for mechanisms to reduce "teardowns." Further, the Plan should contain objectives and policies to encourage reinvestment within these older neighborhoods. Additionally, Nassau County and the City of Fernandina Beach were chosen to develop and implement a Post Disaster Redevelopment Planning Program (PDRP) and EAR-based Plan amendments will include recommendations of the pilot program.

Issue 2- Sustainability – The City would like to demonstrate its commitment to conserving its finite resources through a coordinated approach to planning and public policy that involves public participation.

Today's Plan does not address issues relating to sustainability. As a designated Waterfronts FL Community, Fernandina Beach is interested in linking the issues of environment, economy and social equity together to form a basis for its sustainability language within the Plan. The amended Plan should contain a new element to include goals, policies, and objectives that will address the following: Green Building, Sustainable Local Economy, Resource Consumption and Preservation, Community Health, and Climate Change.

Issue 3- Annexation Plan – The basis for the addition of a goal to formulate a logical annexation plan within the Plan is best visualized by looking at the current City limits and potential future limits. Annexations have historically occurred through voluntary water and sewer agreements. Water and sewer lines are extended to properties on the island when owners enter into such agreements to permit an annexation once the property becomes contiguous with the current city limits. The inclusion of an annexation plan will provide policies and objectives that identify properties where voluntary water and sewer annexation agreements have been signed so the City can proceed with annexation of these properties; identify and eliminate enclaves; identify and map the City's current water and sewer lines; consider the extension of City water and sewer lines; and provide an education and incentive plan to encourage voluntary annexation. The annexation plan should direct a five (5) and ten (10) year annexation strategy to annex such properties, identify logical service delivery areas in the form of an Urban Services Boundary and ensure that the properties seeking utilities services are developed consistent with the City's policies and objectives.

Issue 4- Wetlands Regulation- The City understands the need to establish a stronger connection between its wetlands policies and the Future Land Use Map (FLUM). The amended Plan will integrate the City's wetlands series on the FLUM. The EAR report will identify strategies to better protect its wetlands system, to better identify environmentally sensitive areas, to better advise the public regarding the location of wetlands and further existing Plan policies to prevent wetland impacts.

Changes in Growth Management Law

The EAR process requires that the City address relevant changes to the requirements of Chapter 163, Florida Statutes, the minimum criteria contained in Rule 9J-5, Florida Administrative Code, the State Comprehensive Plan (Sec. 187.201, F.S.), and the appropriate Strategic Regional Policy Plan since the adoption of the original Plan or the most recent evaluation and appraisal report update amendments. Several important regulatory changes have occurred at the state and regional levels since completion of the 2004 major Plan revision, such as the requirements for adoption of Schools Elements to the Plan and the adoption of the new Coastal High Hazard Area as part of the FLUM series. Chiefly, Plan amendments related to these statutory changes have been accomplished through the City's 2006 text amendments series (DCA No. 06-01, Ordinance 2005-30 and DCA No. 06-02, Ordinance 2006-28) and 2008 submittal (DCA No. 08PEFE-1, Ordinance 2008-05). **Appendix B** addresses all statutorily required changes from 2004 through 2008 and highlights where the City's Plan will be amended through its EAR-based text amendments to become fully compliant.

Comprehensive plans must address all current statutory and rule requirements. The EAR provides an opportunity to ensure that the City's Plan is up to date with current statutory and rule requirements. **Appendix B** presents a summary of changes, in a table format, to Chapter 163, Part II, F.S., and Rule 9J-5, F.A.C. from 2004 through 2008. The changes are summarized by year and include the corresponding citations. The tables provide a determination of consistency with the City's Plan and direct which of the new citations have already been addressed in the City's Plan, which will require EAR-based Plan amendments and which are not applicable to the City. In addition to the appendix, statutorily required changes have been identified in tables following the each Plan Element Overview section in Part IV of the EAR report.

The State Comprehensive Plan was amended in 1999 by Chapter 99-378 to include policies related to urban policy. Goal 17, which was previously titled “Downtown Revitalization,” was revised and entitled “Urban and Downtown Revitalization.” The goal was revised to more broadly refer to urban areas generally, rather than downtown areas specifically. The education goals and policies in 187.201(1) of the State Comprehensive Plan were repealed by Chapter 2002-387 in 2002. The City’s Plan is currently consistent with the State’s Comprehensive Plan. The EAR-based amendments may include refinements to the Goals, Objectives, and Policies that further its consistency with these added State Comprehensive Plan policies.

The Northeast Florida Regional Council serves a seven county region, including Nassau County and Fernandina Beach. Its purpose is to provide visionary leadership and coordination between counties and governmental agencies to preserve and enhance the quality of Northeast Florida’s natural, man-made, economic, and social environment. The Strategic Regional Policy Plan serves as the region’s long-range guide for the physical, economic, and social development of the region and was adopted in July, 1997. There have been no significant changes to the Northeast Florida Strategic Policy Plan since completion of the City’s last major revisions in 2004.