

Rick Scott
GOVERNOR



Doug Darling
EXECUTIVE DIRECTOR

RECEIVED

November 23, 2011

NOV 29 2011

PLANNING & ZONING
FERNANDINA BEACH, FLORIDA

The Honorable Susan Hardee Steger
Mayor, City of Fernandina Beach
204 Ash Street
Fernandina Beach, Florida 32034-4230

Dear Mayor Steger:

The State Land Planning Agency (the Agency) has completed its review of the proposed comprehensive plan amendment for the City of Fernandina Beach (Amendment No. 11-ER), which was received and determined complete on September 29, 2011. Copies of the proposed amendment have been distributed to the appropriate reviewing agencies for their review and their comments are enclosed. We have reviewed the proposed amendment in accordance with the state coordinated review process set forth in Sections 163.3184(2) and (4), Florida Statutes (F.S.) for consistency with Chapter 163, Part II, F.S. The attached Objections, Recommendations, and Comments Report outlines our findings regarding the plan amendment. We have identified two objections which are technical in nature and five comments to the proposed amendment package. It is our understanding the City is already working with the Florida Department of Transportation to address the objections raised in the attached report. Each objection includes a recommendation that may be taken to eliminate, reduce, or mitigate the adverse impacts. In addition, we have included a recommendation for each comment which we believe would assist the City in its planning efforts and also reflect current statutes.

Please note that if the second public hearing is not held within 180 days of your receipt of this report, and the timeframe is not extended by agreement, Section 163.3184(4)(e)1, F.S., provides that the amendment will be deemed withdrawn.

The Caldwell Building • 107 E. Madison Street • Tallahassee, Florida 32399-4120
850.245.7105 TTY/TDD 1-800-955-8771 Voice 1-800-955-8770 FloridaJobs.org



The Honorable Susan Hardee Steger, Mayor
November 23, 2011
Page 2 of 2

We commend the City of Fernandina Beach for proposing a comprehensive plan amendment that was thoughtfully approached, and exemplifying sound planning principles and strategies appropriate for an environmentally sensitive urban coastal community. My staff and I are available to assist the City in addressing the issues identified in our report. If you have any questions, please call Joseph Addae-Mensa, Planning Analyst, at (850) 717-8476, or by email at joseph.addae-mensa@deo.myflorida.com.

Sincerely,

A handwritten signature in black ink that reads "Mike McDaniel". The signature is written in a cursive, flowing style.

Mike McDaniel, Chief
Bureau of Community Planning

MM/jam

Enclosures: Objections, Recommendations and Comments Report
 Review Agency Comments
 Adoption Procedures

cc: D. Marshall McCrary, CDD Director, City of Fernandina Beach
 Ed Lehman, Director of Growth Management, Northeast Florida Regional Council

STATE LAND PLANNING AGENCY
OBJECTIONS, RECOMMENDATION AND COMMENTS REPORT
FOR
THE CITY OF FERNANDINA BEACH
PROPOSED COMPREHENIVE PLAN AMENDMENT 11-1ER

November 23, 2011

**OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT
FOR
CITY OF FERNANDINA BEACH**

PROPOSED COMPREHENSIVE PLAN AMENDMENT 11-1ER

CONSISTENCY WITH CHAPTER 163, PART II, FLORIDA STATUTES

The Department has the following objections and comments to the City of Fernandina Beach's proposed Comprehensive Plan Amendment:

I. Objections

Objection 1

While Multi-Modal Transportation Element Policy 2.06.01 establishes level of service (LOS) standard E for Strategic Intermodal System facilities within the City, Multi-Modal Transportation Element Policy 2.05.02 and Capital Improvements Element Policy 8.05.01 propose to delete adopted LOS standards for non-SIS state roads within the City's jurisdiction and retain LOS standards for City and County roads. Section 163.3177(3)(a)3, Florida Statutes (F.S.), requires the comprehensive plan to include standards to ensure the availability of public facilities and the adequacy of those facilities to meet established acceptable levels of service.

[Authority: Section 163.3177(3)(a)3 and 163.3177(6)(b)1, F.S.]

Recommendation: Consistent with Section 163.3177(3)(a)3, F.S., revise Policies 2.05.02 and 8.05.01 to include LOS standards for non-SIS state roads within the City's jurisdiction. The LOS standards should be established using professionally acceptable studies or methodology.

Objection 2: Policy 2.05.02 Definition of "Maintain" of Roadway LOS

Under proposed Multi-Modal Transportation Element Policy 2.05.02, the term "maintain" is defined as follows:

Maintain means continue operating conditions at a level such that significant degradation does not occur based on the existing conditions at the time of the Comprehensive Plan adoption. As applied, degradation means an increase in average annual daily traffic volume of ten percent (10%) above the maximum service volume. For the constrained roadways in the City that meet or exceed the level of service standards that would be applied based on their road type, "maintain" does not apply until the roadway is operating below the applicable minimum level of service standard.

The Florida Department of Transportation is concerned that the additional 10% volume capacity provided under the proposed definition of "maintain" has the potential to adversely impact important state roadway facilities, including SR A1A, which is a Strategic Intermodal System facility, by allowing the facility to operate in a failing condition without mitigation.

[Authority: Section 163.3177(3)(a)3; 163.3177(6)(b)1; 163.3180(1); 163.3180(3); 163.3180(5)(a); F.S.]

Recommendation: Revise Multi-Modal Transportation Element Policy 2.05.02 to delete the definition of “maintain”. Alternatively, the City may revise the amendment to require mitigation on SR A1A to ensure the facility does not operating in a failing condition.

II. Comments

Comment 1: Future Land Use Element Policy 1.04.04

Policy 1.04.04 proposes establishment of commercial overlay districts, known as “destination activity centers” and develop and implement density and/or intensity bonus incentives for properties that demonstrate compliance with the desired form and function of the area. The policy also identified potential areas in the City for the commercial overlay districts, including the Main Beach Area, Seaside Beach Area, along the Sadler Road corridor and along South 8th Street. While the policy reflects the City’s intent to “encourage mixed use development in existing commercial corridors and provide incentives for business to locate and stay in the Central Business District” it lacks predictability and guidelines for the establishment and implementation of the commercial overlay districts, including the maximum amount of density/intensity bonus, types of uses allowed, the percentage distribution among the mix of uses or other standards, and the density and intensity of each use. Policy 1.04.05 includes maximum density bonus points to encourage redevelopment within the City’s designated Community Redevelopment Area, but it is unclear if the same density bonus scheme would apply to the commercial overlay districts.

Also, it is unclear whether or not the commercial overlay districts would result in an increase in residential density in the coastal high hazard (CHHA) areas within the City since maps are not included depicting the potential overlay area designation. Section 163.7188(1), F.S., requires that local government comprehensive plans restrict development activities in areas subject to natural disaster in order to protect human life and limit public expenditures in those areas. Therefore, the amendment does not demonstrate protection of human life and limiting public expenditures in the CHHA.

Recommendation: To ensure predictability and provide guidelines for the establishment and implementation of the commercial overlay districts, revise Future Land Use Element Policy 1.04.04 to include the maximum density/intensity bonus, the types of uses allowed, the percentage distribution among the mix of uses or other standards, and the density and intensity of each use. In addition, should the overlay districts include portions of the CHHA the City should include data and analysis demonstrating the overlay districts limit public expenditure within the CHHA and include the appropriate mitigation as set forth in Section 163.3178(9)(a), F.S. Furthermore, when the overlay districts are designated they should be included on the future land use map or map series. The future land use map and map series should include the City’s 2030 long-term planning timeframe.

Comment 2: Multi-Modal Transportation Element Objective 2.01 and Policy 2.02.07

Objective 2.01 states:

The City hereby establishes, a city-wide “Transportation Concurrency Exception Area” (TCEA). Fernandina Beach is designated as a “Dense Urban Land Area” (DULA) under section 163.3180(5), Florida Statutes and, as such a city-wide TCEA has been created. This designation requires that the City adopt long- term land use and transportation strategies to support and fund alternative means of transportation that reduce greenhouse gases (GHG), enhance quality of life and are sensitive to community needs and the environment.

Also, Policy 2.02.07 identifies the City as a DULA with a city-wide TCEA. Both Objective 2.01 and Policy 2.02.07, as stated, have been superseded by Chapter 163, Part II, F.S., 2011, “Community Planning Act”, which eliminated the DULA designation, for the purpose of the TCEA designation but retained the DULA designation for the purpose of exempting DULAs from the development of regional impact program.

Recommendation: Revise Objective 2.01 and Policy 2.02.07 to be consistent with Chapter 163, Part II, F.S., 2011, by deleting reference to the City of Fernandina Beach as a designated DULA and TCEA pursuant to Section 163.3180(5), F.S. The City can still proceed to designate itself as a TCEA, but should do so pursuant to its authority under Section 163.3177(6)(b), F.S.

Comment 3: Multi-Modal Transportation Element Policy 2.02.09

Policy 2.02.09 states:

Large-Scale Comprehensive Plan amendments to the Future Land Use Element or Map resulting in a greater transportation impact based on the maximum allowable potential density and/or intensity afforded by the proposed land use shall require the entity requesting the amendment to demonstrate that the adopted LOS standards and QOS standards for the affected area and impacted Strategic Intermodal System (SIS) roadways are achieved and that additional required infrastructure is fully funded. Applicants may only include projects that are fully funded and scheduled to commence construction within one (1) year of approval of the Comprehensive Plan amendment.

As the City of Fernandina Beach may be aware, the Florida Legislature amended the statutes in 2011 to include a provision under Section 163.3177(3)(a)4, F.S, that “Projects necessary to ensure that any adopted level-of-service standards are achieved and maintained for the 5-year period must be identified as either funded or unfunded and given a level of priority for funding.”

Recommendation: As provided under Section 163.3177(3)(a)4, F.S, the City may consider revising Policy 2.02.09 to allow for inclusion of unfunded projects necessary to ensure that any adopted level-of-service standards are achieved and maintained for the 5-year period and a level of priority for funding those projects.

Comment 4: Existing Transportation Map or Map Series

The City has proposed policies to develop, adopt and implement a mobility plan and a mobility fee system by December 2012, and then amend the comprehensive plan to include a Future Transportation Circulation Map or Map Series as the guiding document for development of an adequate mobility network throughout the City. As such, the City did not include in the amendment the required future transportation map or map series. However, other than maps showing existing bicycle trail network and existing hurricane evacuation routes, the proposed amendment does not include a map or map series showing the existing transportation system features such as roadways, transit, sidewalks, aviation, rail, and seaport facilities consistent with Section 163.3177(6)(b), F.S.

Recommendation: In addition to maps depicting existing bicycle trail network and hurricane evacuation routes within the City, revise the amendment to show the general location of existing and proposed transportation system features, which must be coordinated with the future land use map. All future conditions map or map series should include the City's propose 2030 long-term planning timeframe.

Comment 5: Capital Improvements Element 5-Year Schedule of Capital Improvements

Policies 8.04.06 and 8.04.07 state the City shall adopt a 5-year schedule of capital improvements as required by Section 163.3177, F.S. However, the proposed amendment to the Capital Improvements Element did not include a 5-year schedule of capital improvements necessary to ensure that adopted LOS standards are achieved and maintained. While Section 163.3177(3)(b), F.S., states that the modifications to the 5-year capital improvements schedule may be accomplished by ordinance and may not be deemed to be amendments to the local comprehensive plan, Section 163.3177(3)(a), F.S., requires the Capital Improvements Element to include a 5-year schedule of capital improvement projects necessary to ensure that adopted LOS standards are achieved and maintained.

Recommendation: Consistent with Section 163.3177(3)(a), F.S., revise the Capital Improvements Element to include a 5-year schedule of capital improvement projects necessary to ensure that the adopted LOS standards are achieved and maintained. Annual modifications to the 5-year capital improvements schedule may be accomplished by ordinance and may not be deemed to be amendments to the comprehensive plan.

SUBMITTAL OF
ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR STATE COORDINATED REVIEW
Section 163.3184(4), Florida Statutes
May 2011

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format;

_____ In the case of future land use map amendment, an adopted future land use map, **in color format**, clearly depicting the parcel, its existing future land use designation, and its adopted designation;

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for state coordinated review:

The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency to the ORC report from the State Land Planning Agency.



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NOV 29 2011

PLANNING & ZONING
FERNANDINA BEACH, FLORIDA

Florida Department of Transportation

RICK SCOTT
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

ANANTH PRASAD, P.E.
SECRETARY

October 19, 2011

D. Marshall McCrary, CDD Director
City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034

RE: Fernandina Beach Proposed EAR Based Amendments

Dear Mr. McCrary:

FDOT has reviewed the Fernandina Beach Proposed EAR based Amendments of the Comprehensive Plan in accordance with the requirements of Chapter 163, Florida Statutes. FDOT has focused its review on transportation related issues.

FDOT Comments of State Importance:

Policy 2.05.02 of the Multimodal Transportation Element assigns a level of service standard for roadways under the "Authority" of the City and County. This policy does not show a level of service for state roadways. Florida Statute 163.3177(3)(a) states *"The comprehensive plan shall contain a capital improvements element designed to consider the need for and the location of public facilities in order to encourage the efficient use of such facilities and set forth: ...3. Standards to ensure the availability of public facilities and the adequacy of those facilities to meet established acceptable levels of service"* FDOT believes that if this policy is adopted, it will result in adverse impacts to SR A1A within the City of Fernandina Beach because it will not be considered during the planning process. FDOT recommends the city adopt a professionally acceptable level of service standard for state road facilities. FDOT believes that this comment, if not resolved, may represent a basis of a challenge by the state land planning agency.

Policy 1.07.08 of the Future Land Use Element, the city shows a change in the maximum Floor Area Ratio for Commercial from 0.5 to 1.5. FDOT believes that if this policy is adopted, it may result in adverse impacts to SR A1A within the City of Fernandina Beach because it will allow an unquantified amount of additional traffic. FDOT suggests that instead of this change being made to all existing uses, it may be better represented as a new land use category and evaluated on a case by case basis. FDOT believes that this comment, if not resolved, may result in a challenge by the state land planning agency.

Policy 1.07.11 of the Future Land Use Element, the City shows a change in the maximum Floor Area Ratio for Industrial from 0.5 to 0.75. FDOT believes that if this policy is adopted, it may result in adverse impacts to SR A1A within the City of Fernandina Beach because it will allow an unquantified amount of additional traffic. FDOT suggests that instead of this change being made to all existing uses, it is more appropriate to create a new land use category and evaluate on a case by case basis. FDOT believes that this comment, if not resolved, may result in a challenge by the state land planning agency. Additionally, the city may want to evaluate the compatibility of vehicles types that this change will encourage as it relates to the land uses adjacent to primary travel routes.

City Policy 2.05.02 provides a definition that *“Maintain means continue operating conditions at a level such that significant degradation does not occur based on the existing conditions at the time of the Comprehensive Plan adoption. As applied, degradation means an increase in average annual daily traffic volume of ten percent (10%) above the maximum service volume. For the constrained roadways in the City that meet or exceed the level of service standards that would be applied based on their road type, “maintain” does not apply until the roadway is operating below the applicable minimum level of service standard.”* This definition is from an outdated source of the FDOT LOS Handbook which has been revised to no longer promote this capacity increase. FDOT does not believe the addition of capacity due to a designation of maintain is professionally acceptable. Policy 2.06.01 states the *“The City’s SIS facility is located along A1A/ SR200/ 8th Street; it continues north on Dade Street ending at the port entrance on Front Street. The City shall maintain a Level of Service of E on its portion of the SIS facility.”* FDOT believes this amendment, if adopted will adversely impact the SIS facility of SR A1A because it will allow level of service E plus an additional 10% traffic. This portion of SR A1A would be allowed to operate in a failing condition using the identified criteria. FDOT recommends the city remove the definition of “maintain” from its comprehensive plan. FDOT believes that this comment, if not resolved, may result in a challenge by the state land planning agency. Additionally, FDOT recommends this policy also be reflected in policy 2.05.02 where the other levels of service standards are provided. This is in addition to the previous comment regarding updating policy 2.05.02 to show a level of service standard for non-SIS state roads.

City Policy 2.09.05 states *“The City shall annually identify backlogged and constrained facilities, which include roadways operating below the adopted level of service standards (as defined in Objective 2.05).*

- *Constrained Facility shall mean a roadway which operates below the level of service standards as identified in Policy 2.05.02 as a result of the existing plus approved development traffic and which is constrained from adding at least two additional through-lanes due to physical or policy constraints. Physical constraints refer primarily to intensive adjacent land use development making roadway expansion cost prohibitive. Policy constraints refer to the maximum through-lane standards being already achieved.*
- *Backlogged Facility shall mean a roadway which operates below the level of service standards as identified in Policy 2.05.02 as a result of existing plus approved development traffic, which is not constrained, and which is not scheduled for major capacity improvements in the next five (5) years.”* FDOT believes it is helpful if the city identifies its over capacity segments of roadway for consistency with its Capital Improvements Element. FDOT believes, based on Florida Statute 163.3177(3) (a) 4, a local government must identify mitigation for these segments, classify them as funded or unfunded, and prioritize each necessary project. FDOT is concerned with the terminology of “constrained” and “backlogged” as these words may cause confusion with statutory definitions. While it appears the city does not intend any reference to state law, FDOT suggests the use of different terminology.

City Policy 2.01.01 states that the city will create and implement a mobility plan by December 2012. FDOT is available for technical assistance to the city as it creates this plan.

FDOT also suggests that as the city annually updates its schedule of Capital Improvements, it would be helpful if they were sent to FDOT, so we can review for consistency with the FDOT work program.

Thank you for coordinating the review of the above mentioned amendment with FDOT. If you have any questions, please do not hesitate to contact me.

Sincerely,

Austin Chapman, Transportation Engineer for:
Thomas Hill, Growth Management Administrator
Jacksonville Urban Office
2198 Edison Avenue, MS 2812
Jacksonville, FL 32204-2730
(904)360-5653

CC:

Thomas Hill, FDOT District 2
Ray Eubanks, State Land Planning Agency
Kelly Gibson, City of Fernandina Beach

**FLORIDA REGIONAL COUNCILS ASSOCIATION
LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01**

Regional Planning Council: Northeast Florida Regional Council
Regional Planning Council Item No. City of Fernandina Beach Transmitted 11-1ER
Date Mailed to Local: October 7, 2011
Local Government Item No. Transmitted 11-1ER
Government and State Land Planning Agency: City of Fernandina Beach Transmitted 11-1ER

Pursuant to Section 163.3184, Florida Statutes, Council review of proposed amendments to local government comprehensive plans is limited to adverse effects on regional resources and facilities identified in the strategic regional policy plan and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.

DESCRIPTION OF AMENDMENT

The City prepared an update of the Comprehensive Plan based on the findings in the EAR. The EAR-Based Amendment extends the planning period to the year 2030. Based on the findings in the EAR, the EAR-Based Amendment included updated policies based on current data; modified policies to better address local issues; deleted policies that are no longer relevant; and added new policies that articulate recommendations in the EAR and that respond to changes in legislative requirements.

The City does not have proposed changes to the Future Land Use Map.

The following is a summary of the changes to each of the elements of the City's Comprehensive Plan goals, objectives, and policies. Many of the polices pertain to requirements of HB 697 which is no longer in effect.

Future Land Use:

1. Better articulates and expands redevelopment incentives and strategies;
2. Allows for accessory dwellings in the Low and Medium Density Residential Land Use Categories;
3. Encourages mixed use development transition in existing Commercial Corridors;
4. Provides incentives for businesses to locate and stay in the Central Business District;
5. Promotes, requires, and directs that new development and redevelopment incorporate energy efficient and sustainable building practices and design;
6. Incentivizes new development and redevelopment projects that demonstrate compliance with the City's Sustainability goals;
7. Better articulates differences between non-conforming uses and non-conforming structures;
8. Identifies neighborhood planning areas as a means to achieve neighborhood stability and cohesion; and
9. Requires that all City projects on public property be designed and constructed utilizing low impact development (LID) practices and sustainable building strategies.

Multi-modal Transportation Element:

1. Encourages energy efficient transportation options;
2. Promotes stronger connections to roadway, bicycle, multi-use pathways and sidewalk facilities;
3. Considers both Level of Service and Quality of Service Standards

4. Establishes stricter policy language for vacation of rights-of-way;
5. Directs strategies for Downtown and Beach Area Parking;
6. Minimizes reliance on the existing roadway network and encourages reduction of greenhouse gas emissions through alternative transportation options;
7. Supports efforts towards completing trail opportunities and sidewalk connections; and
8. Encourages Scenic Byway designation along A1A/ Fletcher Ave.

The City will be incorporating and implementing a VMT-based mobility fee and the creation of such a plan is scheduled for 2012.

Comments:

1. **The City may want to revise the term backlogged on page 60 Policy 2.09.05 to read as “Deficient” per HB 7207.**
2. **The City may consider revising the language in Policy 2.02.12 (4).**

The mobility transportation fee should reflect the potential to reduce traffic impacts to the major roadway network through ~~an increase in internal capture of trips~~ and increase in pedestrian, bicycle, use of low speed alternative vehicles and community transit mode share.

Housing:

1. Ensure adequate sites for various housing types, including affordable housing, are available to meet established demand;
2. Perform a housing needs assessment and update it every 5 years;
3. Ensure the availability of public facilities at adopted level of service standards for all housing;
4. Encourage the preservation of safe and sanitary housing;
5. Encourage rehabilitation, reuse and maintenance of existing housing;
6. Establish a neighborhood planning program;
7. Encourage increasing the supply of affordable and workforce housing to meet demand;
8. Evaluate the adoption of incentives for development of affordable housing;
9. Ensure that sites zoned for group homes and foster care facilities will be available at suitable locations; and
10. Encourage energy efficiency and sustainable construction in the design and construction of new housing and in the rehabilitation of existing housing.

Public Facilities:

1. Encourages energy efficiency and sustainable construction in the design and construction of new housing and in the rehabilitation of existing housing;
2. Includes service aspects of the City provides both quantitative and qualitative level of service standards;
3. Establishes the need for a waste management plan including re-use and recycling strategies and goals;
4. Incentivizes use of low impact development (LID) and energy and water conservation strategies for new and infill development projects;
5. Requires use of low impact development (LID) and energy and water conservation strategies for all city projects;
6. Better addresses stormwater planning and coordination activities;
7. Identifies and maps locations of existing septic tanks;
8. Establishes policies to eliminate use of septic tanks within the City; and
9. Evaluates the ability to utilize reclaimed water for uses other than drinking water.

Conservation Element:

1. Expands public access to include all shorelines and waterways, not just beach access;
2. Protects the beaches and dune systems;
3. Decreases dependence on hard shoreline control systems;
4. Mitigates hazard threats, prepares for disasters and plans for post-disaster redevelopment;
5. Minimizes uses and development located in the Coastal High Hazard Area;
6. Recognizes sea-level rise as an area of concern;
7. Incorporates working waterfronts legislative requirements and plan for riverfront uses and development;
8. Ensure development is compatible and sensitive to coastal resources;
9. Maintains or improves water quality and encourage water conservation;
10. Protects and preserves wetlands;
11. Monitor dredge, fill and excavation activities;
12. Incorporates wildlife planning strategies;
13. Continues tree preservation and protection efforts and urban forestry programming;
14. Addresses air quality and reduce impacts from greenhouse gases;
15. Promotes energy conservation;
16. Identifies natural resource lands eligible for acquisition and preservation; and
17. Increases intergovernmental coordination regarding natural resources.

Comment:

1. **The City may consider incorporating the adopted Nassau County PDRP suggested policies into applicable elements of the City's Comprehensive Plan with reference to the Nassau County PDRP document.**
2. **The City is commended for the overall amendments Plan which are very inclusive and cognizant of good planning practices in particular the wildlife corridor and preservation related policies.**

Recreation and Open Space:

1. Engages in Parks, Recreation and Open Space Master Planning;
2. Inventories parks, recreation and open space based on the Statewide Comprehensive Outdoor Recreation Plan (SCORP);
3. Establishes equitable distribution of parks to ensure equal access to recreational facilities;
4. Utilizes green building standards/sustainable practices for new construction/renovation;
5. Utilizes sustainable materials and low-impact development practices in park construction;
6. Plants native landscaping and employs xeriscaping in parks to reduce irrigation, fertilizer and pesticide use;
7. Coordinates to ensure that fleet of vehicles and maintenance equipment is sustainable and energy efficient;
8. Emphasizes pedestrian and bicycle access to parks and recreation areas;
9. Identifies how open spaces are to be utilized;
10. Identifies and maps lands for potential acquisition as park space;
11. Develops recreational boating needs assessment and assessment of waterways networks;
12. Identifies shoreline and waterway accesses as part of the overall park and recreational facilities;
13. Continues variety of community services available to the public and continues community outreach and involvement; and
14. Addresses specific resources such as Egans Creek Greenway and Bosque Bello Cemetery.

Intergovernmental Coordination:

1. Identifies, inventories and assesses interlocal agreements;
2. Implements the Interlocal Agreement for Public School Facility Planning;
3. Evaluates the establishment of joint municipal planning areas for the City and Nassau County;
4. Establishes formal coordination mechanisms to implement the Nassau County Local Mitigation Strategy Update and the Nassau County Post Disaster Redevelopment Plan;
5. Coordinates with Nassau County, the St. Johns River Water Management District, the Ocean Highway and Port Authority, the State and applicable federal agencies to ensure that the City's and the other agencies' comprehensive and/or management plans are compatible and that regulations and standards contained within these plans are consistent;
6. Establishes level of service standards that are consistent among the City, County, School Board, service providers and other government agencies having responsibility for level of service standards;
7. Improves coordination between the City and other agencies; and
8. Improves coordination activities for Amelia Island through the Joint Local Planning Agency.

Capital Improvements:

1. Provides capital improvements that achieve and maintain level of service standards, correct existing deficiencies, accommodate future growth and provide for necessary replacements;
2. Ranks proposed capital improvements according to more specific criteria, including those that will promote energy efficiency and sustainability;
3. Requires that the Planning Department review the capital improvements plan annually to ensure that all needs identified in the Comprehensive Plan and/or development agreements are included;
4. Utilize development requirements included in the Comprehensive Plan and Land Development Code when making decisions regarding the issuance of development orders;
5. Manages fiscal resources to ensure the provision of needed capital improvements for previously issued development orders, future development and redevelopment;
6. Adopts a 20 year capital improvements program;
7. Budgets for capital improvements based on the adopted capital improvements plan;
8. Establishes minimum reserve levels for capital expenditures for each enterprise fund;
9. Adopts more specific level of service standards for parks, recreation and open space facilities, fire/rescue services, police services, bicycle and pedestrian facilities, boating facilities and waterway and shoreline access;
10. Establishes a level of service tracking system; and
11. Completes major renovations/new construction of City buildings to meet a green building rating system.

Historic Preservation:

1. Continues to conduct historic, cultural, and archaeological resource surveys as needed, and update and develop ordinances, guidelines, and databases that seek to protect and preserve cultural and historic resources;
2. Ensures protection of archaeological resources;
3. Establishes programs and policies that incentivize historic and cultural resource preservation;
4. Emphasizes the City's role in being a good steward and leader in protection of historic resources;
5. Encourages maintenance and preservation of historic structures;
6. Includes historic and cultural resources in post-disaster redevelopment planning;
7. Encourages compatible design and planning within and surrounding historic districts;
8. Increases community awareness of historic and cultural resource preservation;
9. Protects and revitalizes non-designated historic structures and neighborhoods;

- 10. Promotes historic preservation as a form of sustainable development;
- 11. Maintains and protects Bosque Bello Cemetery; and
- 12. Increases intergovernmental coordination regarding historic and cultural resource preservation.

1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN

No adverse effects to significant regional resources and facilities were identified in the review of the transmitted amendment package.

2. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH THE COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION

No extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of an affected Local Government were identified in the review of the transmitted amendment.

Comments:

- *Map series: Staff anticipates that the City will need to incorporate several additional maps and revise the current maps during the course of the 2012 year to ensure that the adopted maps reflect the parallel efforts undertaken by the City for the new Multimodal Transportation Element of the Plan.*
- *Amend the SLOSH map: The City may consider the following changes to this map prior to the adoption of a Future Land Use map series to be consistent with statutory requirements and professionally acceptable standards.*
 1. *Change the title to reflect a required CHHA map to be included in the adopted Plan map series.*
 2. *Source should be the Northeast Florida Regional Council as opposed to NOAA.*
 3. *The representation of the data (changing the color scheme and the title) is inconsistent with and deviates from the statewide data as illustrated in the 2010 Statewide Regional Evacuation Study, specifically Volume 7 – The Storm Tide Atlases, which is the statutorily recognized data source.*

Request a copy of the adopted version of the amendment?

Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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Recommendation

Staff respectfully recommends that the Planning and Growth Management Policy Committee and the Council approve this report for transmittal to the Department of Economic Opportunity.



St. Johns River Water Management District

David W. Fisk, Assistant Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500
On the Internet at floridaswater.com.

October 6, 2011

Mr. D. Ray Eubanks
Plan Review and Processing Administrator
Division of Community Planning
Florida Department of Economic Opportunity
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

Re: City of Fernandina Beach Proposed Comprehensive Plan Amendment
Amendment #11-1ER

Dear Mr. Eubanks:

St. Johns River Water Management District (District) staff have reviewed the above-referenced proposed comprehensive plan amendment. The proposed amendment is the Evaluation and Appraisal Report (EAR)-based amendment for the City of Fernandina Beach (City). District staff review focused on flood protection and floodplain management, wetlands and other surface waters, and regional water supply as they relate to important state resources and facilities, as outlined in *Florida Statutes*. In April 2011, City staff provided the District a draft version of the amendment. In May 2011, District staff reviewed the draft amendment and provided the City with preliminary comments. District staff have no comments on the proposed amendment, because the amendment addressed the District's preliminary comments and no adverse impacts to important state resources and facilities were identified.

If you have any questions or need additional information, please contact me at (386) 312-2369 or sfitzgib@sjrwmd.com.

Sincerely,

Steve Fitzgibbons, AICP, Intergovernmental Planner
Office of Communications and Intergovernmental Programs

cc: Ray Eubanks, Florida Department of Economic Opportunity
Ana Richmond, Florida Department of Economic Opportunity
Brian Teeple, Northeast Florida Regional Planning Council
Jim Quinn, Florida Department of Environmental Protection

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3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

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Secretary

October 10, 2011

Mr. Ray Eubanks
Plan Review and DRI Processing Team
Florida Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

Re: Fernandina Beach 11-1ER; State Coordinated Comprehensive Plan Amendment Review

Dear Mr. Eubanks:

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (DEP) has reviewed the above-referenced amendment proposal under the procedures of Chapter 163, *Florida Statutes (F.S.)*. The Department's review focused on potential adverse impacts to important state resources and facilities. Based on our review of the proposed amendment, the Department has found no provision that requires comment under the laws that form the basis of the Department's jurisdiction.

Thank you for the opportunity to comment on the proposed amendment package. Should you have any questions or require further assistance, please call me at (850) 245-2172.

Sincerely,

A handwritten signature in cursive script that reads 'Suzanne E. Ray'.

Suzanne E. Ray, AICP
Office of Intergovernmental Programs

/ser

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Gerard Robinson
Commissioner of Education

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November 2, 2011

Mr. D. Ray Eubanks, Plan Processing Administrator
Division of Community Planning
Department of Economic Opportunity
107 East Madison Street
Caldwell Building
Tallahassee, Florida 32399-4120

Dear Mr. Eubanks:

Re: Fernandina Beach 11-1ER (Coordinated State Review)

Thank you for the opportunity to review the proposed Fernandina Beach 11-1ER amendment package. According to the Department of Education's responsibilities under Section 163.3184(3)(b), Florida Statutes, I reviewed the amendment package considering provisions of Chapter 163, Part II, F.S., and to determine whether the proposal, if adopted, would have potential to create adverse impacts on public school facilities. Because the amendment does not appear to affect public school capacities, facilities, or sites, I offer no substantive comment on behalf of the department.

As technical comments, I recommend the city consider the following revisions:

- Revise Intergovernmental Coordination Element policy 7.01.06 to correct the statutory citation to read, "Section 1013.33, Florida Statutes."
- Revise Intergovernmental Coordination Element policy 7.01.07 to correct the statutory citation to read, "Section 163.31777, Florida Statutes."
- Revise Capital Improvements Element policy 8.05.08, paragraph g., to ensure internal consistency and to clarify that the level of service standard for each school

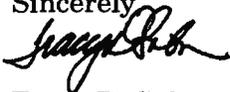
THOMAS H. INSERRA
DIRECTOR, OFFICE OF EDUCATIONAL FACILITIES

Mr. D. Ray Eubanks
November 2, 2011
Page 2 of 2

type is applied uniformly districtwide, but that the available capacity determination is made within the concurrency service areas identified in Public School Facilities Element policy 10.01.07.

Again, thank you for the opportunity to review and comment.

Sincerely,



Tracy D. Suber
Growth Management and Facilities Policy Liaison

TDS/

cc: Ms. Sharyl Wood, Nassau County Public Schools
Mr. Joseph Addae-Mensa, DEO