



**AGENDA
PLANNING ADVISORY BOARD
REGULAR MEETING
JANUARY 13, 2021
5:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034**

(VIRTUAL MEETING OPTION FOR CITIZENS ONLY)

- 1. CALL TO ORDER / ROLL CALL / DETERMINATION OF QUORUM**
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF MEETING MINUTES**
 - 3.1 Approval of Minutes for the Regular Meeting of August 12, 2020.
 - 3.2 Approval of Minutes for the Regular Meeting of November 9, 2020.
- 4. OLD BUSINESS**
- 5. NEW BUSINESS**
 - 5.1 Discussion of Remaining Future Land Use Map (FLUM) & Zoning Map Conflicts for Nonconforming Use or Boundary Inconsistencies: *This is for discussion only. No formal action will be taken at this meeting. Property Owners are invited to attend in person or virtually to discuss their properties with the Board.*
 - 5.2 Review and Discuss the Conservation and Coastal Management Element of the City's 2045 Comprehensive Plan: *This is a discussion item only with the purpose to consider topic areas for future workshops and board consensus.*
- 6. BOARD BUSINESS**
 - 6.1 **REAPPOINTMENTS:**
Genece Minshew
Peter Stevenson
 - 6.2 Review January Boards Tracker
- 7. STAFF REPORT**
- 8. PUBLIC COMMENT**
- 9. ADJOURNMENT**

NEXT PAB REGULAR MEETING IS SCHEDULED FOR WEDNESDAY, FEBRUARY 10, 2021.

Zoom Webinar Log-in for Citizen Participation:

Please click the link below to join the webinar:

<https://zoom.us/j/92904779827>

Or iPhone one-tap :

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All members of the public are invited to be present and be heard. Persons with disabilities requiring accommodations in order to participate in this program or activity should contact the City Clerk at (904) 310-3115 or TTY/TDD 711 (for the hearing or speech impaired). All interested parties may appear at said meeting and be heard as to the advisability of any action, which may be considered with respect to such matter. For information regarding this matter, please contact the Planning Department (904) 310-3135.

PLANNING ADVISORY BOARD AGENDA ITEM
City of Fernandina Beach



SUBJECT:

ITEM TYPE: LDC Text Amendment

REQUESTED ACTION:

SYNOPSIS:

CITY ATTORNEY COMMENTS:

Date: November 16, 2020

Submitted By: Sylvie McCann, Administrative Coordinator



**MINUTES
PLANNING ADVISORY BOARD
REGULAR MEETING (VIRTUAL)
AUGUST 12, 2020
5:00 PM**

The Regular Planning Advisory Board Meeting was held as a VIRTUAL MEETING with board members and City staff participating through video conferencing. This virtual meeting was be broadcasted live for members of the public to view on the City of Fernandina Beach website (www.fbfl.us) and Channel 264 (Comcast only).

**1. CALL TO ORDER
ROLL CALL / DETERMINATION OF QUORUM**

MEMBERS PRESENT:

Chair Minshew	(Physical presence)	Vice-Chair Schaffer	(Virtual presence)
Member Bennett	(Physical presence)	Member Robas	(Physical presence) (joined at 5:12)
Member Stevenson	(Physical presence)	Member Gingher	(Virtual presence)
Member Boylan	(Virtual presence)		

MEMBERS ABSENT:

None

OTHERS PRESENT:

Kelly Gibson, Planning & Conservation Director
Tammi Bach, City Attorney
Sylvie McCann, Recording Secretary

**2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF MEETING MINUTES**

3.1 Approval of Minutes from the June 10, 2020 Regular Meeting

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Bennett to approve the meeting minutes as presented.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

3.2 Approval of Minutes from the July 8, 2020 Regular Meeting

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Bennett to approve the meeting minutes as amended.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

4. NEW BUSINESS

- 4.1 **LAND DEVELOPMENT CODE TEXT AMENDMENTS:** *CITY OF FERNANDINA BEACH, FLORIDA* REQUESTS LAND DEVELOPMENT CODE TEXT AMENDMENTS TO MODIFY THE REFERENCE DOCUMENT SPECIFIC TO AIRPORT DESIGN STANDARDS AS CONTAINED IN SECTION 4.03.02 AIRPORT ARCHITECTURE AND BUILDING DESIGN STANDARDS FOR DEVELOPMENT ON THE AIRPORT.

Ms. Gibson explained that this is a reference document specific to the Airport and contained in Section 4.03.02 and that these amendments have been approved by the Airport Advisory Board. Nathan Coyle, Airport Director, explained that there have been 5 or 6 revisions that have been approved by the Airport Advisory Board.

Member Stevenson had questions about 3 changes: one on page 20, third line, Mr. Coyle explained it was a typo; one on page 21, Item 5, T-Hanger, which Mr. Coyle explained; and on Page 6 of the document, Item 4, regarding parking spaces, Mr. Coyle explained it was a typo.

Member Robas, referred to Page 5, Item 10, and asked about the barbed wire fencing and whether it would be pointing inside or outside of the security perimeter. Mr. Coyle explained that state does not mandate and has no standards.

ACTION TAKEN: A motion was made by Member Robas, seconded by Member Bennett, to approve modifications to the reference document specific to airport design standards as contained in section 4.03.02 airport architecture and building design standards for development on the airport.

Vote upon passage of the motion was taken and approved unanimously by voice vote. Motion carried.

- 4.2 **LAND DEVELOPMENT CODE TEXT AMENDMENTS:** *CITY OF FERNANDINA BEACH, FLORIDA* REQUESTS LAND DEVELOPMENT CODE TEXT AMENDMENTS TO MODIFY STANDARDS FOR STORMWATER MANAGEMENT DESIGN BY STRIKING DESIGN BASIS IN SECTION 7.03.03(E) AND ADDING A REFERENCE TO SECTION 3.05.03, AND AMENDING SECTIONS 3.05.02 AND 3.05.03 TO INCLUDE STORMWATER DESIGN REQUIREMENTS.

Andre Desilet, Stormwater Director, explained that they are currently working on cleaning up inconsistencies and working on a Guidebook. Member Stevenson asked about page 34, Section G(B) regarding topography of adjacent property. Mr. Desilet noted that they is information gathering.

Member Robas asked why Section 3.05.03(B) was stricken out. Mr. Desilet mentioned that nothing was ever done, been relevant, or anticipated to be done within that section so they proposed to remove it.

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Bennett, to approve amendments to modify standards for stormwater management design as presented.

Vote upon passage of the motion was taken and approved unanimously by voice vote. Motion carried.

- 4.3 **LAND DEVELOPMENT CODE TEXT AMENDMENTS:** *CITY OF FERNANDINA BEACH, FLORIDA* REQUESTS LAND DEVELOPMENT CODE TEXT AMENDMENTS TO ADD DEFINITION IN SECTION 1.07.00 FOR AUTOMOBILE RACETRACK, MODIFYING SECTION 2.03.02 AND 2.03.03 TO INCLUDE TERM AUTOMOBILE RACETRACK WITH A LISTING AS

“PROHIBITED.”

Member Bennett voiced his disagreement with adding a prohibited use phrase. Member Robas commented adding this section could avoid additional time and energy spent by parties that might inquire about these projects.

Member Stevenson brought up Page 40 and suggested to add “unpaved” to that section. Members also discuss the fact that it could include all kinds of racing, including racing involving animals. They also suggested that exceptions could be made for Special Events. Chair Minshew had concerns about activities already taking place at the airport and being affected by this decision. Member Bennett added that the language “driving event” could be taken into consideration with the revision of this amendment. Members suggested that this revision not include events that are already in place as regular activities at the airport.

ACTION TAKEN: A motion was made by Member Bennett, seconded by Member Stevenson, to table this item for revision to a date certain at the September 9, 2020 Regular Meeting.

Vote upon passage of the motion was taken and approved unanimously by voice vote. Motion carried.

4.4 **LAND DEVELOPMENT CODE TEXT AMENDMENTS:** *CITY OF FERNANDINA BEACH, FLORIDA REQUESTS LAND DEVELOPMENT CODE TEXT AMENDMENTS TO ADD DEFINITION FOR AGGRIEVED OR ADVERSELY AFFECTED PARTY AND TO MODIFY SECTION 8.03.09 APPEALS.*

Ms. Gibson explained this request and that there were special meetings with the HDC and City Commission regarding this change which stems from concerns from residents of Old Town. Chair Minshew asked Ms. Gibson to explain the appeal process for quasi-judicial hearing. Ms. Gibson explained the process.

Michael Spino, Chair of the Historic District Council, explained that this item is presented at the request of the Commission. He voiced concerns about the proposal which he thinks could slow down the process of acquiring a Certificate of Approval because of the ability to bring appeals to the Commission.

Member Schaffer and Member Gingher both disapproved of this item. Member Stevenson asked who would determine that a person is aggrieved.

ACTION TAKEN: A motion was made by Member Schaffer, seconded by Member Gingher to approve Code Text Amendment to Section 1.07.00 for definition and deny the amendment to Section 8.03.09. Motion was taken by ayes and nays, being all ayes, carried.

Ms. Bach clarified that the motion was to include the definition of the aggrieved party but that the recommended appeal remains the same for an applicant.

4.5 **LAND DEVELOPMENT CODE TEXT AMENDMENTS:** *CITY OF FERNANDINA BEACH, FLORIDA REQUESTS LAND DEVELOPMENT CODE TEXT AMENDMENTS TO MODIFYING SECTION 8.01.01 (D) TO INCLUDE HDC REVIEW OF PROPOSED REUSE OF STRUCTURES AND TO ADD SUBSECTION 8.01.01(D)(12) REVIEW OF EXTERIOR MOUNTED MODERN DEVICES, TO ADD SECTION 8.01.01(G) PROVIDING STANDARDS FOR PLACEMENT OF EXTERIOR REVIEW OF MODERN DEVICES AND AMENDING SECTION 8.03.03(B) CERTIFICATE OF APPROVAL MATRIX TO INCLUDE REVIEW OF EXTERIOR MOUNTED MODERN DEVICES SUCH AS SATELLITE DISHES, HVAC UNITS, COMPRESSORS,*

TELEVISIONS, TELEVISION ANTENNAS, PLUMBING AND TRASH COLLECTION FACILITIES WITH DELEGATION TO EITHER STAFF OR BOARD APPROVAL.

Member Bennett asked about Section G, regarding electronic devices in residentially zoned properties being visible from rights-of-way. Chair Spino explained the distinction and suggested to remove TV, satellite dishes, and antennas.

Chair Minshew asked if this would be retroactive for businesses that already have these devices in place. The consensus from the members was that this would create acrimony with existing owners. Ms. Bach mentioned that this would only be for new applications, renovations, and commercial applications.

Chair Minshew then addressed the trash collection facilities. Ms. Gibson explained this discussion could be expanded to include items regarding dumpsters and screening or enclosures.

ACTION TAKEN: A motion was made by Member Robas, seconded by Member Stevenson, to approve the amendment to modify section 8.01.01(D) and (G) as presented and modified.

Vote upon passage of the motion was taken and approved unanimously by voice vote. Motion carried.

Member Schaffer departed at 7:04.

- 4.6 **LAND DEVELOPMENT CODE TEXT AMENDMENTS:** CITY OF FERNANDINA BEACH, FLORIDA REQUESTS LAND DEVELOPMENT CODE TEXT AMENDMENTS TO SECTION 7.01.01 STANDARDS FOR DRIVEWAYS OR ACCESS POINTS FROM A PUBLIC STREET TO ADDRESS CIRCULAR DRIVEWAYS, USE OF ARCHITECTURAL AND PERVIOUS PAVERS, AND DIRECTING USE OF APPROPRIATE MATERIALS FOR CONNECTIONS IN OLD TOWN.

Ms. Gibson explained the text amendment request pertaining to driveways or access points from a public street along with the appropriate materials for connections in Old Town.

Member Bennett commented on the width of the driveway. Member Robas asked about Fire and Rescue access with these size restrictions and also inquired about concrete PSI.

ACTION TAKEN: A motion was made by Member Bennett, seconded by Member Stevenson, to approve the amendment to modify section 7.01.01 as presented.

Vote upon passage of the motion was taken and approved unanimously by voice vote. Motion carried.

5. BOARD BUSINESS

- 5.1 Review of Consultant Selection process for RFQ #2020-02: *This item has been placed on the agenda for consideration in the event that there is not board consensus at the Special meeting on Tuesday, August 11, 2020.*

Member Stevenson asked if the members' recommendation will be forwarded to the Commission. Member Bennett also commented about the discussion of possibly looking at the option of reviewing internally. Chair Minshew noted that the budget for this project would not be available until September and presenting a proposal to the Commission would have to wait until then. Member Robas and Member Bennett stated that there should be clarification on the Board's intent.

DRAFT

ACTION TAKEN: A motion was made by Member Bennett, seconded by Member Stevenson, to present the Board's ranking of selected consultants to the City Commission with the explanation that the Board will present a proposal on who to move forward to the next step at a later date.

Vote upon passage of the motion was taken and approved unanimously by voice vote. Motion carried.

5.2 Final Discussion about the City's Future Land Use Map and Zoning Map Conflicts: *The intent of this discussion is to determine whether the board may consider any further actions pertaining to Commission direction or if this item is fully completed.*

Ms. Gibson explained last year's City Commission's request to correct mapping discrepancies between the Future Land Use Map and the Zoning Map Conflicts and ask if there are further actions requested from this Board.

Chair Minshew suggested a list of properties could be prepared at the next meeting and then Board members could decide if they would like to pursue additional action.

Member Stevenson asked Ms. Bach if there is any action required to the document emailed to members recently regarding the Port Authority.

6. STAFF REPORT

6.1 August 2020 Boards Tracker

No comments from the Board members.

7. PUBLIC COMMENT

8. ADJOURNMENT 7:41

Sylvie McCann, Recording Secretary

Genece Minshew, Chair

PLANNING ADVISORY BOARD AGENDA ITEM
City of Fernandina Beach



SUBJECT:

ITEM TYPE: Zoning Map Amendment < 10 Acres

REQUESTED ACTION:

SYNOPSIS:

CITY ATTORNEY COMMENTS:

Jacob Platt, Senior Planner

Kelly N. Gibson, AICP, Planning Director

Tammi E. Bach, City Attorney

Date: November 16, 2020

Submitted By: Sylvie McCann, Administrative Coordinator



**MINUTES
PLANNING ADVISORY BOARD
REGULAR MEETING
NOVEMBER 9, 2020**

1. CALL TO ORDER: 5:00

ROLL CALL / DETERMINATION OF QUORUM

MEMBERS PRESENT:

Chair Minshew	Vice-Chair Schaffer
Member Bennett	Member Robas
Member Stevenson	Member Gingher
Member Boylan	

MEMBERS ABSENT:

None

OTHERS PRESENT:

Kelly Gibson, Planning & Conservation Director
Jacob Platt, Senior Planner
Tammi Bach, City Attorney
Taylor Hartmann, Recording Secretary

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MEETING MINUTES

3.1 Approval of Minutes from the October 14, 2020 Regular Meeting

ACTION TAKEN: A motion was made by Member Stevenson seconded by Member Robas to approve the meeting minutes as presented.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

Ms. Minshew stated that there are no New or Old Business items to discuss but that there are Board Business items to review. She also indicated that City Attorney Bach would be giving a presentation on ethics and the Sunshine Law.

4. BOARD BUSINESS

4.1 Outstanding FLUM/Zoning Conflicts List

Mr. Platt introduced the collection of 12 properties with unresolved zoning conflicts. He stated that no

contact has been made with the property owners yet. Staff is looking for direction on the next steps.

Members of the Board decided to discuss each parcel individually and questioned the benefits versus negatives of taking action.

Ms. Minshew gave a brief history of steps to be taken to resolve all zoning conflicts.

501 N. 14th Street and 1200 Franklin Street

Commissioner Ross, present in the audience, asked about the Rights-of-Way and whether they were public or not. He also pointed out the owners of a number of parcels surrounding the ones being discussed and stated that the area is heavily treed.

Board Members suggested starting a conversation with West Rock about potentially labeling the parcels as Conservation land.

Fernandina Beach Library, 25 N. 4th Street

Staff recommended changing the zoning to Central Business District.

Board Members discussed extending the Central Business District zoning to the entire block to include lots 10, 11, & 12.

2105 S. Fletcher Avenue

This property is currently an existing office building in R-2 Zoning. Board Members discussed the history of the building and agreed on speaking with the property owner first.

2134 1st Avenue A&B, 2144 1st Avenue A&B, 2154 1st Avenue A&B

Each property holds 2 town homes for a total of six (6) townhomes. It was explained that they are currently zoned C-1 General Commercial.

Commissioner Ross asked about the possibility of these properties being commercially rented.

Ms. Robas inquired about the legal name for “John Robas Street” and asked that it be corrected to “John S. Robas Road”. Mr. Platt stated that he will follow-up with that correction.

3172 S. Fletcher Avenue

It was noted that the Beachside Motel is currently in an R-3 Zoning district.

Ms. Minshew asked about the history of the R-3 Zoning classification. Mr. Platt mentioned he would conduct further analysis of the property and bring it back to the board for discussion.

3199 S. Fletcher Avenue

The next property was introduced as The Surf restaurant which is currently in an R-3 Zoning district.

Board Members discussed the underlying lots of record and their dimensions and Mr. Platt mentioned again that he would conduct further analysis of the property and bring it back to the board for discussion.

Commissioner Lednovich, 1586 Canopy Drive, was recognized and stated that the commission would like to see recommendations for and against zoning corrections as a next step.

Ms. Gibson opined that reaching out to every property owner and getting their input on what they see for the future of their land would be a beneficial next step.

4.2 Comp Plan and LDC Rewrite Update and Next Steps

Ms. Gibson presented portions of the Power Point presentation that was shown to the City Commission. She also reviewed the Board’s 5 Phase approach to the LDC Rewrite and projected deliverables, as well as the major takeaways from EAR Meetings.

DRAFT

Ms. Minshew discussed wanting to see a diverse group of people make up the Advisory Committee and the benefits of having “Under 40” (years of age) members.

Ms. Gibson reviewed the 2021 Anticipated Efforts that were originally discussed at the October 14, 2020 PAB meeting.

Members discussed the topics, tasks, and scope of work that would be communicated to the consulting firm.

Ms. Gibson identified the collection of Land Development Code (LDC) goals and future direction.

Mr. Bennett expressed opposition to bringing the scope of work, as it is, to the consulting firm. He discussed narrowing down the topics significantly or keeping revisions limited to the Board, Staff, and a small Advisory Committee. Ms. Robas expressed her agreement with Mr. Bennett.

Commissioner Lednovich, 1586 Canopy Drive, spoke about the PAB’s yearly budget and how to reconcile it with the scope of work. He also mentioned incorporating a broad survey of city residents’ opinions as a way to gain valuable feedback.

Ms. Bach stated that not meeting with the consultant is not an option since the City Commission has already provided direction and authorized the meeting.

Ms. Gibson mentioned that she would provide a detailed assessment of issues related to the Public Facilities section of the LDC at the December meeting.

Member Bennett inquired about annexations and why some properties have water and sewer services but are not within city limits. Ms. Bach spoke to the history of water and sewer annexations.

Margaret Kirkland, 1377 Plantation Point Drive, spoke to the benefits of modifying and rewriting the LDC. She also discussed the importance of community sustainability and resiliency.

It was decided that members would dive into Goal 5 of the Comprehensive Plan independently and reassess findings at the December 9, 2020 meeting.

The meeting was paused for a 5-minute break at 7:27 p.m.

The meeting resumed at 7:32 p.m.

4.3 City Attorney Presentation: Sunshine Law & Ethics Training

Ms. Bach introduced a Power Point presentation detailing the aspects of the Sunshine Law.

Ms. Minshew reminded members to never “Reply All” when using e-mail correspondence.

5. STAFF REPORT

6. PUBLIC COMMENT

7. ADJOURNMENT: 7:59

PLANNING ADVISORY BOARD AGENDA ITEM
City of Fernandina Beach



SUBJECT:

ITEM TYPE: Comprehensive Plan Amendment

REQUESTED ACTION:

SYNOPSIS:

CITY ATTORNEY COMMENTS:

Kelly N. Gibson

Date: January 06, 2021

Submitted By: Kelly N. Gibson, AICP, Planning Director

GOAL 5

CONSERVATION & COASTAL MANAGEMENT ELEMENT





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CONSERVATION & COASTAL MANAGEMENT ELEMENT

The Conservation and Coastal Management Element is intended to provide direction for preservation, protection, and sensitive use of the City's natural and coastal resources. The conservation objectives and policies address protection of natural resources, such as wetlands, wildlife, trees, air, and environmentally sensitive lands. The coastal management objectives and policies address protection of the coastal environment, enhancement of public access, assurance of compatible development, and promotion of disaster preparedness. The Element goal is that the City shall conserve and plan for the natural and coastal resources of the area to ensure that resources are protected and available for future generations.

CONSERVATION & COASTAL MANAGEMENT HIGHLIGHTS

1. Expand public access to include all shorelines and waterways, not just beach access;
2. Protect the beaches and dune systems;
3. Decrease dependence on hard shoreline control systems;
4. Mitigate hazard threats, prepare for disasters and plan for post-disaster redevelopment;
5. Minimize uses and development located in the Coastal High Hazard Area;
6. Recognize sea-level rise as an area of concern;
7. Incorporate working waterfronts legislative requirements and plan for riverfront uses and development;
8. Ensure development is compatible and sensitive to coastal resources;
9. Maintain or improve water quality and encourage water conservation;
10. Protect and preserve wetlands;
11. Monitor dredge, fill and excavation activities;
12. Incorporate wildlife planning strategies;
13. Continue tree preservation and protection efforts and urban forestry programming;
14. Address air quality and reduce impacts from greenhouse gases;
15. Promote energy conservation;
16. Identify natural resource lands eligible for acquisition and preservation; and
17. Increase intergovernmental coordination regarding natural resources.



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GOAL 5: CONSERVATION & COASTAL MANAGEMENT ELEMENT

Objective 5.01. Public Access	Page 5-1
Objective 5.02. Beach and Dune Preservation	Page 5-1
Objective 5.03. Hazard Mitigation, Disaster Preparedness, + Post-Disaster Redevelopment	Page 5-3
Objective 5.04. Coastal High Hazard Areas (CHHA)	Page 5-6
Objective 5.05. Waterfront Planning	Page 5-7
Objective 5.06. Coastal Protection	Page 5-10
Objective 5.07. Water Quality and Conservation	Page 5-11
Objective 5.08 Wetlands Protection	Page 5-14
Objective 5.09 Dredge, Fill, and Excavation Activities	Page 5-17
Objective 5.10. Wildlife Planning	Page 5-18
Objective 5.11 Tree Preservation and Urban Forestry	Page 5-20
Objective 5.12 Air Quality	Page 5-22
Objective 5.13 Energy Conservation	Page 5-23
Objective 5.14 Land Acquisition and Preservation	Page 5-24
Objective 5.15 Intergovernmental Coordination	Page 5-24

GOAL 5 | COASTAL AND CONSERVATION ELEMENT

THE CITY SHALL CONSERVE, PROTECT, AND PLAN FOR THE NATURAL AND COASTAL RESOURCES OF THE AREA, TO ENSURE THAT RESOURCES ARE PROTECTED AND AVAILABLE FOR FUTURE GENERATIONS.

OBJECTIVE 5.01.

PUBLIC ACCESS

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

POLICY 5.01.01.

The City shall maintain an inventory of public access points to shores, including the beach, river, and Egan's Creek, including number, location, design, accessibility, and availability of parking, and update this inventory on an annual basis.

POLICY 5.01.02.

The City shall require, where appropriate, the dedication of public access to waterways and shores from private developments.

POLICY 5.01.03.

The City shall not vacate necessary existing rights-of-way, easements, walkways, and other properties available for public access to beaches, shores, and other waterways.

POLICY 5.01.04.

The City shall promote an increase in public access through dedication of land for new public access points, and through encouragement of dedication of land by private property owners adjacent to waterway access points.

POLICY 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.

POLICY 5.01.06.

The City shall maintain access to the water through beach accesses, public fishing piers, boat ramps, and marinas, as further defined in the Recreation and Open Space Element.

POLICY 5.01.07.

The City shall determine a regular schedule for updating way-finding signage for all public access points by 2013.

OBJECTIVE 5.02.

BEACH AND 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, including identification of the City Department responsible for implementing the program.

POLICY 5.02.01.

The City will identify and prioritize those beaches and dune systems which are in need of protection, enhancement, and re-nourishment through consultation with the Florida Department of Environmental Protection.

POLICY 5.02.02.

The City shall establish a dune management program by 2013, including developing and implementing standards for dune protection at public and private crossovers, and for dune stabilization and restoration projects. 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.

POLICY 5.02.03.

The City shall protect beach wrack as an important component of the beach ecosystem and eliminate or minimize any mechanical cleaning or sweeping of the beach surfaces.

POLICY 5.02.04.

The City shall continue implementation of the Coastal Upland Protection Zone (CUPZ) in the Land Development Regulations and shall monitor and evaluate the CUPZ regulations for changes as needed to best implement the dune management system priorities.

POLICY 5.02.05.

The City shall identify all deficient public beach access points, including those with no boardwalks, crossovers, or other protective mechanism for the dunes, and establish a schedule and procedure for improving any deficiencies.

POLICY 5.02.06.

The City shall adopt Land Development Code regulations directing professional evaluation of the potential for beach erosion as part of the site plan and permitting process for any coastal structure.

POLICY 5.02.07.

No motorized vehicles shall be allowed on dune systems except in an emergency situation as designated by the local law enforcement and emergency management agencies. The City shall enforce this policy through the City Police Department. Beach driving is prohibited except in designated areas as defined by City ordinances.

POLICY 5.02.08.

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

POLICY 5.02.09.

The City shall guide and direct the location, construction, and maintenance of development adjacent to the Atlantic shoreline, and shall maintain standards to address the following issues:

- a. Avoid adverse impacts on the contours and topography 1,000 feet landward of the CCCL;
- b. Avoid adverse impacts on the contours and topography for properties eastward of the CCCL;
- c. Preserve existing vegetation;
- d. Set maximum impervious surface ratios;
- e. Allowance or removal of shore-hardening structures;
- f. Setbacks for shoreline protection;
- g. Construction standards in hurricane vulnerability zones;

- h. Reconstruction or modification of existing hard erosion control structures
- i. Use of living shoreline strategies for erosion management ;
- j. Underground storage tanks; and
- k. Location of septic tanks.

POLICY 5.02.10.

The City shall identify existing hard erosion control structures and incorporate into the City's GIS mapping system.

POLICY 5.02.11.

The City shall prohibit the use of habitat-destroying vertical seawalls along natural water body shorelines. The City will encourage the removal of existing seawalls when the opportunity arises. Restoration will be accomplished by replacing existing, deteriorating seawalls with sloped shorelines, vegetated riprap, or other living shoreline techniques in order to recreate habitat and provide storm protection to upland areas.

POLICY 5.02.12.

The City shall request that the DEP promptly notify the City of all applications within the City seeking variances or other relief from the CCCL.

POLICY 5.02.13.

The City shall continue to fund and implement projects associated with the Nassau County Shore Protection Project.

OBJECTIVE 5.03.

HAZARD MITIGATION, DISASTER PREPAREDNESS, AND POST-DISASTER REDEVELOPMENT

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.

POLICY 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.

POLICY 5.03.02.

The City shall prioritize the improvement of City transportation facilities to give special consideration to routes for hurricane evacuation, and shall coordinate with the State and Nassau County to prioritize improvement of State and County transportation facilities necessary for hurricane evacuation.

POLICY 5.03.03.

The City shall coordinate with the County's Emergency Management Director whenever the County updates its hurricane evacuation plan, disaster preparedness plan, Local Mitigation Strategy, and Post-Disaster Redevelopment Plan. An analysis of the existing plans shall include 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.

POLICY 5.03.04.

The City shall provide a hurricane guide, updated annually, showing evacuation routes, hurricane hazards, safety procedures, shelters, and other pertinent information for its citizens, including special needs populations.

POLICY 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 Emergency Management Director for compliance with the local Comprehensive Emergency Management Plan. 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. Discouraging the rebuilding and redevelopment of facilities which encourage growth in hazardous areas, except for necessary services for existing development
- g. 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 disaster;
- h. Recommending amendments to the local peacetime emergency plan and other appropriate policies and procedures;
- i. Distinguishing between immediate repair and cleanup action needed to protect public health and safety and long-term repair and redevelopment activities;
- j. Eliminating unsafe conditions and inappropriate uses;
- k. Incorporating applicable recommendations of interagency hazard mitigation reports into the FBCP;
- l. Identifying mechanisms for the removal, relocation, or structural modification of damaged and unsafe structures;
- m. Considering development credits or transfer of development rights for use as incentives to reduce rebuilding damaged structures in the coastal high hazard area;
- n. Recommending techniques and methods that lower densities along the oceanfront;
- o. Identifying areas needing redevelopment; and

- p. Providing for strategies to address historic and cultural resources.

POLICY 5.03.06.

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.

POLICY 5.03.07.

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. The City shall address potential exemptions for historic structures in relation to this policy.

POLICY 5.03.08.

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 Level A evacuation zone, as delineated in the 2010 Northeast Florida Regional Hurricane Evacuation Study, and the category 1 and 2 storm surge inundation zones are coordinated with the County's hurricane evacuation plan and applicable regional or State hurricane evacuation study.

POLICY 5.03.09.

Disaster preparedness plans shall address the needs of special needs populations, including evacuation and specific shelter requirements. The City will assist the County and support County efforts to identify and maintain data on special needs populations.

POLICY 5.03.10.

The City shall continually coordinate with the County's Emergency Management Department to develop a plan for reducing the hurricane evacuation time for within the County.

POLICY 5.03.11.

The City shall continually coordinate with the County's Emergency Management Department to ensure that adequate off-island hurricane shelters are available to serve the City's residents and visitors.

POLICY 5.03.12.

Construction in floodplains shall adhere to local development standards in keeping with the requirements of the National Flood Insurance Program (NFIP). The City shall maintain maps of existing development and densities within the floodplain.

POLICY 5.03.13.

Hazardous materials or hazardous waste shall not be stored within an area of special flood hazard unless:

- a. Such hazardous materials or hazardous waste are limited to properties which carry the Industrial Future Land Use designation and are stored within tanks or vessels, the lowest extremity of which is located above the applicable base flood elevation in accordance with the City's Floodplain Management Ordinance; and,
- b. All tanks or structures containing hazardous materials or hazardous waste comply with all NFIP and FEMA anchoring and flood proofing requirements.

The Land Development Code shall be updated to reflect this policy.

OBJECTIVE 5.04.

COASTAL HIGH HAZARD AREAS (CHHA)

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.

POLICY 5.04.01.

The City shall designate Coastal High Hazard Areas (CHHA) on the Future Land Use Map (FLUM) series and ensure the criteria for mitigation found in a coastal high-hazard area is met, as defined in F.S. 163.3178(9). The CHHA is 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 and as mapped in the Storm Tide Atlas 2011 as part of the Regional Evacuation Study.

POLICY 5.04.02.

Proposed development in the CHHA shall be evaluated for impacts on traffic circulation, evacuation routes, and proximity to off-island shelter facilities.

POLICY 5.04.03.

The City shall not allow public expenditures for infrastructure improvements which subsidize increases in development in the CHHA except within the Community Redevelopment Area. 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 public 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.

POLICY 5.04.04.

Prior to the development of public facilities in the CHHA, it shall be determined that no other feasible sites exist outside that area. Where public facilities are proposed for renovation or expansion, relocation shall be considered as an option. If construction of public facilities in the CHHA occurs, all facilities must be flood proofed to ensure minimum damage from storms and hurricanes.

POLICY 5.04.05.

The City shall maintain a list of infrastructure facilities located in the CHHA which could be relocated, mitigated or replaced should state or federal 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.

POLICY 5.04.06.

All new permanent building construction shall meet the standards of the National Flood Insurance Program (NFIP) and the City's floodplain protection regulations, including nonresidential construction within the coastal high hazard area meeting storm and flood proofing standards exceeding those required for a 100-year storm.

POLICY 5.04.07.

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) (update when FLUE complete) are met.

POLICY 5.04.08.

The City shall continue to allow development within the CHHA; however, the City shall direct population concentrations, including nonresidential development, away from the CHHA except within the Community Redevelopment Area. Development and/or redevelopment in the CHHA shall not increase the intensity currently allowed by the Comprehensive Plan.

POLICY 5.04.09.

The City shall prohibit the location of new assisted living facilities, nursing homes, hospitals, or other similar facilities that provide critical health services or serve special needs populations within the CHHA.

POLICY 5.04.10.

The City recognizes sea-level rise as a potential coastal hazard, and shall work with Nassau County and state and regional entities as appropriate to develop strategies for responding to sea-level rise, including:

- a. Analysis of the estimated sea-level rise and its effects on estuaries, wetlands, beaches, and uplands;
- b. Identification of structures and areas of possible risk;
- c. Determination of additional data and research needed;
- d. Assistance from state and federal agencies;
- e. Analysis of City and County buffer requirements and whether additional buffering should be required;
- f. Evaluation of locating public facilities in areas projected to be affected by rising sea level;
- g. Consideration of the effects of sea-level rise on potable water sources, saltwater intrusion, septic systems, wastewater treatment facilities, and the water table; and
- h. Creation of Adaptation Action Areas, as permitted by state statute.

OBJECTIVE 5.05.**WATERFRONT PLANNING**

The City shall protect shorelines and waterfront lands in order to ensure adequate and appropriate locations for water-dependent, water-related and water-enhanced uses.

POLICY 5.05.01.

It shall be the policy of the City to utilize the following priority list in reviewing applications for shoreline uses, so as to provide increased priority for water-dependent uses. Uses listed first shall generally be given the highest priority of all uses that may be proposed along the shoreline, with other, uses listed in the order

of declining priority. Uses listed under (6) shall be given the least preference for location along the shoreline.

1. Water-dependent uses such as fish, and shellfish production;
2. Water-dependent recreation and commercial uses such as ports, marina-type uses, and navigation, particularly those that provide public access;
3. Water-related uses such as certain utilities and commercial;
4. Water-enhanced uses such as certain recreational and commercial uses;
5. Non-water dependent or related activities such as residential uses; and
6. Non-water dependent and non-water enhanced uses which result in an irretrievable commitment of coastal resources, or in a proposed alteration to the FLUM series that would prohibit or remove the permitted use of water-dependent, water-related or water-enhanced uses.

POLICY 5.05.02.

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 measures at those facilities 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;
- e. Prohibiting the construction of causeways within estuaries and requiring bridges with pilings instead, and
- f. Ensuring minimal environmental resource impacts or disruption.

POLICY 5.05.03.

New marinas and multi-slip docking facilities shall conform to the following criteria:

- a. marinas and multi-slip docking facilities must provide vehicular parking.
- b. all parking, dry storage, and non-water dependent facilities must be built on existing uplands;
- c. marinas and multi-slip docking facilities shall prepare disaster preparedness plans which describe measures to be taken to minimize damage to marina sites, neighboring properties, and the environment; this plan shall be reviewed and approved by the City Manager, Fire Department and the Planning Director;
- d. marina or multi-slip docking facilities shall comply with the other policies of this plan;
- e. marinas or multi-slip docking facilities which receive permits to disturb or destroy wetlands or grass beds shall create new wetlands in compliance with permitting agency requirements;
- f. dry slip use shall be maximized in order to minimize impacts on water quality, and minimize the areas extent of disturbance of the estuary;
- g. fueling facilities associated with marinas shall be designed to contain spills from on-land equipment and shall be prepared to contain spills in the

water. A fuel management/spill contingency plan shall be developed. The plan shall describe methods to be used in dispensing fuel and all the procedures, methods and materials to be used in the event of a spill; and

- h. shall not have adverse impact on established commercial fishing or shrimping activities.

POLICY 5.05.04.

The City shall encourage existing marinas and require new marinas to seek and maintain Clean Marina designation, as operated by the Florida Department of Environmental Protection.

POLICY 5.05.05.

The City shall update standards for marinas and marine-related facilities in the Land Development Code which include setbacks, height limitations, parcel size, architectural guidelines, maintenance, containment of stormwater runoff, wastewater disposal, wash down water for dry storage areas, and requirements for Clean Marina designation or inclusion of Clean Marina standards as set by the Florida Department of Environmental Protection.

POLICY 5.05.06.

Existing marina facilities shall be allowed to continue operation provided these facilities meet the City's adopted operational standards. The operational standards shall identify a timeframe for compliance if the existing marinas do not meet the operational standards.

POLICY 5.05.07.

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

POLICY 5.05.08.

The City shall prohibit any water-dependent or water related land-use which will lower the water quality standards below State water quality standards.

POLICY 5.05.09.

The City shall protect recreational and commercial working waterfronts by protecting environmental and cultural resources, providing public access, helping to prevent losses from disasters and enhancing the waterfront economy, and through participation in the Florida Waterfronts Partnership Program.

POLICY 5.05.10.

The City shall continue to maintain a mooring field for the needs of transient boaters and to reduce the need for additional marina use along the waterfront and its uplands.

POLICY 5.05.11.

The City shall continue to maintain an Industrial Waterfront zoning and future land use designation in order to support water-dependent activities such as commercial fishing and shrimping.

POLICY 5.05.12.

The City shall evaluate potential exemptions in the Land Development Code to wetlands buffer requirements for resource-based recreational facilities such as trails, boardwalks, piers and boat ramps, and components of water-dependent

commercial uses such as port facilities, marinas, fish camps, and commercial fishing operations.

POLICY 5.05.13.

The City shall evaluate land development regulations that incentivize maintaining water-dependent uses such as marinas, fish camps, and commercial fishing operations.

POLICY 5.05.14.

The City shall encourage waterfront property owners to offer the City the right of first refusal for properties that are proposed to be changed from recreational or commercial working waterfront uses to other uses.

POLICY 5.05.15.

The City shall establish a no net loss policy for the areas within the City that are zoned and/or included in the FLUM series as recreational and commercial working waterfront uses.

OBJECTIVE 5.06.

COASTAL PROTECTION

The City shall protect coastal native vegetation, wetlands, waterways, living marine resources, coastal barriers, and wildlife habitat by restricting development and activities which will cause an adverse impact to these natural resources.

POLICY 5.06.01.

The City will monitor and participate, when necessary, in permitting activities of City interdepartmental activity and other regulatory agencies for projects which may impact the quality of the coastal area, wildlife habitat, wetlands, water, and waterways. Specific City Departments shall be identified and required to coordinate with permitting agencies on a regular basis in order to keep apprised of proposed activities requiring permitting.

POLICY 5.06.02.

The City shall monitor proposed development for potential adverse impacts to the quality of natural resources in the coastal area. The Land Development Code shall include procedures designed to ascertain potential impacts, such as the requirement of surveys or studies illustrating potential impacts. The City shall encourage minimal to no adverse impacts. When impacts are allowable to marine life, wildlife, water quality, and other natural resources based on state or federal authority, the impacts shall be mitigated according to the rules and regulations of the DEP and the SJRWMD.

POLICY 5.06.03.

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.

POLICY 5.06.04.

The City shall update the Land Development Code with standards to ensure docks, piers, seawalls, jetties, wharves, boat ramps, boardwalks and boat houses do not obstruct or materially alter natural water flow or restrict navigation. The City shall

coordinate with the Florida Department of Environmental Protection and the United States Army Corps of Engineers through agency permitting processes for construction of these structures to ensure water flow and navigation are not restricted.

POLICY 5.06.05.

The City shall coordinate with the DEP regarding any new regulations regarding coastal development, coastal wildlife, and marine resources.

OBJECTIVE 5.07.

WATER QUALITY AND CONSERVATION

The City shall protect water quality within and adjacent to City limits by restricting development and activities which will cause an adverse impact to these resources, and shall encourage practices which promote water conservation.

POLICY 5.07.01.

The City shall identify water quality testing sites maintained by public and private entities that are within or adjacent to City limits, and the City shall seek to serve as a repository for this testing information for purposes of public review.

POLICY 5.07.02.

The City shall maintain water quality at the designated standards for the appropriate water body classification, and shall designate a City Department responsible for regularly assessing water quality, including coordinating with public and private entities to assess the need for additional water quality testing sites.

POLICY 5.07.03.

The City will actively pursue the protection and enhancement of water quality and quantity for wildlife propagation, fishing, shell fishing, recreation, navigation, and other related activities, and in particular shall encourage restoration of waters to Class II waters (as defined by the Florida Department of Environmental Protection) for purposes of shellfish harvesting. 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;
- c. Encourage Nassau County to continue participation in water testing and ensuring state and federal water quality standards are met or exceeded;
- d. Coordinate with state and federal agencies and non-profit organizations to explore projects related to enhancing and restoring water quality; and
- e. Prohibit future development and activities which would degrade existing or potential Class II waters or impede the restoration of existing Class III waters to Class II waters.

POLICY 5.07.04.

The City shall identify developable parcels adjacent to Class II or III waters and update the Land Development Code regarding development activities on these parcels to ensure maintenance of water quality. The City shall also coordinate with

the Florida Department of Environmental Protection regarding any potential reclassification or redefinition of waters within or adjacent to City limits.

POLICY 5.07.05.

The City shall coordinate with Nassau County and the State to ensure water quality is maintained in the Fort Clinch State Park Aquatic Preserve and the Nassau River-St. Johns River Marshes Aquatic Preserve.

POLICY 5.07.06.

The City shall consider expanding the Coastal Upland Protection Zone and implementing upland protection zones for areas adjacent to Egan's Creek in order to protect and improve water quality.

POLICY 5.07.07.

The City shall encourage elimination of septic tanks as outlined in the Public Facilities element, especially in areas adjacent to the beach, river, and Egan's Creek in order to maintain healthy, functioning waterways. Testing of septic tanks shall be in accordance with state law requirements.

POLICY 5.07.08.

The City shall locate existing underground storage tanks and septic tanks and incorporate those locations into the City's GIS mapping system.

POLICY 5.07.09.

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.

POLICY 5.07.10.

The City shall include water efficient landscaping at all City facilities by using Florida-Friendly, native and drought-tolerant plants, reducing potable water consumption and using reclaimed water whenever possible, and using micro-irrigation systems and efficient watering methods to reduce energy expenditures and maximize water conservation.

POLICY 5.07.11.

The City shall use Florida-Friendly or native plant species as landscaping at all City facilities and shall not use invasive species. The City shall further evaluate development of a xeriscaping and native plant ordinances.

POLICY 5.07.12.

The City shall require low-impact development strategies or conservation-based landscape planning and installation, water efficient irrigation and appropriate measures that promote conservation of water resources and reduction of non-point source pollution as part of sustainable water management for new public and private development. New waterfront development shall be designed so that stormwater runoff and erosion are retained on-site or are channeled so as to not degrade water quality of adjacent waters.

POLICY 5.07.13.

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

POLICY 5.07.14.

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.

POLICY 5.07.15.

The City shall develop community outreach materials and/or programs in coordination with the SJRWMD to educate the public on water conservation and personal pollution reduction measures.

POLICY 5.07.16.

The City shall evaluate the implementation of a landscaping ordinance that seeks reduction in the use of fertilizers as a source of non-point source pollution.

POLICY 5.07.17.

The City shall advise its citizens of the dangers associated with non-point source pollution addressing, at a minimum, the following:

- a. Proper pesticide and fertilizer application practices;
- b. Use of turf blocks for patios, sidewalks, driveways, etc., to prevent increasing impervious surface area;
- c. The importance of maintaining motor vehicles to prevent the accumulations of oils, grease, transmission fluid etc., on driveways; and
- d. The importance of regularly collecting and properly composting yard debris to prevent the accumulation of other debris which can adversely affect surface water quality.

POLICY 5.07.18.

The City will utilize the most recent SJRWMD data for determining areas in the City with the potential for aquifer recharge and maintain maps of these areas in the City's GIS database. If areas in the City are identified as aquifer recharge areas, the City shall then develop and implement protection measures which will protect the areas from development impacts.

POLICY 5.07.19.

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

- a. Minimum open space standards;
- b. Maximum impervious surface standards, including requiring the use of pervious paving materials to reduce the extent of impervious surfaces;
- c. Drainage swales, depressions or rain gardens;
- d. Requiring French drains, slab-covered trenches or drainage wells, and limitations on overflows;
- e. Allowing direct overland flow discharge to surface waters only when no other practical or effective method of stormwater discharge is possible; and
- f. 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.

POLICY 5.07.20.

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.

POLICY 5.07.21.

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 NEFRC, the DEP, the Agricultural Extension Service, the United States Army Corps of Engineers, and the U.S. Fish and Wildlife Service.

POLICY 5.07.22.

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 and cultural resources that could be potentially impacted;
- b. Identification of potential impacts to the City's natural and cultural resources;
- c. Methods of mitigation;
- d. Means of coordinating with permitting agencies; and
- e. Responses to hazardous events.

POLICY 5.07.23.

The City shall enact stormwater management strategies as outlined in the Public Facilities Element.

OBJECTIVE 5.08.**WETLANDS PROTECTION AND PRESERVATION**

The City shall direct incompatible land uses away from wetlands, and shall protect and preserve wetlands from physical and hydrologic alterations, in order to maintain the following functions: natural biological functions, including food chain production; general habitat; nesting, spawning, rearing, and resting sites for aquatic or land species; natural drainage systems impacting sedimentation patterns, salinity distribution, flushing characteristics, current patterns, and other environmental characteristics; shielding other areas from wave action, erosion, or storm damage; storage areas for stormwater and flood waters; natural recharge areas; and natural water filtration processes that serve to purify water.

POLICY 5.08.01.

Wetlands as identified by the most recent St. Johns River Water Management District (SJRWMD) land use and cover inventory shall be depicted on the City's Future Land Use Map (FLUM) series in order to ensure maximum protection. All wetlands, as verified by jurisdictional field delineation, are designated as limited development overlays and shall be protected by policies contained within this plan.

POLICY 5.08.02.

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 identifying and delineating wetlands and rendering determinations of the development rights to be permitted on such wetlands and/or lands under the jurisdiction of the state or federal government; and
- b. Requiring review of applications for development proposing encroachment or disturbance to wetlands through the site plan and permitting process. The applicant shall bear the burden of proof in demonstrating that development will not adversely impact wetlands, wetland transition areas, and other environmentally sensitive lands.

POLICY 5.08.03.

The delineation of any wetlands on any proposed development shall be determined prior to the issuance of development orders which permit site alteration. The City's land development regulations shall require that any application for a local development order for sites containing wetlands shall include wetland delineation. A delineation of the upland wetland boundary shall be established based upon an on-site field survey by a professional biologist or registered engineer provided by the applicant and coordinated with the SJRWMD, the DEP, and/or the U.S. Army Corps of Engineers. The delineation and determination of these areas shall be in accordance with SJRWMD rules.

POLICY 5.08.04.

No public or private 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.

POLICY 5.08.05.

The City shall continue to ensure the protection and mitigation of wetlands, consistent with existing state and federal regulations, and shall ensure the following:

- a. 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.

POLICY 5.08.06.

The City shall protect wetlands from impacts of adjacent development, and shall ensure through regulations included in the Land Development Code:

- a. Proper siting of development structures and infrastructure, including clustering of development 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.

POLICY 5.08.07.

The City shall consider density bonuses, cluster development, and/or other incentives in appropriate areas of the City to encourage placement of wetlands and other environmentally sensitive lands in a conservation land use designation.

POLICY 5.08.08.

In instances in which development is proposed that is adjacent to a wetland, 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. Such buffer shall ensure existing vegetation is not disturbed; where new vegetation is required, plants or ground cover native or appropriate to a wetlands transition area shall be used.

POLICY 5.08.09.

The Land Development Code shall be updated to prohibit the following uses 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;
- h. Septic tanks;
- i. Any land use that stores, handles, or generates hazardous material or waste;
- j. Removal, excavation, or disturbance of the soil;
- k. Dumping or filling with any material;
- l. Erection of structures;
- m. Placement of pavements;
- n. Destruction of plant life which would alter the existing pattern of vegetation; and
- o. Placement of any portion of a development project.

POLICY 5.08.10.

The City shall require, when appropriate, the dedication of conservation easements where the City finds that the dedication is reasonable in order to protect the value and function of a wetland. The City shall establish an ordinance determining, at a minimum, in what instances dedication would be appropriate, what methodology will determine that dedication is reasonable in order to protect the value and function of a wetland, and indicate the entity or entities that will hold the conservation easements.

POLICY 5.08.11.

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.

POLICY 5.08.12.

The City shall identify wetlands and other environmentally sensitive lands that cross City/County limits or are adjacent to City/County limits. The City shall pursue an interlocal agreement regarding the regulation, acquisition and/or preservation of wetlands that cross or are adjacent to the City/County limits in order to cooperatively work towards the preservation of these properties.

OBJECTIVE 5.09.**DREDGE, FILL, AND EXCAVATION ACTIVITIES**

The City shall ensure that all approved dredge and/or fill activities shall be conducted in a manner which minimizes adverse impacts on water quality, allows for adequate flushing of a newly constructed waterway, maintains water circulation patterns within estuaries and tributaries, does not create excessive drainage onto adjacent properties, and does not impact wildlife habitat or natural ecosystems, such as dunes.

POLICY 5.09.01.

The construction of canals, man-made waterways, drainage ditches, and stormwater ponds or retention facilities shall not be permitted within City limits unless approved by all agencies with regulatory jurisdiction.

POLICY 5.09.02.

The City shall evaluate the need for dredging the City Marina on a regular basis. Any waterway dredging, particularly within the City Marina, shall take into account water quality, adequate flushing, water and boat circulation, and wildlife habitat, especially Florida manatee habitat.

POLICY 5.09.03.

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

POLICY 5.09.04.

Approved best management practices, as published by the DEP, shall be used before, during, and after construction to reduce siltation and erosion, and shall be included in the Land Development Code as reference for pre-construction, construction, and post-construction activities.

POLICY 5.09.05.

The City's land development regulations will provide for control and permitting of all on-site changes in land contours associated with dredging, excavating, and filling activities in order to ensure excessive drainage does not impact adjacent properties and to ensure protection of natural ecosystems and habitat. The City shall include strategies for excavation and fill activities within the Coastal Upland Protection Zone, and in remaining areas of the City, to be included in the Land Development Code, including but not limited to:

- a. calculating maximum height for structures based on pre-development grade;
- b. evaluating the grade of adjacent properties;
- c. requiring pier/piling construction within the Coastal Upland Protection Zone and eastward of the Coastal Construction Control Line; and
- d. creating policies for fill assessment and evaluation in coordination with DEP.

OBJECTIVE 5.10.

WILDLIFE PLANNING

The City shall encourage development and management of resources in a manner which sustains local wildlife, their habitat and the ecological services of the land, and shall protect significant habitats of populations of threatened or endangered species in accordance with the provisions of the Endangered Species Act (ESA) 16 USC 1531, and Florida Administrative Code Division 68A.

POLICY 5.10.01.

When reviewing development proposals for public or private development, the City shall take into account the following strategies:

- a. When planning for a larger parcel or contiguous smaller parcels, emphasize a compact, clustered development pattern over a sprawling one;
- b. Preserve water body and riverine green edges in order to conserve an upland buffer that links the water to larger habitat patches;
- c. Where possible do not subdivide properties in a manner that creates multiple lots to the water's edge; instead, maintain a common community shoreline corridor with an upland component that links to larger habitat patches;
- d. Preserve native vegetation and habitat types;
- e. Preserve forested areas, the understory and native soil associations; and
- f. Avoid activities that dehydrate landscape features or alter the seasonal water flows or duration of inundation to wetlands, hammocks or water bodies.

POLICY 5.10.02.

The City shall protect significant habitats for native wildlife and vegetation in areas of known environmentally sensitive habitats, including habitats of endangered species. The Land Development Code shall be updated with regulations to ensure that 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. The City shall ensure an enforcement mechanism is in place to monitor inventories and assessments, and any required mitigation. The City shall seek assistance from the Florida Department of Environmental Protection and the Florida Fish and Wildlife Conservation Commission in assessing identification of habitat, and any needed relocation or mitigation.

POLICY 5.10.03.

The City shall identify and maintain an inventory of any "Outstanding Florida Waters"; aquatic preserves; wildlife sanctuaries; wildlife refuges; State preserves; sanctuaries; forests; and publicly owned parks, gardens, and wildlife management areas within or adjacent to the City. Proposed development adjacent to any of these areas shall be limited by type and intensity through the Land Development Code in order to conserve wildlife populations and habitat.

POLICY 5.10.04.

The City shall plan for the provision of wildlife corridors to allow for survival of species, prevent isolation of natural communities, and decrease fragmentation of habitat. In planning for wildlife corridors, the City should take into account

maintaining large, connected patches of natural vegetation, wide vegetation corridors along major water courses, and connectivity for movement of key species among the large patches.

POLICY 5.10.05.

The City shall evaluate the presence of native upland habitats and their linkages to contiguous or related lowland and wetland habitats, and consider implementation of regulations to protect these native upland habitats including strategies such as retaining native vegetation, providing for undeveloped habitat buffers around waterways, protecting areas of temporary or seasonal wetlands and ponds, and identifying opportunities for linking open space, stormwater facilities and buffers to create separation from human and wildlife communities.

POLICY 5.10.06.

The City shall coordinate with Nassau County regarding the County's Conservation and Habitat Network and how it may be connected to lands within City limits as a means of furthering protection of wildlife habitat. The City shall work with Nassau County in creating joint policies to plan for how to protect this network and appropriately plan for adjacent development.

POLICY 5.10.07.

The City shall identify areas conducive to wildlife corridors and incorporate acquisition and protection of these lands and waterways as a high priority into any land acquisition priority assessment. The City shall encourage the use of conservation easements where feasible.

POLICY 5.10.08.

The City shall identify areas of outdoor lighting along natural resource areas and ensure this lighting is minimized to limit impacts to wildlife, particularly along the beach during sea turtle nesting season. The City shall explore implementation of a "dark sky" ordinance for areas adjacent to natural resource areas that includes keeping lights low to the ground and shielded in order to reduce light trespass. The City shall work with County and State managed land officials to limit light pollution.

POLICY 5.10.09.

The City shall evaluate proposed transportation improvements and related facilities for potential impacts on wildlife and their habitat. The City shall further evaluate opportunities for wildlife ecopassages in areas of known wildlife migration and movement routes and coordinate with County and State officials regarding possibilities for construction or maintenance of Eco passages on or adjacent to highly trafficked roadways.

POLICY 5.10.10.

The City shall strive to integrate stormwater, transportation and recreational infrastructure networks and proposed projects for wildlife integration opportunities, including coordination with the City Golf Course regarding wildlife-friendly golf course management.

POLICY 5.10.11.

The City shall restore impaired dunes and coastal wetlands ecosystems and habitats, including submerged aquatic vegetation, through re-vegetation and shoreline softening projects.

POLICY 5.10.12.

The City shall maintain maps identifying manatee habitat in or adjacent to the waters of the City. New 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. Existing marinas and the Port of Fernandina shall comply with any applicable rules and requirements as established in Florida Statutes and the Florida Administrative Code regarding manatee protection. The City, in coordination with City Marina management, shall continue to provide informative signage and brochures about manatees to increase public awareness and compliance with laws. Signs shall be placed at all public access points in the vicinity of areas known to be frequented by manatees.

POLICY 5.10.13.

All species of sea turtles, which nest on the sand beaches fronting the Atlantic Ocean, shall be protected from human interference, including activities such as beach re-nourishment, beachfront lighting, coastal construction, and mechanical beach cleaning during nesting season, in accordance with F.S. 379.2431.

POLICY 5.10.14.

The City shall seek assistance from the Florida Fish and Wildlife Conservation Commission, the Florida Department of Environmental Protection, 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 updates to and the development of the City's land development regulations and future ordinances for the protection of these resources, especially the manatee, sea turtle, gopher tortoise, shorebirds, and other identified species of special concern or threatened or endangered species within the City. The City shall maintain maps illustrating the presence of species of special concern and endangered or threatened species habitat and incorporate these into wildlife corridor planning and coordination with the County's Conservation and Habitat Network.

OBJECTIVE 5.11.**TREE PRESERVATION AND URBAN FORESTRY**

The City shall commit to preservation of community trees and the urban forest to improve air quality, community health, quality of life, aesthetics, and energy conservation.

POLICY 5.11.01.

The City shall implement recommendations from the 2009 Street Tree Management Plan, including updating the existing inventory of street trees, and commit to finish the street tree inventory for the remainder of the City limits.

POLICY 5.11.02.

By 2014, the City shall complete the street tree inventory for the remainder of City limits not covered under the 2009 Street Tree Management Plan.

POLICY 5.11.03.

The City shall seek to increase its existing tree canopy, and the total tree canopy coverage shall not fall below 37%, as established in the 2009 Street Tree Management Plan.

POLICY 5.11.04.

The City shall establish a tree planting and replacement strategy for street and public trees, including goals for maintenance trimming and pruning and use of the Tree Fund to facilitate planting efforts. Where feasible, any maintenance should follow arborist-approved tree pruning practices.

POLICY 5.11.05.

The City shall exclude invasive vegetation from plant materials permitted in public or private landscape plans. The City shall make a commitment to removal of invasive vegetation from rights-of-way and public property, and inform private property owners of the benefits of removing invasive vegetation.

POLICY 5.11.06.

In order to prevent catastrophic loss to the City's public trees due to insect or disease, the City shall diversify public tree species when planting new or replacement trees.

POLICY 5.11.07.

The City shall consider implementing tree and landscaping plans for specific public areas and rights-of-way.

POLICY 5.11.08.

The City shall continue to seek Tree City USA designation on an annual basis and participate in Arbor Day commemoration.

POLICY 5.11.09.

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 per development site. The City's Land Development Code shall continue to address, at a minimum, the following:

- a. A permitting process for the removal of protected trees;
- b. Requiring measures such as protective barriers around trees during construction, including construction by utility companies and government agencies;
- 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. Creating incentives for retaining and/or planting additional landscaping;
- e. Allowing existing healthy trees to be counted in meeting landscaping requirements;
- f. Addressing how the development approval process will take into account retaining the overall City tree canopy;
- g. Implementing tree and shrub requirements that result in shade for buildings, pavement or other exposed areas of a site;
- h. 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;
- i. Requiring that seventy-five (75) percent of all landscaped areas consist of native or drought-tolerant vegetation and that plans for removal of invasive species are demonstrated prior to development approval; and
- j. Maintenance of a Tree Fund for payments in lieu of replanting or mitigation of protected trees;

- k. Penalties, including mitigation requirements, fines, and withholding of building and development permits, for violation of the landscaping and tree protection regulations.

POLICY 5.11.10.

The City shall continue to implement the heritage tree program through the Land Development Code and encourage private property owners to apply for heritage tree designation.

POLICY 5.11.11.

The City shall regularly monitor the Land Development Code requirements regarding tree and landscaping requirements in order to assess their ability to best protect the City's existing trees.

POLICY 5.11.12.

The City shall conduct community outreach and education encouraging property owners to maintain existing trees and plant new trees.

OBJECTIVE 5.12.

AIR QUALITY

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

POLICY 5.12.01.

The City will designate a City Department to coordinate with Nassau County, DEP and the EPA on an annual basis to ensure enforcement of air quality regulations by reporting all known violations of air quality standards.

POLICY 5.12.02.

The City shall coordinate with federal and state agencies to obtain information about air quality within City limits.

POLICY 5.12.03.

The City will coordinate with major industrial operators within the City such as Rayonier, Smurfit Stone, and the Port regarding air quality information.

POLICY 5.12.04.

The City acknowledges changes in air quality associated with climate change and will seek a reduction in greenhouse gases and carbon dioxide emissions through policies in the Future Land Use and Transportation Elements and within Energy Conservation Objective 5.13.

POLICY 5.12.05.

The City shall maintain tree preservation and protection as outlined in Objective 5.11 as a significant component of improved air quality.

POLICY 5.12.06.

The City shall provide educational materials to the community regarding strategies for increasing air quality with the City.

POLICY 5.12.07.

To minimize the impact of motor vehicle traffic on air quality, the City shall implement strategies as outlined in the Multi-modal Transportation Element that reduce motor vehicle traffic and encourage biking, walking, and other alternative modes of transport.

OBJECTIVE 5.13.**ENERGY CONSERVATION**

The City shall promote and encourage energy conservation in an effort to reduce greenhouse gas emissions and protect the environment through responsible management of energy, promotion of energy conservation programs and implementation of tools and evaluation of opportunities to further energy conservation.

POLICY 5.13.01.

The City shall develop and begin to implement an energy conservation plan by 2014.

POLICY 5.13.02.

In accordance with F.S. 255.2575, all new City facilities and major improvements to existing facilities shall be designed, constructed, operated, and maintained according to the standards outlined by a recognized sustainable development rating system such as, but not limited to, the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED).

POLICY 5.13.03.

The City will improve energy conservation and efficiency in City buildings and facilities, and will pursue renewable and alternative energy projects and programs. Life-cycle assessments shall be conducted for proposed retrofits or upgrades to energy systems.

POLICY 5.13.04.

The City shall replace light-duty vehicles in need of replacement with hybrids, alternative fuel vehicles, or the most fuel-efficient and least-polluting vehicles available for specific functions whenever cost and reliability are similar to traditional vehicles.

POLICY 5.13.05.

The City will coordinate with Florida Public Utilities to educate the public on energy saving opportunities in their homes and businesses.

POLICY 5.13.06.

The City will provide educational offerings for the community highlighting the energy conservation benefits of bicycling, walking, and carpooling, in addition to other energy saving strategies.

POLICY 5.13.07.

The City shall review the Land Development Code for opportunities to promote energy conservation through evaluation of the following, including but not limited to:

- a. site design and building orientation;
- b. incentives for sustainable construction;

- c. incentives for infill projects and reuse of existing buildings; and
- d. integration of multimodal transportation infrastructure requirements.

POLICY 5.13.08.

The City will factor multi-modal transportation options into the Future Land Use and Multi-modal Transportation Elements of this comprehensive plan.

POLICY 5.13.09.

The City shall maintain tree preservation and protection as outlined in Objective 5.11 as a means of contributing to increased energy efficiency through the City.

POLICY 5.13.10.

Energy conservation efforts shall be maximized through coordination and implementation of other energy conservation programs, tools and strategies outlined in the objectives and policies of all other elements of this comprehensive plan.

OBJECTIVE 5.14.

LAND ACQUISITION AND PRESERVATION

The City shall maintain or increase the quality of natural resources, including coastal wetlands, marine habitats, Egan's Creek and associated wetlands and uplands, dunes, and wildlife habitat through ongoing programs for preservation or acquisition of lands containing important environmental resources.

POLICY 5.14.01.

The City shall inventory and identify environmentally sensitive lands and include these lands in the City's GIS mapping system.

POLICY 5.14.02.

The City will maintain an inventory of unique coastal, wetland, and upland systems for inclusion in land purchase programs for undisturbed wetlands, beach access, and other recreational lands, to be updated annually. 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.

POLICY 5.14.03.

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 areas with the highest priority. The City shall submit applications when funds become available.

POLICY 5.14.04.

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. The City shall coordinate with the County regarding identification of lands that could be included in the County Conservation and Habitat Network.

POLICY 5.14.05.

The City will actively pursue grant funding to acquire and establish natural pedestrian pathways, scenic corridors, and wildlife corridors between nature preserves, parks, and historical sites.

POLICY 5.14.06.

The City shall encourage the dedication of conservation easements for natural pedestrian or bicycle pathways between new developments and surrounding development, especially between commercial and activity centers, recreation centers, and schools.

POLICY 5.14.07.

The City shall identify, determine feasibility, and implement alternative methods to acquire conservation or environmentally sensitive lands. Alternative methods shall include, but are not limited to, transfer of development rights, conservation dedications, conservation easements, and donations to private conservation groups.

POLICY 5.14.08.

The City's land development regulations shall include special requirements for environmentally sensitive lands. Such special requirements shall limit development and activities that will destroy or harm the natural functions of the river, lakes, floodplains, wetlands, harbors, beaches and shores, and identified wildlife habitats.

POLICY 5.14.09.

The City shall protect environmentally sensitive lands and conservation lands by developing standards within the Land Development Code related to development in these areas that will either prohibit the land use activities, or will allow them provided they are developed, constructed and/or operated in a manner that will protect the existing natural functions of said environmentally sensitive lands and otherwise comply with Local, Regional, State and Federal environmental requirements.

OBJECTIVE 5.15. INTERGOVERNMENTAL COORDINATION

The City shall seek to increase intergovernmental coordination regarding coastal resources and conservation opportunities.

POLICY 5.15.01.

The City shall coordinate with Nassau County regarding coastal resources and conservation issues, and shall coordinate with Nassau County should the potential arise for City or County activities to impact these resources.

POLICY 5.15.02.

The City shall continue to coordinate with federal and state agencies and Nassau County regarding the Nassau County Shore Protection Project, the Fernandina Harbor Navigation Project, the Conservation and Habitat Network, and activities in or adjacent to the Fort Clinch Park Aquatic Preserve and Nassau River-St. Johns River Marshes Aquatic Preserve.

POLICY 5.15.03.

Where possible, the City shall coordinate with state agencies whose activities and regulations may impact coastal and natural resources in the area, including but not

limited to the Department of Transportation, the Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission, and the St. Johns River Water Management District.

POLICY 5.15.04.

Where possible, the City shall coordinate with federal agencies whose activities and regulations may impact coastal and natural resources in the area, including but not limited to the U.S. Fish and Wildlife Service, the Environmental Protection Agency, and the United States Army Corps of Engineers.



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Who We Are

Located on Amelia Island, a 13-mile-long barrier island just off the coast of northeast Florida, Fernandina Beach is a unique, eclectic and diverse community rich in environmental beauty and history. Its history reaches back to the Timucuan civilization and Spanish colonization, and the city has been governed under eight flags, more than any other US city. Fernandina Beach has been home to shrimpers, boat builders, and many other immigrants who came here for a better life. It was also a slave trading center, and some of our citizens have roots extending back to plantation days and escape from slavery. After Manhattan Beach (in Atlantic Beach) was closed to African Americans, a refuge was established by A.L. Lewis, America's first black millionaire, in 1935 in American Beach, just south of Fernandina Beach. During the 20th century, as the shrimping industry declined, Fernandina Beach's economy depended largely on the paper and pulp mills and the port. Many families in this community have roots that extend back to these periods of time. Old Town, the architecture of the historic district, Bosque Bello Cemetery, historic homes in American Beach and our canopy of old live oaks keep this history alive.

In recent years, Fernandina Beach has been a destination for people who have chosen to live here or visit. During the past twenty years, both young and old in our country have been leaving cities for the quality of life, safety and tempo of smaller towns. Small towns have been the destination for tourists as well. Hence, the dramatic rise in the role of the tourist industry in Fernandina Beach and Nassau County. Like many of the historical residents, these people have chosen this location because of its diversity and character.

Visitors and residents alike enjoy our beaches, our tree canopy and the many ways they can enjoy and be in nature here--surfing, fishing, kayaking, hiking on the Greenway or in Ft. Clinch, bicycling or relaxing. They also appreciate the charming character of this small town that is a safe place to raise or bring children.

Fernandina Beach is an artsy community with many musicians, artists and theater people. It is easy to find excellent theater, art exhibits, and live music in bars, restaurants and concerts. We have a star-studded jazz festival, quilt shows and many other creative events. Fernandina Beach is also a bit quirky. We have Dickens on Center at Christmas, an annual Shrimp Festival, a Shrimp Drop on New Year's Eve, a Black Friday Pajama Day downtown, and a number of us dress as pirates for parades and events. And the community has embraced pickle ball and Petanque, with an annual international Petanque tournament.

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In other words, Fernandina Beach has a strong and unique character, or “sense of place,” that attracts residents as well as tourists. According to **Edward T. McMahon**, who holds the Charles E. Fraser Chair on Sustainable Development at the Urban Land Institute in Washington, DC, sense of place is most important to the economic sustainability of a community:

A sense of place is a unique collection of qualities and characteristics – visual, cultural, social, and environmental – that provide meaning to a location. Sense of place is what makes one city or town different from another, but sense of place is also what makes our physical surroundings worth caring about.

Although there has been little local research to document this, it is obvious that the environment and character of Fernandina Beach are the most important drivers in our current economy. Focusing on retaining and improving features that enhance the city’s sense of place and fit with 21st century culture can sustain the economy without growth in size or density—in other words, without destroying quality of life or sense of place.

Our Context

Fernandina Beach is the largest municipality and the county seat of Nassau County. Together with the unincorporated portion of the island, it provides much of the county’s revenue, primarily from tourism. The City operates a municipal airport, golf club and marina as well as offering a variety of programs through its parks, community centers and recreation centers.

Fernandina Beach is largely built out and not expected to expand other than through infill and redevelopment or annexation of additional County parcels on the island for water and sewer connection.

Today, our social, economic and environmental sustainability are under threat from global warming, changing weather patterns and sea level rise. These are concrete changes we see all over the planet. These changes pose a **devastating** threat to a barrier island. This necessitates aggressive land conservation and a change in our understanding of growth and development from expansion of parcel development and growth in size to a focus on retaining and enhancing quality of life in the community. Just as we need to plan for environmental sustainability and resiliency, we also need to be planning on economic sustainability and resiliency, based on industry diversity and local innovation. It is essential for Fernandina Beach and Nassau County to focus on optimizing sustainability and resiliency on Amelia Island. Thus, the major theme in this Comprehensive Plan needs to be sustainability and resiliency. This entails:

- Land conservation
- Protection of primary and secondary dunes as well as relic dunes within proximity of creeks and wetlands
- Protection of wetlands, marshes and creeks
- Protection and expansion of our green infrastructure
- Protection of the historic district from flooding

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- Habitat conservation and planning of wildlife corridors
- Effective stormwater management
- Updating of building standards to meet current needs
- Rethinking development to focus on economic resiliency based on industry diversity and local innovation

On a barrier island, Fernandina Beach does not have the luxury of unlimited expansion. Roads are constrained and cannot be increased in number or size and we cannot simply add undeveloped land to our jurisdiction. Perhaps more importantly, parcel development must be limited to what our environment can support without eroding sustainability and resiliency. We also need to be able to evacuate the island safely, and with an increasing population, there are finite limitations on the feasibility of safe evacuation. We must be aware of the carrying capacity of the island and manage growth within those limitations. Thus, updating our knowledge base and long-term planning are critical for the future of the island, as are strategies for maintaining our environment and controlling development.

Another concern in recent years has been a decline in public trust of city government and staff. This has been demonstrated in two recent surveys. There are also significant sectors of our population that are no longer sufficiently involved in most aspects of city governance. This affects much of our African-American population as well as socioeconomic groups that are the foundation of our economy, yet cannot find affordable housing. Explicit efforts need to be made to build public trust and social justice in our community, integrating all elements of the society into decision making and implementation. Specific measures to increase standards of integrity and performance, standards of social justice and transparency can improve public trust.

EAR Public Input

Each municipality in Florida is required to develop a Comprehensive Plan and to update it periodically with citizen input. Through a mandated Evaluation and Review (EAR), citizens have already begun formal comment on the most recent comprehensive plan, which was developed in 2010 and due for update in 2020. EAR public input sessions were held on April 24, 25, 28 and 30, 2019, arranged into groups of topics. The sessions were run by Northeast Florida Regional Council (NFRC) staff, who solicited input, took notes and developed subsequent lists and reports. Public attendance was high and participation was robust. As is often the case in reports, the specificity and urgency of public concerns became increasingly muted in the sequence of reports (from actual language to list of key points, to summaries, to the final oral and written reports). Participants were concerned about the unenforceability of the Plan due to the failure to update the Land Development Code to match the Comprehensive Plan and the aspirational approach. Among the most dominant concerns were the need for management of development and the serious impact of development on quality of life and environmental sustainability. Participants were also highly concerned regarding the capacities of the island and

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the limitations on the ability for residents to evacuate safely in an emergency, as well as the failure of City, County and State government to exhibit any concern or strategies for managing development. Resulting traffic issues were a related concern. Other dominant concerns included maintaining the character of the city, affordable housing, inadequacy of long-term planning, lack of transparency, failure of the City and County to coordinate sufficiently, County and City pursuit of inappropriate targets for economic development and the impact of truck traffic on small businesses.

Priorities

Thus, the community has identified the following priorities:

- Meeting the challenge of the future: changes in weather patterns and sea level rise
 - Resiliency: Ability to respond to climate event, terrorism, hazardous materials, pandemic (US Dept of Transportation 2016)
 - Directing populations from flood areas; relevant changes in the FLUM
 - Sustainability: Protecting our environment--dunes, green infrastructure & wildlife habitat
 - Land conservation
 - Utilizing tools like Adaptation Action Areas and grants to support our effort
 - Protecting the island for future generations (not compromising their ability to meet their own needs)
- Effective & efficient city government in a strong mutually-supportive relationship with the community
 - A government focused on the best interests of its citizens
 - Long-term planning
 - Fiscally responsible & resilient
 - Innovation & transparency
 - Effective coordination with county, regional and state government as well as with nonprofits and volunteers that can contribute to the effort (volunteers are one of our major assets)
 - Inclusivity (omission of housing and transportation eliminates a significant part of the population)
 - Accountability & responsibility
- Economic resiliency: development that builds on our current economic drivers and builds on the needs of the 21st century through industry diversity and local innovation
 - Understanding the variables in our economy: conducting the research to better understand the roles of small businesses, medical and service industries, growing remote employment and individual, home-based businesses in our economy
 - Planning for economic resiliency by diversifying our fiscal and employment dependency and promoting local innovation

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- Recognizing our economic drivers that can support resiliency: our environment and the unique small-town character of the city; parks; walkability & bikability; we need to maintain and enhance these features
- Developing a multi-modal approach to transportation that fits our unique context
- Recognizing and utilizing the Interrelationships among transportation, housing, public facilities and schools.

The Plan

It is important that the Comprehensive Plan be viewed as a whole for two reasons: 1) **All of the elements interrelate and overlap.** It is the interaction of these elements that constitute our reality. Also, all elements contain material related to other elements. 2) Because of this relationship, addressing only a few elements could well result in a contradictory or unenforceable Comprehensive Plan. We are currently in that situation because the Land Development Code was not revised to match the current 2030 Comprehensive Plan.

Although all elements should be updated at the same time, the Comp Plan/LDC Working Group decided not to address the School Facilities element because it relates only to facilities and we lacked sufficient members to take this on. We also did not address the Port element because that should be done by the Port and because that is a highly complex legal matter.

We understand that the theme of the Comprehensive Plan will be much the same as that of the current plan. This makes sense in that the new plan should build on the old one. However, **our reality has changed considerably during the past decade:**

- We are now at a point where we are currently implementing measures to ensure sustainability and community resilience, and we realize that we need to be proactive and advance these efforts as soon as possible.
- The nature of our economy has changed, and is changing. Even before COVID, many younger people were moving here because they were able to work remotely from their location of choice. Some are working for companies while others have developed their own businesses. Also, we have seen considerable economic development that has resulted organically to serve the larger population we now have. Thus, we now need a more thorough understanding of the diverse elements of our current economy to help us achieve a **diverse and sustainable, resilient economy.**
- Our need to preserve the character of the city and our spatial capacity are now pitted against the pressure to grow.
 - The character of this city gives us great quality of life, but it is also a major driving force in our local economy.

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- We are living at a time when people are bailing out of cities. City and County growth has created transportation and parking pressures in a barrier island environment, where we have nowhere to expand. Our limited capacity needs to drive a great deal of planning at this point.

As a result of these changes and the need to adjust priorities, the Comp Plan/LDC Working Group is using and recommending the following reorganization of the Comprehensive Plan. We have added a new first element, Public Trust and Community Support because we feel these issues need to be addressed and can be overcome. We have moved the items that primarily focus on environmental sustainability and resilience to the front of the document because of their importance for all of our goals. Furthermore, in our view, Goals 1-12 below should drive Future Land Use, rather than Future Land Use driving the entire plan, as may have been appropriate a decade ago.

Executive summary & other introductory elements

Intro to entire plan

1. Public Trust & Community Support
2. Coastal Management & Conservation
3. Recreation & Open Space
4. Historic Preservation
5. Housing
6. Transportation
7. Public Facilities
8. School Facilities (not revised by Comp Plan/LDC Working Group)
9. Economic Development
10. Port (not revised by Comp Plan/LDC Working Group)
11. Capital improvements
12. Intergovernmental Coordination
13. Future land use

Comprehensive Plan/LDC Working Group

The Comprehensive Plan/LDC Working Group (Comp Plan/LDC Working Group) is a group of citizens who are working together to provide input on the Fernandina Beach Comprehensive Plan and Land Development Code and then on the Nassau County Comprehensive Plan and Land Development Code. These documents are critical for the future, and even the existence, of Amelia Island, and we understand that the City has limited resources to invest in this effort. This group was formed by Amelia Tree Conservancy; however, its composition is broader and it represents a far broader scope of concerns. Our core goal is to contribute to the future of Amelia Island, our home. We are hoping to stimulate and participate in the discussion. One of

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our primary goals is to carry forward the concerns of the many citizens who participated in the EAR Public Input sessions in April 2019.

The Comp Plan/LDC Working Group does not perceive this current document to be the final product of the Comprehensive Plan, but rather a working draft. Development of the Comprehensive Plan must be a process that brings together the world views of our diverse community of stakeholders. We represent some of these perspectives, but certainly not all. We look forward to discussing what we have developed thus far. The Coastal Management and Conservation goal is enclosed, and the remaining elements of our work will be submitted in a few weeks.

Comp Plan/LDC Working Group

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Christine Joblon

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Shameera Wiest

GOAL 2: COASTAL MANAGEMENT AND CONSERVATION (2030 GOAL 5)

NOTES:

1. All deadlines must be set once a timeline for approval is identified.
2. Highlighted policies or data indicate that existing updates on status need to be incorporated.

OBJECTIVES:

1. Floodplain Manager and Chief Resilience Officer
2. Coastal Protection
3. Dune preservation
4. Coastal High Hazard Areas
5. Wetlands protection
6. Tree preservation & urban forestry
7. Wildlife planning
8. Land Acquisition & Preservation
9. Water Quality & Conservation
10. Air Quality
11. Energy Conservation
12. Dredge, Fill, and Excavation Activities
13. Hazard Mitigation, disaster Preparedness, & Post-disaster Redevelopment
14. Waterfront planning
15. Public Access
16. Intergovernmental Coordination

INTRODUCTION:

Today, our social, economic and environmental sustainability are under threat from the hazards of global warming, changing storm patterns and sea level rise. These are concrete changes we see in evidence all over the world. These changes pose a devastating threat to a barrier island and necessitate aggressive and well-coordinated planning. Phase II of the Nassau County Vulnerability Assessment conducted in 2020 by the Balmoral Group clearly points out the threat of storm surge and sea level rise on Amelia Island. Based on satellite imagery, one map indicates a number of areas that have already had an increase in flooding during heavy rains, high tides and storm surge. Such increases and coastal inundation depths are shown in considerable detail in the FEMA Flood Risk Maps released in 2016. According to the Balmoral report, “most of Amelia Island is impacted by even the weakest and most frequent storms, Category 1,” and that is without considering sea level rise. NOAA projections do not combine sea level rise with storm surge projections, but the combination will gradually become increasingly problematic. Based on the City of Fernandina Beach 2016 Stormwater Master Plan Update conducted by GAI Consultants, data collected at our local NOAA Tide Station indicate a mean sea level rise of roughly .68 feet in 100 years. Assuming that

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this rate isn't increased by melting glacial and sea ice and warming sea water, the rate will be approximately 2 inches by 2040 and 4 inches by 2065.

It is essential for Fernandina Beach and Nassau County to focus on optimizing sustainability and resilience on Amelia Island. In addition to the Vulnerability Assessment, the County also convened a year-long panel of experts on floodplain resilience and land conservation, which we are just beginning to see results of in the Conservation Land Acquisition Management (CLAM) plan. Fernandina Beach is also working with North Florida Land Trust to increase land conservation in the city. Land Conservation is one of the most highly recommended strategies for maintaining and building sustainability. Environmental sustainability is particularly important because it is requisite for social and economic sustainability. Fernandina Beach is also in the process of upgrading its stormwater management infrastructure and building a sea wall at the waterfront.

Goal 5 of The Fernandina Beach Comprehensive Plan adopted in 2011, Conservation and Coastal Management, incorporated initial efforts to address this reality. The current update of Goal 5 must constitute a substantial advance toward more aggressive planning that is implemented in concrete LDC regulations and actions. The resilience of our community depends on our actions in updating this Comprehensive Plan and in revising the Land Development Code, and on our will to implement these policies and regulations. For this reason, Goal 5 has become Goal 2 in this draft, in order to signal its importance and its interrelationships with other goals.

While all objectives and policies in Goal 2 are important, this context requires prioritization that can then be readjusted or expanded in subsequent Comprehensive Plan updates. Thus, Objectives 1-8 focus on the most urgent areas of protection:

- Hiring of a full-time Floodplain Manager and Chief Resilience Officer to coordinate and implement our efforts
- Coastal protection:
 - Development and implementation of a long-term dune management plan and floodplain management plan
 - Designation of our dunes as an Adaptation Action Area (at least those dunes north of Atlantic) with a focus on dune building
 - Prohibiting new construction east of the CCCL
 - Designation of the CHHA as an Adaptation Action Area, except for the CRA
 - Designation of the CRA as a separate Adaptation Action Area and implementation of plans to prevent flooding in the downtown waterfront area
 - Prohibiting new construction in the CHHA, except for the CRA
 - Tighter controls on building and protection of the CUPZ, particularly the maritime hammock
 - Protection of our wetlands
 - Protection of our “green infrastructure”
 - Protection of wildlife habitat and corridors
 - Land conservation to provide these protections

Protection of our wetlands and our “green infrastructure” underlie all sustainability and resilience on our island, and these efforts interface with our protection of wildlife and habitat. Successful land conservation is

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critical to these objectives in building sustainability and resilience. Some of the priorities in these objectives are:

- City inventory and more accurate mapping of wetlands
- Expansion of buffers
- Increased tree protection
- Land conservation
- Planning for wildlife habitat and corridors, in collaboration with the County

Objectives 9-15 include additional conservation and coastal management policies that are important for our future.

Because Amelia Island is one barrier island, intergovernmental coordination between the City and County is essential for the future of the island, as well as development of the most effective strategies at the most reasonable costs. The most critical areas of coordination for the future of the island are:

- Development and implementation of effective long-term plans to promote sustainability and resilience
- Land conservation to protect remaining maritime hammock, upland wooded land, wetlands and land in and around the CHHA. Land conservation must also protect habitat and wildlife corridors.
- Effective dune management

Coordination with state and federal government agencies is also essential for fiscal support and research.

GOAL 2. COASTAL MANAGEMENT AND CONSERVATION

THE CITY MUST CONSERVE, PROTECT AND PLAN FOR THE NATURAL AND COASTAL RESOURCES OF THE AREA TO ENSURE THAT RESOURCES ARE PROTECTED AND AVAILABLE FOR FUTURE GENERATIONS. THE CONTEXT OF CHANGING STORM PATTERNS AND SEA LEVEL RISE IS A DOMINANT FACTOR IN COASTAL MANAGEMENT AND NECESSITATES A SERIOUS FOCUS ON THE PROTECTION OF DUNES, WETLANDS AND WOODED PARCELS IN SUPPORT OF SUSTAINABILITY AND COMMUNITY RESILIENCE.

OBJECTIVE 2.01. FLOODPLAIN MANAGER AND CHIEF RESILIENCE OFFICER

In the context of the hazards of storm surge, sea level rise and other flooding, the City must designate related responsibilities to a professional Floodplain Manager and Chief Resilience Officer. This is conceptualized as one combined position because of the overlap in types of expertise and activities, but could be split into two positions in the future if warranted by need. Along with the aspects of coastal management, this is of primary importance and urgency for the future of our barrier island.

Policy 2.01.01.

In consideration of the level of complexity of this task and the level of coordination required with all City departments, County, State and Federal agencies, the City must establish a full-time flood management/chief resilience position.

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Policy 2.01.02.

The City Floodplain Manager and Chief Resilience Officer must have at least five years of relevant professional experience and a relevant education in civil engineering, hydrology, or environmental sciences related to coastal processes, water resources and natural resources management and be an Association of State Floodplain Managers Certified Floodplain Manager.

Policy 2.01.03.

Responsibilities of the Floodplain Manager and Chief Resilience Officer must include, but not be limited to, the following:

- a) Assess all projects and plans that are located in or impact any part of the floodplain. Floodplain/Resilience signoff must be required for a project to move forward. In Fernandina Beach, the purview of the Floodplain Manager includes the area within the 100-year flood incidence zone as defined by FEMA on the most recent Flood Insurance Rate Map, the area east of the Coastal Control Construction Line (CCCL), and the Coastal Upland Protection Zone (CUPZ), which extends 1000 feet inland from the CCCL.
- b) Coordinate any project related to any or all parts of the floodplain that requires participation of multiple departments.
- c) Coordinate programs and policies with Nassau County, SJRWDM, FDEP and relevant federal agencies.
- d) Provide the leadership for the development and implementation of an effective dune management plan and a broader floodplain management plan.
- e) Provide the leadership for the development and implementation of an effective City resilience plan, including data collection and analysis, prioritization and documentation.
- f) Provide leadership in planning projects that address sustainability and resilience. Identify areas that need to be designated as Adaptation Action Areas. Develop and coordinate programs to address needs in Adaptation Action Areas.
- g) Provide leadership in aligning City policy and strategies and aligning City and County policy and strategies relevant to Amelia Island
- h) Coordinate closely with the City Grants Administrator to develop funding to support aggressive progress in protection, sustainability and resilience.
- i) Ensure the incorporation of the dune management plan and the floodplain management plan in the City GIS.
- j) Oversee storm preparation and cleanup in the floodplain.
- k) Manage dune and beach renourishment, coordinating with the outside agencies involved
- l) Assessment of proposals for FLUM or zoning changes related to the floodplain. Floodplain manager/Chief Resilience Officer signoff must be a requirement for a project to move forward.
- m) Incorporate enforceable measures that ensure shoreline protection into the LDC and other city codes.
- n) In collaboration with other department directors, develop a stakeholder outreach program to educate and engage the public on floodplain management and resilience issues. The goal must be to ensure robust and diverse stakeholder input and buy-in.

OBJECTIVE 2.02. COASTAL PROTECTION

In order to maintain the City's sustainability and prepare a resilient community, the City must protect coastal dunes, native vegetation, wetlands, waterways, living marine resources, coastal barriers, maritime

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hammock and wildlife habitat by restricting development and activities which will cause an adverse impact to these natural resources. Furthermore, the City must enhance the protection provided by these natural resources using techniques such as land conservation, planting of native vegetation, dune building and living shorelines.

Policy 2.02.01.

The Floodplain Manager and Chief Resilience Officer and the Planning and Conservation Department must monitor and participate in permitting activities of City interdepartmental activity and other regulatory agencies for projects which may impact the quality of the coastal area, wildlife habitat, wetlands, water and waterways. The Floodplain Manager and Chief Resilience Officer and the Planning and Conservation Department must coordinate with permitting agencies on a regular basis in order to keep apprised of proposed activities requiring permitting.

Policy 2.02.02.

The Planning and Conservation Department and Floodplain Manager and Chief Resilience Officer must monitor proposed development for potential adverse impacts to the quality of natural resources in the coastal area. The Land Development Code must include procedures designed to ascertain potential impacts, such as the requirement of surveys or studies illustrating potential impacts. The City must require minimal to no adverse impacts. When impacts are predicted, an in-dept environmental impact report prepared by a qualified and reputable expert will be required. When impacts are allowable to marine life, wildlife, water quality, and other natural resources based on state or federal authority, the impacts must be mitigated according to the rules and regulations of the DEP and the SJRWMD.

Policy 2.02.03.

The City must 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.

Policy 2.02.04.

The City must update the Land Development Code with standards to ensure docks, piers, seawalls, jetties, wharves, boat ramps, boardwalks and boat houses do not obstruct or materially alter natural water flow or restrict navigation. The City must coordinate with the Florida Department of Environmental Protection and the United States Army Corps of Engineers through agency permitting processes for construction of these structures to ensure water flow and navigation are not restricted.

Policy 2.02.05.

The City must coordinate with the DEP regarding any new regulations regarding coastal development, coastal wildlife, and marine resources. All projects east of the DEP's Coastal Construction Control Line must be approved first by the DEP and all permits 1000' west need to be reviewed the DEP to assure they will not damage the entire barrier island dune system.

Policy 2.02.06.

The Land Development Code must specify that development of all types a) perform and submit a formal ecological systems inventory based on on-site observation that is conducted by a credentialed expert in the field (including flora, fauna, soil and hydrology) and b) use the results to implement conservation site design

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or other approaches that design the building around the existing ecological systems. Due to the vulnerability of Amelia Island, all development must design around existing ecological systems.

Policy 2.02.07.

All approaches to development that attempt to protect the environment are complex combinations of multiple methods. The Land Development Code must specify that use of approaches such as Conservation Site Design and Low-Impact Development require adoption of a combination of methods that constitute that approach. Use of one or two elements from a broader approach do not qualify as use of these approaches.

OBJECTIVE 2.03. DUNE PRESERVATION

The City must implement a beach and dune management program to ensure the protection, conservation and enhancement of the coastal barrier dunes and beaches within the City under the oversight of the Floodplain Manager and Chief Resilience Officer. This program must address both current conditions and the impacts of sea level rise and changing weather patterns. Dune protection is the responsibility of Commissioners, the City Manager, the Director of the Planning and Conservation Department and the Floodplain Manager/Chief Resilience Officer. However, it is the responsibility of the Floodplain Manager and Chief Resilience Officer to take the lead in organizing, coordinating and managing this area of vital concern.

Policy 2.03.01.

In order to prepare for future conditions, the City must establish the City dunes east of the Coastal Control Construction Line as an Adaptation Action Area. The Floodplain Manager and Chief Resilience Officer, The Planning and Conservation Department and the City Grants Administrator must collaborate to a) define the Adaptation Action Area, b) research and identify optimal actions for addressing existing vulnerabilities, c) identify appropriate sources of funding to support these efforts, and d) implement the programs designed. The following policies must be incorporated in the plan for addressing this Adaptation Action Area.

Policy 2.03.02.

The Floodplain Manager and Chief Resilience Officer, in cooperation with the Florida DEP and other experts, must establish a dune management program by **December 2021**, including developing and implementing standards for the following:

1. Development of a system for classifying beach and dune systems and prioritizing them based on level of need for restoration, rehabilitation or protection.
2. Identification of dunes that do not meet current standards. For each of the beach and dune classifications and specific areas, detailed plans to achieve the restoration, rehabilitation, or protection must be developed and scheduled.
3. Identification of natural strategies to achieve the following:
 - a. dune stabilization to meet current FEMA standards
 - b. dune rehabilitation and closing gaps in dunes
 - c. restoration of native vegetation
 - d. regularized schedule for upgrading walkovers and drive overs
 - e. regularized schedule for assessing, maintaining and growing dunes
4. Sand fencing and proper signage must be an integral part of dune management to direct people away from walking on the dunes.

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5. The dune management program must prohibit excavation, destruction of native vegetation, disruption of natural water paths, and other activities ~~which~~ that 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.

Policy 2.03.03.

Dune restoration, rehabilitation, enhancement or protection projects must include the following elements:

- Access will be restricted by the placement of fencing or other effective barriers.
- Signage will be placed at practical intervals to explain the project and restricted access.
- Any building permit issued to private property owners adjacent to dune and beach areas will include the requirement for an approved elevated walk-over system above the dune or beach surface to provide access to the designated eastern toe line of the dune, or a fence to prevent direct access to the dune or beach area from the property.

Policy 2.03.04.

The Floodplain Manager and Chief Resilience Officer must utilize the latest public domain LiDAR data to compare surveys and monitor the health of the dunes and beach and make an annual report on the status of the beach and dunes to the City Commission and the public. This report must include any recommended changes to the program to better achieve the goals.

Policy 2.03.05.

The City recognizes that the beach wrack, sea vegetation and other organics cast ashore by the waves, provide valuable nutrients to the dune vegetation, the sea birds and other resident and visiting fauna, including those down the food chain. Therefore, removal or relocation of the wrack or deliberate driving over wrack is prohibited and subject to fine unless approved by the Floodplain Manager and Chief Resilience Officer.

Any cleaning of wrack must be by or under contract to the City and supervised by the Floodplain Manager and Chief Resilience Officer as a response to a storm or emergency response action. The City must prohibit private parties from cleaning wrack from the beach. In the case of future FEMA, State or County led post-storm emergency cleanup efforts, the City Floodplain Manager and Chief Resilience Officer must be the designated senior representative to the incident command structure of the cleanup.

Policy 2.03.06.

Motorized vehicles must not be allowed on dune systems except in an emergency situation as designated by the local law enforcement and emergency management agencies. The City must enforce this policy through the City Police Department.

Beach driving is prohibited except in designated areas as defined by City ordinances. The fine for violation must be increased to \$250 and impoundment of the vehicle until the fine is paid. The fine must be doubled for vehicles without functioning four-wheel drive capability.

Except in an emergency, City police and Beach Rangers, lifeguards and trash cleaning contractors must be limited to drivers who have successfully completed the City's beach driving training program and have passed the annual refresher test. Drivers of public vehicles violating the beach driving regulations must face disciplinary action, up to and including termination.

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The City Commission must work with the Nassau County Sheriff's office to provide proper training for county employees required to drive on the beach.

Policy 2.03.07.

Storage of vehicles, boats, trailers, materials, beach equipment, etc., must not be permitted on the dune or beach of Fernandina Beach except for lifeguard stands and equipment and materials associated with beach nourishment.

Policy 2.03.08.

The City must continue to fund and implement projects associated with the Nassau County Shore Protection Project. The City recognizes that the beach renourishment activities of the Nassau County Shore Protection Project are critical to replace the natural littoral sand movement process that navigation channel maintenance precludes on our beaches. The City is committed to continuing to work and pay for its contracted share of this process. It also will work with coastal scientists as well as coastal engineers of the partner agencies to promote a renourishment effort that develops the entire nearshore-beach-dune system.

The City Floodplain Manager and Chief Resilience Officer must monitor and participate in initiatives to improve beach protocols of the US Army Corps of Engineers, the Florida Department of Environmental Protection, the American Shore and Beach Preservation Association, the National Research Council and others. Of particular concern in the 2020-to-2022 time frame will be the South Atlantic Coastal Study headed by the USACE.

The City Floodplain Manager and Chief Resilience Officer must initiate programs to better understand the nature of the beach-compatible sand on the beaches and dunes of the city. The city must by **January 1, 2021**, convert to monitoring the state of the offshore-beach-dune system to determine when and where renourishment is scheduled and how to adjust the program.

Policy 2.03.09.

The beach and dunes must be managed proactively to protect and provide habitat to a variety of endangered and threatened species of flora and fauna, as identified in The Florida Imperiled Species Management Plan 2016 and the Florida Beaches Habitat Conservation Plan. All dune and beach management efforts must be consistent with these plans to protect such species as the Right Whales, Gopher Tortoise, Beach Mice, Sea Turtles, Piping Plovers, Rednots and other shorebirds. The City must continue to work with and support the highly successful Amelia Island Sea Turtle Watch, Inc., in the protection of these important species.

Policy 2.03.10.

The Floodplain Manager and Chief Resilience Officer must coordinate with FDEP and FEMA to reconcile the location of the CCCL and implement the update in GIS.

Policy 2.03.11.

In order to direct populations away from storm, flood and sea level rise hazard areas, the City must prohibit new construction east of the CCCL. The City must purchase properties in areas most vulnerable to destructive storm surge, sea level rise and flooding for recreational uses and land conservation, subject to

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available financial resources and priorities. Transfer of development rights, conservation easements and acquisition by a land trust are among the options.

Policy 2.03.12.

The City must continue implementation of the Coastal Upland Protection Zone (CUPZ) in the Land Development Regulations and must monitor and evaluate the CUPZ regulations for changes as needed to best support sustainability and resilience. Any changes to the Future Land Use Map (FLUM) or zoning change in the CUPZ require review by the Floodplain Manager and Chief Resilience Officer for recommendation to the City Commission. Because of rapid development in the CUPZ and loss of rare and protective maritime hammock, the City must consider establishment of an Adaptation Action Area to prevent complete loss of this asset and its protective features. The Floodplain Manager and Chief Resilience Officer, The Planning and Conservation Department and the City Grants Administrator must collaborate to a) define the Adaptation Action Area, b) research and identify optimal actions for addressing existing vulnerabilities, c) identify appropriate sources of funding to support these efforts, and d) implement the programs designed. The following policies must be incorporated in the plan for addressing this Adaptation Action Area.

Policy 2.03.13.

The City must adopt Land Development Code regulations requiring documentation of the evaluation of the potential for erosion as part of the site plan and permitting process for any CUPZ or CHHA structure.

Policy 2.03.14.

The City must guide and direct the location, construction and maintenance of development adjacent to the Atlantic shoreline, from 1,000 feet landward of the CCCL to the Atlantic, and must maintain standards to address the following issues:

- a. Avoid adverse impacts on the contours and topography 1,000 feet landward of the CCCL; no excavation, cutting or filling of land from 1000' landward of the CCCL to the Atlantic
- b. Preserve existing non-invasive vegetation; the City Land Development Code must prohibit destruction of existing non-invasive vegetation in the active dune or dune restoration area. Non-invasive disturbed beach or dune vegetation must be restored by the responsible party. A restoration plan must be prepared and submitted to the Floodplain Manager within four (4) months of the disturbance. The restoration must be complete within two (2) months of plan approval by the Floodplain Manager and Chief Resilience Officer and the completed restoration is subject to inspection and approval by the Floodplain Manager and Chief Resilience Officer.
- c. Remove invasive and replace with non-invasive vegetation;
- d. Set maximum impervious surface ratios;
- e. Allowance or removal of shore-hardening structures;
- f. Setbacks for shoreline protection; no structure, building, impervious service, lawn, retaining wall, swimming pool, spa, deck or other appurtenances will be permitted within 110 feet of the target dune line with the exception of walkovers.
- g. No building permit for beachfront property will be issued for any new or modified structure that does not include a dune walkover from the rear of the structure to the front of the dune target or maintenance line, clearing the dune surface by at least 24 inches. Such walkovers must not be more than 4 feet wide. Until such walkover is completed, the property must be fenced to restrict access

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to the beach directly from the structure. The city must encourage and support sharing of walkover accesses between multiple property owners.

- h. Construction standards in hurricane vulnerability zones;
- i. Use of living shoreline strategies for erosion management;
- j. Prohibition of new underground storage tanks; and
- k. Prohibition and replacement of septic systems.

Policy 2.03.15.

The City must identify existing hard erosion control structures and incorporate them into the City's GIS mapping system by July 1, 2021.

Policy 2.03.16.

The City must identify any shoreline areas that are exposed to erosion and lack appropriate living shoreline protection, incorporate them into the City's GIS mapping system and develop a corrective strategy by July 1, 2021. Such areas must be considered for designation as Adaptation Action Areas.

Policy 2.03.17.

The City must prohibit the use of habitat-destroying vertical seawalls or retaining walls along natural water body shorelines.

Policy 2.03.18.

The City must request that the FDEP promptly notify the City of all applications within the City seeking variances or other relief from the CCCL. The City reserves its right under State law to impose additional requirements to protect the beach-dune system east of the CCCL. More stringent City requirements or restrictions may not be overridden.

Policy 2.03.19.

The Floodplain Manager and Chief Resilience Officer must develop a stakeholder outreach program to obtain community input and buy-in and to educate residents and visitors about need and advantages of a healthy dune and beach.

OBJECTIVE 2.04. COASTAL HIGH HAZARD AREA (CHHA)

The City must protect property, residents and visitors within the Coastal High Hazard Area. Protection must 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, limitations on commercial or residential construction in the Coastal High Hazard Area and coordination with hazard mitigation and post-disaster plans. Some of these areas already experience flooding during a storm in Fernandina Beach, but these policies must address both current conditions and the impacts of sea level rise, rising storm surge and changing weather patterns. Protection of residents in the CHHA is the responsibility of Commissioners, the City Manager, the Director of the Planning and Conservation Department and the Floodplain Manager and Chief Resilience Officer. However, it is the responsibility of the Floodplain Manager and Chief Resilience Officer to take the lead in organizing and managing this area of vital concern.

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Policy 2.04.01.

The City must designate Coastal High Hazard Areas (CHHA) on the Future Land Use Map (FLUM) series and ensure the criteria for mitigation found in a coastal high-hazard area are met, as defined in F.S. 163.3178(9). The CHHA is 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.

Policy 2.04.02.

In order to prepare for future conditions of sea level rise, storm surge and flooding, the City must establish the CHHA as an Adaptation Action Area or set of smaller Adaptation Action Areas. The Floodplain Manager and Chief Resilience Officer, The Planning and Conservation Department and the City Grants Administrator must collaborate to a) define the Adaptation Action Area(s), b) research and identify optimal actions for addressing existing vulnerabilities, c) identify appropriate sources of funding to support these efforts, and d) implement the programs designed. The following policies must be incorporated in the plan for addressing these Adaptation Action Areas.

Policy 2.04.03.

The City must not allow public expenditures for infrastructure improvements which subsidize increases in development in the CHHA except within the Community Redevelopment Area. An increase in development means any new development. Improvements to a public 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.

Policy 2.04.04.

Where public facilities are proposed for renovation or expansion, relocation must be considered as an option. If construction of public facilities in the CHHA occurs, all facilities must be proofed to ensure minimum damage from storms and hurricanes.

Policy 2.05.05.

The City must identify and assess all infrastructure located within the CHHA to determine its vulnerability. This vulnerability assessment must be based on the most recent City, County, State and FEMA data. It is the City's intent to relocate, replace or mitigate impacts to listed infrastructure facilities as funds become available.

Policy 2.04.06.

All new permanent building construction must meet the standards of the National Flood Insurance Program (NFIP) and the City's floodplain protection regulations, including nonresidential construction within the coastal high hazard area meeting storm and flood proofing standards exceeding those required for a 1%-annual-chance flood event.

Policy 2.04.07.

The City must prohibit amendments to the FLUM which result in a net increase in residential development or 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) (update when FLUE complete) are met.

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Policy 2.04.08.

The City must direct population concentrations, including nonresidential development, away from the CHHA except within the Community Redevelopment Area by not accepting applications for new development in those areas. Redevelopment in the CHHA must not increase the intensity currently allowed by the Comprehensive Plan.

Policy 2.04.09.

The City must prohibit the location of new assisted living facilities, nursing homes, hospitals, or other similar facilities that provide critical health services or serve special needs populations within the CHHA.

Policy 2.04.10.

Proposed development in the CHHA must be evaluated for impacts on traffic circulation, evacuation routes, and proximity to off-island shelter facilities.

Policy 2.04.11.

The City recognizes sea-level rise as a potential coastal hazard and must work with Nassau County and state and regional entities as appropriate to develop strategies for responding to sea-level rise, including:

- a. Analysis of the estimated sea-level rise and its effects on estuaries, wetlands, beaches, and uplands;
- b. Identification of structures and areas of possible risk;
- c. Determination of additional data and research needed;
- d. Assistance from state and federal agencies;
- e. Analysis of City and County buffer requirements and whether additional buffering should be required;
- f. Evaluation of locating public facilities in areas projected to be affected by rising sea level;
- g. Consideration of the effects of sea-level rise on potable water sources, saltwater intrusion, septic systems, wastewater treatment facilities and the water table; and
- h. Creation of Adaptation Action Areas, as permitted by state statute.

POLICY 2.04.12.

The City must review the FEMA FIRM within one-year of enactment or issuance of new FIRM and use its LiDAR-based GIS system to review the local details to determine the accuracy of the FEMA maps. If an area is not designated as being in the 100-year flood zone but the City feels that it should using FEMA criteria, the City policy will be to include it in the FEMA Special Flood Hazard zone for City policies. Likewise, if the City determines that an area of the City should no longer be in the FEMA Special Flood Hazard zone, it may apply through established FEMA processes to get the area re-designated.

OBJECTIVE 2.05. WETLANDS PROTECTION AND PRESERVATION

Like all barrier islands in Florida, Amelia Island is facing the hazards of storm surge, sea level rise, flooding and changes in weather patterns. The most fundamental steps in establishing sustainability and community resilience are preservation and enhancement of its wetlands, dunes, the Coastal High Hazard Area, the Coastal Upland Protection Zone and its wooded areas.

To protect wetlands, the City must direct incompatible land uses away from wetlands, and protect and preserve wetlands from physical and hydrologic alterations, in order to maintain the following functions: natural biological functions, including food chain production; general habitat; nesting, spawning, rearing,

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and resting sites for aquatic or land species; natural drainage systems impacting sedimentation patterns, salinity distribution, flushing characteristics, current patterns, and other environmental characteristics; shielding other areas from wave action, erosion, or storm damage; storage areas for stormwater and flood waters; natural recharge areas; and natural water filtration processes that serve to purify water.

Policy 2.05.01.

The City recognizes that the identification of potential wetlands on the current FLUM and GIS is inaccurate and inadequate for planning, zoning, and permitting purposes to protect our wetland resources. The City must perform an inventory and mapping of potential wetlands using the most recent available LiDAR topographic information and aerial image interpretation using the most recent available and appropriate aerial images with ground-proofing where possible. This inventory and mapping must be completed by the end of 2021. The results of this inventory and mapping must be recorded in the GIS and FLUM. The Land Development Code must be revised to include the requirement that any proposed development, construction, or activity that could impact a designated potential wetland, including an impact within the designated buffer zone of a wetland, must first have a formal wetland delineation performed, to be reviewed and approved by the SJRWMD. After approval of a formal wetland delineation by SJRWMD, such wetland delineation must be used by the City for permitting and wetland protection actions. Any change or adjustment in the boundary following the formal delineation of a wetland that differs from the potential wetland boundaries recorded in the GIS and FLUM must be used to correct the corresponding wetland boundaries in the GIS and FLUM. All wetlands as delineated must be designated as limited development overlays in the GIS and must be protected by policies contained within this plan.

Policy 2.05.02.

The Planning and Conservation Department must ensure wetland protection, in part, through a review process that includes the following:

- a. Use of its own inventory and mapping, confirmed by site analysis
- b. Coordination with the agencies with regulatory jurisdiction over wetlands for purposes of identifying and delineating wetlands and rendering determinations of the development rights to be permitted on such wetlands and/or lands under the jurisdiction of the state or federal government;
- c. Requiring review of applications for development proposing encroachment or disturbance to wetlands through the site plan and permitting process. The applicant must bear the burden of proof in demonstrating that development will not adversely impact wetlands, wetland transition areas and other environmentally sensitive lands.
- d. Approval of the City Floodplain Manager and Chief Resilience Officer.

Policy 2.05.03.

The delineation of any wetlands on any proposed development must be determined prior to the issuance of development orders which permit site alteration. The City's land development regulations must require that any application for a local development order for sites containing wetlands must include wetland delineation. A delineation of the upland wetland boundary must be established based upon an on-site field survey by a certified wetland delineator provided by the applicant and coordinated with the SJRWMD, the DEP, and/or the U.S. Army Corps of Engineers. The delineation and determination of these areas must be in accordance with SJRWMD and City rules.

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Policy 2.05.04.

No public or private development shall be permitted in wetlands. However, approved passive recreation areas, open space, restricted access ways, bird sanctuaries, natural vegetated stormwater retention/detention areas, natural preserves, or other similar uses may be permissible.

Policy 2.05.05.

The City must protect wetlands from impacts of adjacent development, and must ensure this protection through regulations included in the Land Development Code:

- a. Proper siting of development structures and infrastructure, including clustering of development away from wetlands;
- b. Location of buffer zones of native vegetation around wetlands and any waterway that drains to a wetland and surface water bodies to prevent erosion, retard runoff, promote infiltration and provide habitat. If a body of water is involved (Egans Creek, Escambia Slough/Alligator Creek, the Amelia River), the buffer must be at least 100 feet, measured horizontally. A buffer of at least 50 feet, measured horizontally, must be established around other wetlands and any waterway that drains to a wetland. Such buffer must ensure existing vegetation is not disturbed; where new vegetation is required, plants or ground cover native or appropriate to a wetlands or shoreline transition area must be used.
- c. Setback of buildings and other structures from wetlands and water bodies.
- d. No septic fields within 50 feet of the wetland buffer.

Policy 2.05.06.

The City must consider use of a system of density bonuses, cluster development, low-impact development, and/or other incentives in appropriate areas of the City and require placement of wetlands and other environmentally sensitive lands in a conservation land use designation.

Policy 2.05.07.

The Land Development Code must prohibit the following uses within the wetland transition areas:

- a. Industrial uses;
- b. Sanitary landfills;
- c. Wastewater treatment facilities;
- d. Animal feedlots;
- e. Incinerators;
- f. Petroleum, or pesticide or other hazardous substance storage facilities;
- g. Above-ground or below-ground pipes for pollutants or contaminants, excluding pipes carrying treated stormwater runoff or wastewater effluent;
- h. Septic tanks;
- i. Any land use that stores, handles, or generates hazardous material or waste;
- j. Removal, excavation, or disturbance of the soil;
- k. Dumping or filling with any material;
- l. Erection of structures;
- m. Placement of pavements;
- n. Destruction of plant life which would alter the existing pattern of vegetation; and
- o. Placement of any portion of a development project.

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Policy 2.05.08.

The City must acquire the wetland, transition area and adjacent upland when adequate resources are available. The City must require, when appropriate, the dedication of conservation easements where the City finds that the dedication is reasonable in order to protect the value and function of a wetland. The City must establish an ordinance determining, at a minimum, in what instances dedication would be appropriate, what methodology will determine that dedication is reasonable in order to protect the value and function of a wetland, and indicate the entity or entities that will hold the conservation easements.

Policy 2.05.09.

The City must coordinate with the DEP and the SJRWMD to prohibit illegal development in wetland areas and require that these areas be restored. The wetlands must be restored to a condition with the same area, elevations, topographic gradients, hydrologic functions, native vegetation and habitat values as the pre-disturbance wetland.

Policy 2.05.10.

The Planning and Conservation Department must identify wetlands and other environmentally sensitive lands that cross City/County limits or are adjacent to City/County limits. The City must pursue an interlocal agreement regarding the regulation, acquisition and/or preservation of wetlands that cross or are adjacent to the City/County limits in order to cooperatively work towards the preservation of these properties.

OBJECTIVE 2.06. TREE PRESERVATION AND URBAN FORESTRY

Like all barrier islands in Florida, Amelia Island is facing the hazards of storm surge, sea level rise, flooding and changes in weather patterns. The most fundamental steps in establishing sustainability and community resiliency are protection and development of the dunes, protection of the Coastal High Hazard Area, and protection of the Coastal Upland Protection Zone. In order to protect these areas, the City must protect and preserve its wetlands, maritime hammocks and wooded areas.

The City must commit to preservation of community trees and the urban forest to advance sustainability and community resiliency. Our tree canopy also improves air quality, temperature, community health, quality of life, aesthetics, and energy conservation.

Policy 2.06.01.

The City Arborist must develop a detailed and expert urban forest management plan to include inventory updates, assessment, protection, succession planning, planting of native trees and understory and vine management to restore our tree canopy by **December 31, 2020**.

Policy 2.06.02.

The City Arborist must develop and maintain an inventory of the location, condition, and size of live oaks on both public and private land by **December 31, 2021**, which must be integrated into City GIS.

Policy 2.06.03.

The City arborist must develop a training program for all maintenance staff who maintain the grounds of Bosque Bello or any of the City's parks or rights of way by **December 31, 2020** to prevent the killing of our

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community trees. Any maintenance staff who damage trees by using substandard methods must not be retained.

Policy 2.06.04.

The City Arborist must increase the City's existing tree canopy by 5% each year through 2030, and the total tree canopy coverage ~~shall~~ must not fall below 37%, as established in the 2009 Street Tree Management Plan. This may be achieved by City staff or in collaboration with local nonprofits.

Policy 2.06.05.

As part of the urban forest management plan, the City Arborist must establish a tree planting and replacement strategy for street and public trees, including scheduling and goals for maintenance trimming and pruning and use of the Tree Fund to facilitate planting efforts. All maintenance must follow International Society of Arboriculture pruning standards.

Policy 2.06.06.

The City must exclude invasive vegetation from plant materials permitted in public or private landscape plans. The City must remove invasive vegetation from rights-of-way and public property, and inform private property owners of the benefits of removing invasive vegetation through informational materials, presentations and events, and partnering with local nonprofits.

Policy 2.06.07.

In order to prevent catastrophic loss to the City's public trees due to insect or disease, the City must diversify public tree species when planting new or replacement trees. However, it must choose from native species and select trees and understory appropriate to the particular type of ecological niche under consideration.

Policy 2.06.08.

The City Arborist must monitor data on invasive insects and diseases entering the country at southeastern ports or the Port of Fernandina and prepare the city for any possible local infestation that would damage native vegetation. The City Arborist must develop a detection and monitoring plan for invasive insects and disease.

Policy 2.06.09.

The City Arborist must implement tree and landscaping plans for specific public areas and rights-of-way.

Policy 2.06.10.

The Planning and Conservation Department and the City Arborist must continue to seek Tree City USA designation on an annual basis and participate in Arbor Day commemoration. In this effort, they must strive to excel and set an example for other coastal cities.

Policy 2.06.11.

The City must protect and retain existing trees and require replacement of trees lost to land clearing. The objectives must be to design new structures around the existing ecological systems on site and to achieve no net loss of trees per development site. The City's Land Development Code must continue to address, at a minimum, the following by **July 2021**:

- a. A permitting process for the removal of protected trees;
- b. Requiring measures such as protective barriers around trees during construction, including construction by utility companies and government agencies;

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- 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 modifications in siting or design that will protect trees and other existing ecological features without establishing a precedent for future parcel development;
- e. Creating incentives for retaining and/or planting additional landscaping;
- f. Allowing existing healthy trees to be counted in meeting landscaping requirements;
- g. Updating how the development approval process will take into account retaining the overall City tree canopy;
- h. Implementing tree and shrub requirements that result in shade for buildings, pavement or other exposed areas of a site;
- i. 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;
- j. Requiring that seventy-five (75) percent of all landscaped areas consist of native or drought-tolerant vegetation and that plans for removal of invasive species are demonstrated prior to development approval; and
- k. Maintenance of a Tree Fund for payments in lieu of replanting or mitigation of protected trees;
- l. Penalties, including mitigation requirements located in the city as close to the site as possible, fines, and withholding of building and development permits, for violation of the landscaping and tree protection regulations.
- m. Incentives for redevelopment and disincentives for development of wooded parcels.
- n. Requirement for both residential and commercial development to preform and submit a formal ecological inventory based on on-site observation and use the results to demonstrate conservation site design or other approaches that design the building around the existing ecological system.
- o. Protection of mature trees: The limbs and roots of our oldest trees and our Heritage Trees extend beyond property lines, particularly in the historic districts. These trees are critical to the character of the City. These limbs and roots were present when the parcel was purchased, which means that it was the choice of the buyer to purchase the parcel in that condition. Therefore, property owners must not cut limbs larger than five inches in diameter on trees that extend over their property. Also, property owners must not cut roots larger than three inches in diameter that cross property lines into their yard.
- p. Utility easements, including drainage easements, and utility lines must not be placed within the dripline of existing trees or the theoretical future dripline at maturity of newly planted trees.

Policy 2.06.12.

The City must continue to implement the heritage tree program through the Land Development Code and encourage private property owners to apply for heritage tree designation. The Planning and Conservation Department must develop and distribute informational material to the public on this program annually and must review and update the program by 2023.

Policy 2.06.13.

The Planning and Conservation Department ~~shall~~ must regularly monitor the Land Development Code requirements regarding tree and landscaping requirements in order to assess their ability to best protect the City's existing trees.

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Policy 2.06.14.

The City Arborist must conduct community outreach and education annually, encouraging property owners to maintain existing native shade trees and plant new trees. Elements of this program may include informational publications online and in hard copy, presentations and planting events, and partnering with local nonprofits.

Policy 2.06.15.

Any company hired for grounds maintenance or tree trimming must have an International Society of Arboriculture (ISA)-certified arborist on site. Maintenance staff must have appropriate training credentials, and the operation must be monitored by the City Arborist.

Policy 2.06.16.

Fernandina Beach must establish a canopy street program to encourage communities to have their streets, or sections of streets (at least one block), certified as canopy streets. In order to be certified as a canopy street, 40% of the designated street area must be covered by tree canopy. Certification requires support of 50% of the property owners in the designated area. The City and County must negotiate with utilities to prevent damage to this canopy.

Policy 2.06.15.

By April 2022, the Fernandina Beach City Arborist must plan and implement a program to partner with residents on street tree or right-of-way planting. Residents will request the plantings. The City or a local nonprofit will plant the trees and neighboring residents will be trained to care for the trees, similar to the program established by the Urban Forestry Department in Jacksonville ([https://www.coj.net/getattachment/Departments/Public-Works/Urban-Forestry/Resources/630CITY-WEBSITE-INFORMATION-FLYER-FINAL-Update127-\(1\).docx.aspx?lang=en-US](https://www.coj.net/getattachment/Departments/Public-Works/Urban-Forestry/Resources/630CITY-WEBSITE-INFORMATION-FLYER-FINAL-Update127-(1).docx.aspx?lang=en-US)).

Policy 2.06.16.

A natural features site inventory and map must be required in the Land Development Code as the initial step in the development and design process for all parcels and all types of development. This must include elevations, tree and understory features, water flow and features and wildlife habitat and corridors. This inventory and map must serve as one of the bases for the Development Review Committee analysis.

OBJECTIVE 2.07. WILDLIFE PLANNING

The City must require development and management of resources in a manner which sustains local wildlife, their habitat and corridors, and the ecological values of the land, and must protect habitats of populations of threatened or endangered species in accordance with the provisions of the Endangered Species Act (ESA) 16 USC 1531, and Florida Administrative Code Division 68A.

Policy 2.07.01.

When reviewing development proposals for public or private development, the Planning and Conservation Department must take into account the following strategies:

- a. A site-specific ecological systems inventory based on on-site observations and use the results to demonstrate conservation site design or other approaches that design the developments around the existing ecological system.

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- b. When planning for a larger parcel or contiguous smaller parcels, emphasize a compact, clustered development pattern over a sprawling one in order to protect habitat and wildlife corridors.
- c. Preserve water body and riverine green edges in order to conserve an upland buffer that links the water to larger habitat patches;
- d. Where possible do not subdivide properties in a manner that creates multiple lots to the water's edge; instead, maintain a common community shoreline corridor with an upland component that links to larger habitat patches;
- e. Preserve native vegetation and habitat types;
- f. Preserve forested areas, the understory and native soil associations; and
- g. Avoid activities that dehydrate landscape features or alter the seasonal water flows or duration of inundation to wetlands, hammocks or water bodies.

Policy 2.07.02.

The City must protect significant habitats for native wildlife and vegetation in areas of known environmentally sensitive habitats, including but not limited to habitats of endangered species. The Land Development Code must be updated with regulations to ensure that prior to the issuance of development permits in such areas, thorough, detailed inventories and assessments of impacts of development must be conducted. If on-site habitat will be disturbed by new development, the permit must be denied or the impacts must be mitigated, if viable by virtue of its size, configuration and connecting habitat. The City must ensure an enforcement mechanism is in place to monitor inventories and assessments, and any required mitigation. The City must seek assistance from the Florida Department of Environmental Protection and the Florida Fish and Wildlife Conservation Commission in assessing identification of habitat, and any needed mitigation.

Policy 2.07.03.

The Planning and Conservation Department must identify and maintain an inventory of any "Outstanding Florida Waters"; aquatic preserves; wetlands; wildlife sanctuaries; wildlife refuges; State preserves; sanctuaries; forested lands; oak hammocks; and publicly owned parks, gardens, and wildlife management areas within or adjacent to the City. Proposed development adjacent to any of these areas must be limited by type and intensity through the Land Development Code in order to conserve wildlife populations and habitat.

Policy 2.07.04.

The City must plan for the provision of wildlife corridors to allow for survival of species, prevent isolation of natural communities and decrease fragmentation of habitat. In collaboration with Nassau County, the Planning and Conservation Department must study and compile data on island wildlife species (endangered/threatened, migratory and other species) and identify wildlife corridors by Dec. 30, 2021. In planning for wildlife corridors, the City must maintain large, connected patches of natural vegetation, wide vegetation corridors along major water courses and connectivity for movement of key species among the large patches.

Policy 2.07.05.

The Planning and Conservation Department must evaluate the presence of native upland habitats and their linkages to contiguous or related lowland and wetland habitats, and develop regulations to protect these native upland habitats including strategies such as retaining native vegetation, providing for undeveloped habitat buffers around waterways, protecting areas of temporary or seasonal wetlands and ponds, and

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identifying opportunities for linking open space, stormwater facilities and buffers to create separation from human and wildlife communities.

Policy 2.07.06.

The Planning and Conservation Department must coordinate with Nassau County regarding the County's Conservation and Habitat Network and how it may be connected to lands within City limits as a means of furthering protection of wildlife habitat. The City and County must create joint policies to plan for protection of this network and appropriately plan for adjacent development.

Policy 2.07.07.

The Planning and Conservation Department must identify areas conducive to wildlife corridors and incorporate acquisition and protection of these lands and waterways as a high priority into any land acquisition priority assessment. The City must encourage the use of conservation easements where feasible.

Policy 2.07.08.

The City must identify areas of outdoor lighting along natural resource areas and ensure this lighting is minimized to limit impacts to wildlife, particularly along the beach during sea turtle nesting season. The City must explore implementation of a "dark sky" ordinance for areas adjacent to natural resource areas that includes keeping lights low to the ground and shielded in order to reduce light trespass. The City must work with County and State managed land officials to limit light pollution.

Policy 2.07.09.

The City must evaluate proposed transportation improvements and related facilities for potential impacts on wildlife and their habitat. The City must further evaluate opportunities for wildlife ecopassages in areas of known wildlife migration and movement routes and coordinate with County and State officials regarding possibilities for construction or maintenance of Eco passages on or adjacent to highly trafficked roadways.

Policy 2.07.10.

The City must strive to integrate stormwater, transportation and recreational infrastructure networks and proposed projects for wildlife integration opportunities, including coordination with the City Golf Course regarding wildlife-friendly golf course management.

Policy 2.07.11.

The City must restore impaired dunes and coastal wetlands ecosystems and habitats, including submerged aquatic vegetation, through natural and nature-based dune rehabilitation and living shoreline approaches.

Policy 2.07.12.

The City must maintain GIS maps identifying manatee habitat in or adjacent to the waters of the City. New and modified marinas and ports must not be located in or adjacent to designated manatee sanctuaries, areas of essential manatee habitat, manatee foraging areas, aquatic preserves, or Class II waters. Existing marinas and the Port of Fernandina ~~shall~~ must comply with all applicable rules and requirements as established in Florida Statutes and the Florida Administrative Code regarding manatee protection. The City, in coordination with City Marina management, must continue to provide informative signage and brochures about manatees to increase public awareness and compliance with laws. Signs must be placed at all public access points in the vicinity of areas known to be frequented by manatees.

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Policy 2.07.13.

All species of sea turtles must be protected from human interference, including activities such as beach re-nourishment, beachfront lighting, coastal construction, and mechanical beach cleaning during nesting season, in accordance with F.S. 379.2431.

Policy 2.07.14.

The City must seek assistance from the Florida Fish and Wildlife Conservation Commission, the Florida Department of Environmental Protection, 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 must also be requested to assist in updates to and the development of the City's land development regulations and future ordinances for the protection of these resources, especially the manatee, sea turtle, gopher tortoise, shorebirds, and other identified species of special concern or threatened or endangered species within the City. The City must maintain GIS maps illustrating the presence of species of special concern and endangered or threatened species habitat and incorporate these into wildlife corridor planning and coordination with the County's Conservation and Habitat Network.

Policy 2.07.15.

The City must ensure that wildlife have clean water to drink by providing and maintaining freshwater areas that are separate from retention ponds and that hold rainwater and spring waters that are not contaminated with effluents from developed areas.

OBJECTIVE 2.08. LAND ACQUISITION AND PRESERVATION

The City must maintain or increase the quality of natural assets/resources, including coastal wetlands, marine habitats, Egan's Creek and associated wetlands and uplands, dunes, and wildlife habitat through ongoing programs for preservation or acquisition of lands containing important environmental resources. Land acquisition and preservation are essential to environmental sustainability and ecological resiliency on this barrier island in the face of storm surge, flooding and sea level rise hazards. In turn, environment sustainability is the foundation of social and economic sustainability and community resiliency in this context.

Policy 2.08.01.

In collaboration with North Florida Land Trust, Amelia Tree Conservancy and Nassau County, the Planning and Conservation Department must inventory and identify environmentally sensitive lands and all lands critical to the environmental sustainability and resiliency of the City, targeting particularly upland wooded parcels, wetlands, coastal land and maritime forest, and include these lands in the City's GIS mapping system. This project must be undertaken by the Planning and Conservation Department and completed by Dec. 21, 2020.

Policy 2.08.02.

The Planning and Conservation Department must maintain an inventory of unique coastal, wetland, and upland systems for inclusion in land purchase programs for undisturbed wetlands, beach access, and other conservation or recreational lands, to be updated annually. In addition, the Planning and Conservation Department must develop and periodically update an inventory of all of the City's natural assets/resources. This inventory must examine the quantity, quality and vulnerability of each natural asset/resource, as well as identify and prioritize conservation lands for purchase either through federal, State, regional, local, or private initiatives.

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Policy 2.08.03.

The Grants Manager must develop and periodically update a list of potential federal, state, regional, and local funding sources, as well as private resources that can be used to acquire conservation lands. The Planning and Conservation Department must identify the amount of funding needed to purchase the areas with the highest priority and collaborate with the Grants Manager to submit applications when funds become available.

Policy 2.08.04.

The City must 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 as well as to maintain the sustainability of the City and Amelia Island. The City must coordinate with the County regarding identification of lands that could be included in the County Conservation and Habitat Network.

Policy 2.08.05.

The City must actively pursue grant funding to acquire and establish conservation land, natural pedestrian pathways, scenic corridors and wildlife corridors between nature preserves, parks and historical sites. The Grants Administrator must develop a grant acquisition strategy to meet this need by **December 31, 2020**.

Policy 2.08.06.

The City must encourage the dedication of conservation easements for natural pedestrian or bicycle pathways between new developments and surrounding development, especially between commercial and activity centers, recreation centers and schools.

Policy 2.08.07.

The City must identify, determine feasibility, and implement alternative methods to acquire conservation or environmentally sensitive lands. Alternative methods must include, but are not limited to, transfer of development rights, conservation dedications, conservation easements and donations to private conservation groups.

Policy 2.08.08.

Conservation lands must be evaluated for potential use and a management plan must be developed within the first year after acquisition. Maritime hammock and other sensitive lands that are rare and provide protective functions must not be utilized for passive recreation. Lands that are assessed as less fragile may be used for limited passive recreation.

Policy 2.08.09.

The City's land development regulations must include special requirements for environmentally sensitive lands. Such special requirements must limit development and activities that will destroy or harm the natural functions of the river, lakes, floodplains, wetlands, groundwater, harbors, beaches and shores, upland forests and identified wildlife habitats.

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Policy 2.08.10.

The City must protect environmentally sensitive lands, including but not limited to maritime hammock, wetlands and conservation lands by developing standards within the Land Development Code related to development in these areas that will either prohibit the land use activities, or will allow them provided they are developed, constructed and/or operated in a manner that will protect the existing natural functions of said environmentally sensitive lands and otherwise comply with Local, Regional, State and Federal environmental requirements.

Policy 2.08.11.

The City must comply with its land conservation ordinance (https://library.municode.com/fl/fernandina_beach/codes/code_of_ordinances?nodeId=PTIICOR_C H42EN_ARTVIIIICOPRLA_____).

Policy 2.08.12.

The City must have management plans developed by credentialed experts for each of its acquisitions. Land management must be assigned or contracted to credentialed individuals. Assessment must be conducted on at least an annual basis.

Policy 2.08.13.

The City must comply with its memorandum of understanding (MOU) with North Florida Land Trust and attempt to renew the agreement when it expires.

OBJECTIVE 2.09. WATER QUALITY AND CONSERVATION

Water quality and availability are critical to sustainability. The City must protect water quality within and adjacent to City limits by restricting development and activities which will cause an adverse impact to these resources, and must encourage practices which promote water conservation.

Policy 2.09.01.

The Utilities Department must identify water quality testing sites maintained by public and private entities that are within or adjacent to City limits, and serve as a repository for this testing information for purposes of public review.

Policy 2.09.02.

The Utilities Department must maintain water quality at the designated standards for the appropriate water body classification, and must regularly assess water quality, including coordinating with FDEP and other public and private entities to assess the need for additional water quality testing sites.

Policy 2.09.03.

The City must actively pursue the protection and enhancement of water quality and quantity for wildlife propagation, fishing, shell fishing, recreation, navigation and other related activities, and in particular must restore waters to Class II waters (as defined by the Florida Department of Environmental Protection) for purposes of shellfish harvesting. Activities to accomplish this policy must 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;

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- 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;
- c. Encourage Nassau County to continue participation in water testing and ensuring state and federal water quality standards are met or exceeded;
- d. Coordinate with state and federal agencies and non-profit organizations to explore projects related to enhancing and restoring water quality; and
- e. Prohibit future development and activities which would degrade existing or potential Class II waters or impede the restoration of existing Class III waters to Class II waters.
- f. Develop expanded buffer requirements and specify in the Land Development Code.
- g. The Stormwater Management Department must develop a program to educate the public regarding nonpoint pollution and the importance of eliminating it. These programs must include online information, hard copy publications, presentations and personal contact.
- h. The Stormwater Management Department must develop a program to educate the public on the importance of upkeep of septic systems and encourage connection to the City sewer system. The program must include online information, hard copy publications, presentations and personal contact.
- i. Eliminate the use of fertilizers, pesticides, herbicides, fungicides and other lawn and garden chemicals on city properties, including the airport and golf courses. Leased properties must be required to meet the same standard.
- j. The Stormwater Management Department must develop a program to monitor and decrease the level of E. coli and other pollutants in Egan's Creek and Escambia Slough/Alligator Creek.
- k. In collaboration with Nassau County and FDEP, the Utilities Director must develop and implement a program for monitoring the adequacy of wastewater treatment in septic systems in and adjacent to the City. Those with inadequately treated wastewater will be urged to convert to City water and sewer. Anyone not converting will be fined severely for each day the system performance remains substandard.

Policy 2.09.04.

The City must identify developable parcels adjacent to Class II or III waters and update the Land Development Code regarding development activities on these parcels to ensure maintenance of water quality. The City must also coordinate with the Florida Department of Environmental Protection regarding any potential reclassification or redefinition of waters within or adjacent to City limits.

Policy 2.09.05.

The City must coordinate with Nassau County and the State to ensure water quality is maintained in the Fort Clinch State Park Aquatic Preserve and the Nassau River-St. Johns River Marshes Aquatic Preserve.

Policy 2.09.06.

The City must expand the Coastal Upland Protection Zone and implement upland protection zones for areas adjacent to Egan's Creek in order to protect and improve water quality.

Policy 2.09.07.

The City must eliminate septic tanks as outlined in the Public Facilities element, especially in areas adjacent to the beach, river, Escambia Slough and Egans Creek in order to maintain healthy, functioning waterways. The Stormwater Director must establish a program for testing of septic tanks along with accompanying records to be added to the GIS system.

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Policy 2.09.08.

The City must locate existing underground storage tanks and septic tanks and incorporate those locations into the City's GIS mapping system.

Policy 2.09.09.

The City must 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.

Policy 2.09.10.

The City must include water efficient landscaping at all City facilities by using Florida-Friendly, native and drought-tolerant plants, reducing potable water consumption and using micro-irrigation systems and efficient watering methods to reduce energy expenditures and maximize water conservation.

Policy 2.09.11.

The City must use Florida-Friendly or native plant species as landscaping at all City facilities and must not use invasive species. The City must implement xeriscaping and native plant ordinances.

Policy 2.09.12.

The City must require low-impact development strategies or conservation-based landscape planning and installation, water efficient irrigation and appropriate measures that promote conservation of water resources and reduction of non-point source pollution as part of sustainable water management for new public and private development. New waterfront development must be designed so that stormwater runoff and erosion are retained on-site or are channeled so as to not degrade water quality of adjacent waters.

Policy 2.09.13.

The City must change its philosophy of stormwater management from concentrated detention, retention and infiltration to distributed detention, retention and infiltration while incorporating methods to decrease the generation of run-off thereby decreasing the need or size of detention, retention, and infiltration ponds.

Policy 2.09.14.

The City must prohibit direct wastewater discharges to surface waters, unless it is part of a wetland treatment process certified by the DEP and a permit has been obtained.

Policy 2.09.15.

The City must assist the SJRWMD in eliminating the discharge of inadequately treated wastewater and stormwater into waters of the State. The City must require all discharge to waters of the State to be consistent with State standards as stated in the Florida Administrative Code.

Policy 2.09.16.

The City must develop community outreach materials and/or programs in coordination with the SJRWMD to educate the public on water conservation and personal pollution reduction measures.

Policy 2.09.17.

The City must implement a landscaping ordinance that seeks reduction in the use of fertilizers as a source of non-point source pollution.

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Policy 2.09.18.

The City must advise its citizens of the dangers associated with non-point source pollution addressing, at a minimum, the following:

- a. Proper pesticide, herbicide and fertilizer application practices;
- b. Use of turf blocks for patios, sidewalks, driveways, etc., to prevent increasing impervious surface area;
- c. The importance of maintaining motor vehicles to prevent the accumulations of oils, grease, transmission fluid etc., on driveways; and
- d. The importance of regularly collecting and properly composting yard debris to prevent the accumulation of other debris which can adversely affect surface water quality.

Policy 2.09.19.

The City must utilize the most recent SJRWMD data for determining areas in the City with the potential for aquifer recharge and maintain maps of these areas in the City's GIS database. If areas in the City are identified as aquifer recharge areas, the City must then develop and implement protection measures which will protect the areas from development impacts.

Policy 2.09.20.

During the site plan review process, the Planning and Conservation Department must ensure the protection of groundwater recharge through the following low-impact development techniques:

- a. Minimum open space standards;
- b. Maximum impervious surface standards, including requiring the use of pervious paving materials to reduce the extent of impervious surfaces;
- c. Drainage bio-swales, micro-detention, bio-retention, rain gardens and similar techniques;
- d. Requiring French drains, slab-covered trenches or drainage wells, and limitations on overflows;
- e. Allowing direct overland flow discharge to surface waters only when no other practical or effective method of stormwater discharge is possible; and
- f. 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.

Policy 2.09.21.

The City's land development regulations must 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 must also ensure that surplus runoff is directed to receiving waterways in a manner that prevents imbalance to their ecosystems. The programs must be continually updated based on improved knowledge of problems, issues, and best management practices.

Policy 2.09.22.

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

Policy 2.09.23.

In the event that mineral and/or oil exploration is undertaken off the Northeast Florida coast, a contingency plan must be developed within one (1) year of announced exploration. The contingency plan must address:

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- a. Identification of the City's natural and cultural resources that could be potentially impacted;
- b. Identification of potential impacts to the City's natural and cultural resources;
- c. Methods of mitigation;
- d. Means of coordinating with permitting agencies; and
- e. Responses to hazardous events.

Policy 2.09.24.

The City must enact stormwater management strategies as outlined in the Public Facilities Element.

Policy 2.09.25.

The City must work with the local fiber and chemical plants and the Port of Fernandina to identify any and all hazardous materials used, stored or manufactured within the facilities and develop a contingency plan. The contingency plan must be developed within one (1) year of this Policy going into effect or a new facility being announced. The contingency plan must address:

- a. Identification of the City's natural and cultural resources that could be potentially impacted;
- b. Identification of potential impacts to the City's natural and cultural resources;
- c. Methods of mitigation;
- d. Means of coordinating with permitting agencies; and
- e. Responses to hazardous events.

Policy 2.09.26.

The Floodplain Manager and Chief Resilience Officer and the Utilities Director, in collaboration with Nassau County, must monitor the various paths of saltwater intrusion on Amelia Island and when identified, initiate appropriate research and implement proactive measures to address the problem.

OBJECTIVE 2.10. AIR QUALITY

Air quality is also critical to sustainability. The City must meet air quality standards established by the EPA and the DEP.

Policy 2.10.01.

The City must designate a City Department to coordinate with Nassau County, DEP and the EPA on an annual basis to ensure enforcement of air quality regulations by reporting all known violations of air quality standards. The designated department must establish a program of air quality monitoring.

Policy 2.10.02.

The City must coordinate with federal and state agencies to obtain information about air quality within City limits.

Policy 2.10.03.

The City must coordinate with major industrial operators within the City such as Rayonier, WestRock, First Coast Railroad and the Port regarding air quality information and advocate for higher standards.

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Policy 2.10.04.

The City acknowledges changes in air quality associated with climate change and must seek to reduce greenhouse gases and carbon dioxide emissions through policies in the Future Land Use and Transportation Elements and within Energy Conservation Objective 2.11.

Policy 2.10.05.

The Planning and Conservation Department must maintain tree preservation and protection as well as planting, as outlined in Objective 2.06, as a significant component of improved air quality.

Policy 2.10.06.

The Planning and Conservation Department must provide educational materials to the community regarding strategies for increasing air quality with the City.

Policy 2.10.07.

To minimize the impact of motor vehicle traffic on air quality, the City must implement strategies as outlined in the Multi-modal Transportation Element that reduce motor vehicle traffic and encourage biking, walking and other alternative modes of transport.

OBJECTIVE 2.11. ENERGY CONSERVATION

Energy conservation contributes to climate stability and sustainability in a number of ways. The City must promote and encourage energy conservation in an effort to reduce greenhouse gas emissions and protect the environment through responsible management of energy, promotion of energy conservation programs and implementation of tools and evaluation of opportunities to further energy conservation.

Policy 2.11.01.

The City must continue to implement its **energy conservation plan** and update the plan every five years.

Policy 2.11.02.

In accordance with F.S. 255.2575, all new City facilities and major improvements to existing facilities must be designed, constructed, operated, and maintained according to the standards outlined by a recognized sustainable development rating system such as, but not limited to, the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED).

Policy 2.11.03.

The City must improve energy conservation and efficiency in City buildings and facilities, and must pursue renewable and alternative energy projects and programs. Life-cycle assessments must be conducted for proposed retrofits or upgrades to energy systems.

Policy 2.11.04.

The City must replace light-duty vehicles in need of replacement with hybrids, alternative fuel vehicles, or the most fuel-efficient and least-polluting vehicles available for specific functions whenever cost and reliability are similar to traditional vehicles. The City must follow standards outlined by a recognized sustainable development rating system such as, but not limited to, the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED).

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Policy 2.11.05.

The City Utilities Department must coordinate with Florida Public Utilities to educate the public on energy saving opportunities in their homes and businesses. New homeowners and renters must receive information on energy conservation in hard copy within their first month of residency. All residents must receive energy conservation information once a year. These publications must follow the standards outlined by a recognized sustainable development rating system such as, but not limited to, the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED).

Policy 2.11.06.

The City and Florida Public Utilities must provide educational offerings for the community highlighting the energy conservation benefits of bicycling, walking and carpooling, in addition to other energy saving strategies. These educational offerings must represent standards outlined by a recognized sustainable development rating system such as, but not limited to, the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED).

Policy 2.11.07.

The Planning and Conservation and Building Departments must review the Land Development Code for opportunities to promote energy conservation standards outlined by a recognized sustainable development rating system such as, but not limited to, the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) through evaluation of the following, including but not limited to:

- a. site design and building orientation;
- b. incentives for sustainable construction;
- c. incentives for infill projects and reuse of existing buildings;
- d. integration of multimodal transportation infrastructure requirements; and
- e. Native shade tree protection

Policy 2.11.08.

The Planning and Conservation Department must collaborate with the County Planning and Economic Opportunity Department to study transportation needs and develop and implement a multi-modal system for the County and City, as mandated in the Future Land Use and Multi-modal Transportation Elements of this comprehensive plan. This system must follow standards outlined by a recognized sustainable development rating system such as, but not limited to, the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED).

Policy 2.11.09.

The Planning and Conservation Department must maintain tree preservation and protection as outlined in Objective 2.06 and tree planting as a means of contributing to increased energy efficiency through the City.

Policy 2.11.10.

Energy conservation efforts must be maximized through coordination and implementation of other energy conservation programs, tools and strategies outlined in the objectives and policies of all other elements of this comprehensive plan, following standards outlined by a recognized sustainable development rating system such as, but not limited to, the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED).

OBJECTIVE 2.12. DREDGE, FILL AND EXCAVATION ACTIVITIES

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The City must ensure that all approved dredge and/or fill activities are conducted in a manner which prevents adverse impacts on water quality, allows for adequate flushing of a newly constructed waterway, maintains water circulation patterns within estuaries and tributaries, does not create excessive drainage onto adjacent properties, and does not impact wildlife habitat or natural ecosystems, such as wetlands and dunes.

Policy 2.12.01.

The construction of canals, man-made waterways, drainage ditches, and stormwater ponds or retention facilities must not be permitted within City limits unless approved by all agencies with regulatory jurisdiction, the Planning and Conservation Department, Stormwater Management and the City Floodplain Manager and Chief Resilience Officer.

Policy 5.12.02.

The City must evaluate the need for dredging the City Marina on a regular basis. Any waterway dredging, particularly within the City Marina, must account for water quality, adequate flushing, water and boat circulation and wildlife habitat, especially Florida manatee habitat.

Policy 2.12.03.

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

Policy 2.12.04.

Approved best management practices, as published by the DEP, must be used before, during and after construction to reduce siltation and erosion, and must be included in the Land Development Code as reference for pre-construction, construction and post-construction activities. These practices must be monitored by the Planning and Conservation Department, Stormwater Management and the Floodplain Manager and Chief Resilience Officer.

Policy 2.12.05.

The City's land development regulations must provide for control and permitting of all on-site changes in land contours associated with dredging, excavating and filling activities in order to ensure excessive drainage does not impact adjacent properties and to ensure protection of natural ecosystems and habitat. The City must include strategies for excavation and fill activities within the Coastal Upland Protection Zone and in remaining areas of the City, to be included in the Land Development Code, including but not limited to:

- a. calculating maximum height for structures based on pre-development grade;
- b. evaluating the grade of adjacent properties;
- c. requiring pier/piling construction within the Coastal Upland Protection Zone (FH-FEMA 100 Year flood hazard zone) and eastward of the Coastal Construction Control Line; and
- d. creating policies for fill assessment and evaluation in coordination with DEP.

Practices that relate to these regulations and strategies must be monitored by the Planning and Conservation Department, the Building Department, Stormwater Management and the Floodplain Manager and Chief Resilience Officer.

Policy 2.12.06.

Dredging operations and dredge spoil operations must monitor air quality and use odor control.

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Policy 2.12.07.

The Floodplain Manager and Chief Resilience Officer must examine the effects of excavation on dune system stability and determine that over time no net effect will occur before approval of the excavation.

OBJECTIVE 2.13. HAZARD MITIGATION, DISASTER PREPAREDNESS AND POST-DISASTER REDEVELOPMENT

The City must protect the safety of residents and visitors through limitations on development within the Coastal High Hazard Area, preparation of a post-disaster plan, maintaining evacuation routes and standards for evacuation times and by implementing regulations which serve to reduce risks to human life and property from the effects of coastal flooding, erosion, storm surge, sea level rise, or damage to environmental systems and other natural hazards in the coastal and riverine areas through sound planning practices.

Policy 2.13.01.

The Floodplain Manager and Chief Resilience Officer must coordinate with Nassau County for the safe evacuation of the coastal population in accordance with Nassau County's hurricane evacuation plan. All plans for development must address the impacts on hurricane evacuation and other emergency evacuation plans. All emergency evacuation plans must accommodate pets and domestic animals.

Policy 2.13.02.

The City must prioritize the improvement of City transportation facilities to give special consideration to routes for hurricane evacuation, and must coordinate with the State and Nassau County to prioritize improvement of State and County transportation facilities necessary for hurricane evacuation.

Policy 2.13.03.

The Floodplain Manager and Chief Resilience Officer must coordinate with the County's Emergency Management Director whenever the County updates its hurricane evacuation plan, disaster preparedness plan, Local Mitigation Strategy and Post-Disaster Redevelopment Plan. An analysis of the existing plans must include 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;
- e. Resident and visiting population numbers; and
- f. Current information on the number and location of special needs population.

Policy 2.13.04.

The Floodplain Manager and Chief Resilience Officer must provide a hurricane guide, updated annually, showing evacuation routes, hurricane hazards, safety procedures, shelters, and other pertinent information for its citizens, including special needs populations.

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Policy 2.13.05.

The Floodplain Manager and Chief Resilience Officer must maintain and update 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 must be reviewed with the County's Emergency Management Director for compliance with the local Comprehensive Emergency Management Plan. The post-disaster redevelopment plan must 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. Re-establishment of water supply;
- f. Re-establishment of wastewater treatment facilities;
- g. 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;
- h. Discouraging the rebuilding and redevelopment of facilities which encourage growth in hazardous areas, except for necessary services for existing development
- i. 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 disaster;
- j. Recommending amendments to the local peacetime emergency plan and other appropriate policies and procedures;
- k. Distinguishing between immediate repair and cleanup action needed to protect public health and safety and long-term repair and redevelopment activities;
- l. Eliminating unsafe conditions and inappropriate uses;
- m. Incorporating applicable recommendations of interagency hazard mitigation reports into the FBCP;
- n. Identifying mechanisms for the removal, relocation, or structural modification of damaged and unsafe structures;
- o. Considering development credits or transfer of development rights for use as incentives to reduce rebuilding damaged structures in the coastal high hazard area;
- p. Recommending techniques and methods that lower densities along the oceanfront;
- q. Identifying areas needing redevelopment;
- r. Providing for strategies to address historic and cultural resources; and
- s. Developing a plan for dune and beach rehabilitation and recovery as part of the risk reduction strategy for post-disaster redevelopment.

Policy 2.13.06.

In the event that the City is included in a presidential disaster declaration, the City, under the leadership of the Floodplain Manager and Chief Resilience Officer, must 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 must use the interagency hazard mitigation report to prevent new uses that 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 must consider adopting a program for eliminating existing uses which are inconsistent with the report's recommendations.

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Policy 2.13.07.

The City must require the removal or 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. The City must address potential exemptions for historic structures in relation to this policy.

Policy 2.13.08.

The City must coordinate coastal area population densities with hurricane evacuation plans. The City must enforce land development regulations which ensure that land use decisions impacting population density within the Level A evacuation zone, as delineated in the most recent Northeast Florida Regional Hurricane Evacuation Study, and the category 1 and 2 storm surge inundation zones are coordinated with the County's hurricane evacuation plan and applicable regional or State hurricane evacuation study. In no case may the City approve residential or commercial development beyond the capacity to evacuate the island within 18 hours.

Policy 2.13.09.

Disaster preparedness plans must address the needs of special needs populations, including evacuation and specific shelter requirements. The Floodplain Management Director and Chief Resilience Officer must assist the County and support County efforts to identify and maintain data on special needs populations.

Policy 2.13.10.

The Floodplain Manager and Chief Resilience Officer must continually coordinate with the County's Emergency Management Department to develop a plan for reducing the hurricane evacuation time for within the County.

Policy 2.13.11.

The Floodplain Manager and Chief Resilience Officer must continually coordinate with the County's Emergency Management Department to ensure that adequate off-island hurricane shelters are available to serve the City's residents and visitors.

Policy 2.13.12.

Construction in floodplains must adhere to local development standards in keeping with the requirements of the National Flood Insurance Program (NFIP). The Floodplain Manager and Chief Resilience Officer must maintain and update as needed maps of existing development and densities within the floodplain, FEMA flood zones and repetitive loss maps, storm surge/Coastal High Hazard Area maps and sea level rise impact maps – identifying current and potential future areas subject to inundation.

Policy 2.13.13.

Hazardous materials or hazardous waste must not be stored within an area of special flood hazard unless:

- a. Such hazardous materials or hazardous waste are limited to properties which carry the Industrial Future Land Use designation and are stored within tanks or vessels, the lowest extremity of which is located above the applicable base flood elevation in accordance with the City's Floodplain Management Ordinance; and
- b. All tanks or structures containing hazardous materials or hazardous waste must comply with all NFIP and FEMA anchoring and flood proofing requirements.

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In ALL cases a mutually developed emergency response plan (City and Owner) for response to potential release of these materials into the environment must be developed and tested within 24 months of the approval of this Plan.

The Land Development Code must be updated to reflect this policy.

Policy 2.13.14.

The Stormwater Management Director must document and maintain maps of extreme high tides (“king tides”), more frequent severe rainfall events, and newly revealed areas at risk of flooding to efficiently target mitigation efforts.

Policy 2.13.15.

The Floodplain Manager and Chief Resilience Officer must maintain and update a floodplain management ordinance that establishes requirements to safeguard the public health, safety and general welfare, and minimizes public and private losses due to flooding through regulation of development in flood hazard areas.

Policy 2.13.16.

The Floodplain Manager and Chief Resilience Officer must monitor the floodplain ordinance for consistency with the Florida Building Code and any needed updates, and must ensure that future modifications of flood-resistant construction requirements in the floodplain ordinance continue to be consistent with, or more stringent than, requirements of the Florida Building Code and applicable floodplain management regulations set forth in 44 C.F.R. part 60 and National Flood Insurance Program standards.

Policy 2.13.17.

The City Floodplain Manager and Chief Resilience Officer and the Building Official must review all permit applications and site development plans to determine whether proposed development sites will reasonably be safe from flooding. If a proposed development site is in a flood hazard area, all site development activities (including grading, filling, utility installation, and drainage modification), all new construction and substantial improvements must be designed and constructed with methods, practices and materials that minimize flood damage and that are in accordance with the City floodplain ordinance.

Policy 2.13.18.

The City must continue to upgrade stormwater infrastructure through drainage improvements, installation of tidal backflow preventers, and seawall/bulkhead repair in addition to sustainable flood management actions such as installation of bioswales, recharge through drainage wells, use of pervious pavement, maintenance of natural preserve and open space areas, development of living shorelines and protection of tidal beaches and wetlands that will be adaptable to future climate events.

Policy 2.13.19.

The City must consider purchasing properties in areas most vulnerable to destructive storm surge, sea level rise and flooding for recreational uses and ~~open space~~ land conservation, subject to available financial resources. Transfer of development rights, conservation easements and acquisition by a land trust are among the options for consideration.

Policy 2.13.20.

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The City must ensure that adequate debris staging areas exist and that such staging areas are not in the CHHA, the floodplain, wetlands, other environmentally sensitive area, or area with known cultural or archaeological resources.

Policy 2.13.21.

The City must continue participation in the National Flood Insurance Program Community Rating System to reduce flood losses, achieve flood insurance premium discounts for residents, and strive toward Higher Regulatory Standards in order to improve the City's score with each recertification process. The Floodplain Manager and Chief Resilience Officer must oversee compliance.

Policy 2.13.22.

The City must pursue, through partnerships, hydrologic and hydraulic studies for areas of the City without known base flood elevation information. This information can be used as the basis for updates to Federal Emergency Management Agency (FEMA) flood insurance studies (FIS), flood insurance rate maps (FIRM), and the City's floodplain management ordinance.

Policy 2.13.23.

Every two years, the Planning and Conservation Department must review its Zoning and FLUM maps for accuracy and consistency, consistency with use and consistency with current conditions related to environmental hazards in collaboration with the Floodplain Manager and Chief Resilience Officer.

Policy 2.13.24.

The City and Nassau County must develop uniform standards to optimize environmental sustainability and resiliency for Amelia Island by May 31, 2021. Among other elements, these standards must include identification of lands critical to protection from hazards of storm surge, flooding, erosion and sea level rise; relevant policies regarding development; land conservation; and grants acquisition strategies. The City and County Floodplain Managers and Chief Resilience Officers must collaborate with the Planning and Conservation Department and the Department of Planning and Economic Opportunity, reporting outcomes to their respective planning boards and Commissioners. The City must incorporate Nassau County research on floodplain resiliency and vulnerability and other current research into its planning strategies and processes.

Policy 2.13.25.

The Floodplain Manager and Chief Resilience Officer and the Stormwater Management Director must work with Nassau County, FDEP and the federal government to develop a concrete plan to clean up E.Coli, pesticides, herbicides and other pollutants in Egans Creek and Escambia Slough/Alligator Creek.

Policy 2.13.26.

The City must incorporate into its Land Development Code regulations requiring at least a 50-foot horizontal buffer around wetlands and at least a 100-foot horizontal buffer along bodies of water for all new construction.

Policy 2.13.27.

The Planning and Conservation Department, the Stormwater Management Director, the Building Director, the Floodplain Manager and Chief Resilience Officer must develop a multi-pronged program to educate residents on the challenges and responsibilities of living on a barrier island by May 30, 2021.

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Policy 2.13.28.

Any ordinance or ordinance change that has the potential to negatively impact the City's FEMA Community Rating for flood insurance must be reviewed by the City's Floodplain Manager and Chief Resilience Officer prior to presentation to City Commissioners. The City's Floodplain Manager and Chief Resilience Officer must confer with the FEMA Community Rating System Coordinator regarding the implications of the change under consideration. Such an ordinance requires a unanimous vote of the City Commission to be passed.

Policy 2.13.29.

The City must strive to improve its flood rating on the FEMA Community Rating System.

Policy 2.13.30.

The City must encourage all critical facilities utilizing hazardous chemicals reportable on MSDSs (or SDSs) to relocate the storage, disposal or transfer of those materials outside Coastal High Hazard Areas as identified in Zones V or SHFA on the most recent National Flood Insurance Maps.

Policy 2.13.31.

Any construction or expansion of critical facilities within Zone V or SHFA must submit as-built elevation certifications from a professional engineer to the Floodplain Manager and Chief Resilience Officer upon the completion of all projects.

Policy 2.13.32.

Any exception or variance to the community's flood ordinances must require the approval of the Federal Insurance Administrator in accordance with CFR 60.6 (b)(2).

Policy 2.13.33.

Flood ordinances must be legally-enforceable, applied uniformly throughout the community to all privately and publicly owned land within flood-prone areas in compliance with CFR 60.1(b)

Policy 2.13.34.

Flood ordinances must provide that the flood regulations take precedence over any less restrictive conflicting local laws, ordinances or codes in compliance with CFR 60.1 (b).

OBJECTIVE 2.14. WATERFRONT PLANNING

The City must protect shorelines and waterfront lands in order to ensure adequate and appropriate locations for water-dependent, water-related and water-enhanced uses.

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Policy 2.14.01.

All shoreline and waterfront land uses must be approved by the Floodplain Manager and Chief Resilience Officer. Approval is required prior to permitting, and a program must be developed for periodic review and inspection every five years.

Policy 2.14.02.

It must be the policy of the City to utilize the following priority list in reviewing applications for shoreline uses, so as to provide increased priority for water-dependent uses. Uses listed first must generally be given the highest priority of all uses that may be proposed along the shoreline, with other, uses listed in the order of declining priority. Uses listed under (7) must be given the least preference for location along the shoreline.

1. Water-based law enforcement, rescue and Department of Defense
2. Water-dependent uses such as fish, and shellfish production;
3. Water-dependent recreation and commercial uses such as ports, marina-type uses, and navigation, particularly those that provide public access;
4. Water-related uses such as certain utilities and commercial;
5. Water-enhanced uses such as certain recreational and commercial uses;
6. Non-water dependent or related activities such as residential uses; and
7. Non-water dependent and non-water enhanced uses which result in an irretrievable commitment of coastal resources, or in a proposed alteration to the FLUM series that would prohibit or remove the permitted use of water-dependent, water-related or water-enhanced uses.

Policy 2.14.03.

The City must 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 measures at those facilities 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;
- e. Prohibiting the construction of causeways within estuaries and requiring bridges with pilings instead, and
- f. Ensuring minimal environmental resource impacts or disruption.

Policy 2.14.04.

New marinas and multi-slip docking facilities must conform to the following criteria:

- a. marinas and multi-slip docking facilities must provide vehicular parking;
- b. all parking, dry storage, and non-water dependent facilities must be built on existing uplands;
- c. marinas and multi-slip docking facilities ~~shall~~ must prepare disaster preparedness plans which describe measures to be taken to minimize damage to marina sites, neighboring properties, and the environment; this plan must be reviewed and approved by the City Manager, Fire Department and the Planning Director;
- d. marina or multi-slip docking facilities must comply with the other policies of this plan;

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- e. marinas or multi-slip docking facilities which receive permits to disturb or destroy wetlands or grass beds must create new wetlands or grass beds in compliance with permitting agency requirements;
- f. dry slip use must be maximized in order to minimize impacts on water quality, and minimize the areas extent of disturbance of the estuary;
- g. fueling facilities associated with marinas must be designed to contain spills from on-land equipment and must be prepared to contain spills in the water. A fuel management/spill contingency plan must be developed. The plan must describe methods to be used in dispensing fuel and all the procedures, methods and materials to be used in the event of a spill; and
- h. must not have adverse impact on established commercial fishing, shell or shrimping activities.

Policy 2.14.05.

The City must require existing marinas and new marinas to seek and maintain Clean Marina designation, as operated by the Florida Department of Environmental Protection.

Policy 2.14.06.

The City must update standards for marinas and marine-related facilities in the Land Development Code which include setbacks, height limitations, parcel size, architectural guidelines, maintenance, containment of stormwater runoff, wastewater disposal, wash down water for dry storage areas, and requirements for Clean Marina designation or inclusion of Clean Marina standards as set by the Florida Department of Environmental Protection.

Policy 2.14.07.

Existing marina facilities that upon inspection fail to meet the City's operational standards must be shut down until they meet the operational standards.

Policy 2.14.08.

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

Policy 2.14.09.

The City must prohibit any water-dependent or water related land-use which will lower the water quality standards below State water quality standards.

Policy 2.14.10.

The City must protect recreational and commercial working waterfronts by protecting environmental and cultural resources, providing public access, helping to prevent losses from disasters and enhancing the waterfront economy, and through participation in the Florida Waterfronts Partnership Program.

Policy 2.14.11.

The City must continue to maintain a mooring field for the needs of transient boaters and to reduce the need for additional marina use along the waterfront and its uplands.

Policy 2.14.12.

The City must continue to maintain an Industrial Waterfront zoning and future land use designation in order to support water-dependent activities such as commercial fishing, shell, and shrimping.

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Policy 2.14.13.

The City must evaluate potential exemptions in the Land Development Code to wetlands buffer requirements for resource-based recreational facilities such as trails, boardwalks, piers and boat ramps, and components of water-dependent commercial uses such as port facilities, marinas, fish camps, and commercial fishing operations to ensure that there is no erosion or damage to the wetland environment.

Policy 2.14.14.

The City must evaluate land development regulations that incentivize maintaining water-dependent uses such as marinas, fish camps, and commercial fishing operations to ensure there is no damage to the environment.

Policy 2.14.15.

The City must encourage waterfront property owners to offer the City the right of first refusal for properties that are proposed to be changed from recreational or commercial working waterfront uses to other uses.

Policy 2.14.16.

The City must establish a no net loss policy for the areas within the City that are zoned and/or included in the FLUM series as recreational and commercial working waterfront uses.

Policy 2.14.17.

The City must use living shoreline whenever practical.

OBJECTIVE 2.15. PUBLIC SHORE ACCESS

The City must continue to maintain, improve, and increase public access to waterways and shores through acquisition and other land use controls.

Policy 2.15.01.

The City Floodplain Manager and Chief Resilience Officer must maintain an inventory of public access points to shores, including the beach, river, and Egan's Creek, including number, location, design, accessibility, and availability of parking, and update this inventory on an annual basis. This data must be input on City GIS.

Policy 2.15.02.

The City must require, where appropriate, the dedication of public access to waterways and shores from private developments.

Policy 2.15.03.

The City must not vacate necessary existing rights-of-way, easements, walkways, and other properties available for public access to beaches, shores, and other waterways.

Policy 2.15.04.

The City must promote an increase in public access through dedication of land for new public access points, and through encouragement of dedication of land by private property owners adjacent to waterway access points.

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Policy 2.15.05.

The City must not allow private landowners adjacent to public beach access points, including easements, to restrict public access to the beaches through those access points.

Policy 2.15.06.

The City must maintain access to the water through beach accesses, public fishing piers, boat ramps, and marinas, as further defined in the Recreation and Open Space Element.

Policy 2.15.07.

The Floodplain Manager and Chief Resilience Officer must establish and maintain a regular schedule for updating walkovers and drive overs as well as way-finding signage for all public access points ~~by 2013~~.

Policy 2.15.08.

The City must require user-friendly and disabled-friendly accesses with all new structures and incorporate disabled-friendly accesses in repairs and modification if possible.

OBJECTIVE 2.16. INTERGOVERNMENTAL COORDINATION

Well-articulated intergovernmental coordination regarding coastal assets/resources and conservation is essential for the State, County and City to maintain the sustainability and resiliency of Amelia Island and Fernandina Beach. The City must play an active role in upgrading and refining this.

Policy 2.16.01.

The City must coordinate with Nassau County regarding coastal resources and conservation issues, and must coordinate with Nassau County should the potential arise for City or County activities to impact these resources.

Policy 2.16.02.

The City must continue to coordinate with federal and state agencies and Nassau County regarding the Nassau County Shore Protection Project, the Fernandina Harbor Navigation Project, the Conservation and Habitat Network, and activities in or adjacent to the Fort Clinch Park Aquatic Preserve and Nassau River-St. Johns River Marshes Aquatic Preserve.

Policy 2.16.03.

The City must coordinate with state agencies whose activities and regulations may impact coastal and natural resources in the area, including but not limited to the Department of Transportation, the Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission, and the St. Johns River Water Management District.

Policy 2.16.04.

The City must coordinate with federal agencies whose activities and regulations may impact coastal and natural resources in the area, including but not limited to the U.S. Fish and Wildlife Service, the Environmental Protection Agency, Federal Emergency Management Agency, Homeland Security and the United States Army Corps of Engineers.

Policy 2.16.05.

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In collaboration with the Nassau County Department of Planning and Economic Opportunity, the City Planning and Conservation Department must study, compile data and develop mapping on island wildlife species (endangered/threatened and other species) and identify wildlife corridors.

Policy 2.16.06.

The Planning and Conservation Department must coordinate with the County Department of Planning and Economic Opportunity to conserve lands that are critical to sustainability and resiliency or major wildlife corridors.

Policy 2.16.07.

The City must also cooperate with the State in efforts to acquire and/or preserve environmentally sensitive lands to ensure their conservation and protect their availability for future generations as well as to maintain the sustainability of the City and Amelia Island.

Policy 2.16.08.

The City must seek assistance from the Florida Fish and Wildlife Conservation Commission, the Florida Department of Environmental Protection, 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.

Policy 2.16.09.

The City shall collaborate with Nassau County to develop a Floodplain Management Plan and a Dune Management Plan to focus on sustainability and resiliency for Amelia Island, to include land conservation, identification of sensitive lands and those critical to sustainability, policies regarding development, floodplain management and grants acquisition strategies. The City and County Floodplain Managers and Chief Resilience Officers must coordinate the project with full participation of the Planning and Conservation Department and the Department of Planning and Economic Opportunity, Building Departments and Stormwater Management, reporting to their respective Planning boards and Commissioners. An initial plan must be completed by **July 1 2021.**

Policy 2.16.10.

The City must review with the County, State DEP and USACE the option of managing beach renourishment projects on a littoral cell basis with the intent of having a single beach renourishment project for the Island. Any consultant involved in reviewing such a potential must be banned from participating in any subsequent beach nourishment or sand bypassing construction for at least one renourishment cycle.

Policy 2.16.11.

The City must continue to work with SJRWMD, the DEP, and/or the U.S. Army Corps of Engineers to ensure wetland protection.

Policy 2.16.12.

The City must coordinate with the Florida Department of Environmental Protection and the United States Army Corps of Engineers through agency permitting processes for construction of docks, piers, seawalls, jetties, wharves, boat ramps, boardwalks and boat houses to ensure water flow and navigation are not restricted.

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Policy 2.16.13.

The City must coordinate with the DEP regarding any new regulations regarding coastal development, coastal wildlife and marine resources. All projects east of the DEP's Coastal Construction Control Line must be approved first by the DEP and all permits 1000 feet west need to be reviewed the DEP to assure they will not damage the entire barrier island dune system.

Policy 2.16.14.

The City must continue to encourage Nassau County to continue its participation in water testing and ensuring that state and federal water quality standards are met or exceeded.

Policy 2.16.15.

The City must also coordinate with the Florida Department of Environmental Protection regarding any potential reclassification or redefinition of waters within or adjacent to City limits.

Policy 2.16.16.

The City must assist the SJRWMD in eliminating the discharge of inadequately treated wastewater and stormwater into waters of the State.

Policy 2.16.17.

The City must develop community outreach materials and/or programs in coordination with the SJRWMD to educate the public on water conservation and personal pollution reduction measures.

Policy 2.16.18.

The City Floodplain Manager and Chief Resilience Officer must ensure coordination of watershed management plans and policies, with appropriate local, regional, State and federal agencies. These agencies must include but are not limited to Nassau County, SJRWMD, the NEFRC, the DEP, the Agricultural Extension Service, the United States Army Corps of Engineers and the U.S. Fish and Wildlife Service.

Policy 2.16.19.

The City must designate a City Department to coordinate with Nassau County, DEP and the EPA on an annual basis to ensure enforcement of air quality regulations by reporting all known violations of air quality standards. The designated department must establish a program of air quality monitoring.

Policy 2.16.20.

The City must coordinate with federal and state agencies to obtain information about air quality within City limits.

Policy 2.16.21.

The Planning and Conservation Department must collaborate with the County Planning and Economic Opportunity Department to study transportation needs and develop and implement a multi-modal system for the County and City, as mandated in the multi-modal transportation element.

Policy 2.16.22.

The Floodplain Manager and Chief Resilience Officer must coordinate with Nassau County for the safe evacuation of the coastal population in accordance with Nassau County's hurricane evacuation plan. All

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plans for development must address the impacts on hurricane evacuation and other emergency evacuation plans. The City must enforce land development regulations which ensure that land use decisions impacting population density within the Level A evacuation zone, as delineated in the most recent Northeast Florida Regional Hurricane Evacuation Study, and the category 1 and 2 storm surge inundation zones are coordinated with the County's hurricane evacuation plan and applicable regional or State hurricane evacuation study. In no case may the City approve residential or commercial development beyond the capacity to evacuate the island within 18 hours.

Policy 2.16.23.

The City Floodplain Manager and Chief Resilience Officer must coordinate regularly with the County's Emergency Management Director regularly regarding its hurricane evacuation plan, disaster preparedness plan, Local Mitigation Strategy and Post-Disaster Redevelopment Plan.

Policy 2.16.24.

Disaster preparedness plans must address the needs of special needs populations, including evacuation and specific shelter requirements. The City must assist the County and support County efforts to identify and maintain data on special needs populations.

Policy 2.16.25

The City Floodplain Manager and Chief Resilience Officer must work with Nassau County, FDEP and the federal government to develop a concrete plan to clean up E.Coli, pesticides, herbicides and other pollutants in Egans Creek and Escambia Slough.

Policy 2.16.26.

The Floodplain Manager and Chief Resilience Officer and the Utilities Director, in collaboration with Nassau County, must monitor the various paths of saltwater intrusion on Amelia Island and, when identified, initiate appropriate research and implement proactive measures to address the problem.

MAPS THAT NEED TO BE PROVIDED TO SUPPORT GOAL 2:

- Potential wetlands—updated
- SLOSH—updated
- CCCL and 1000' CUPZ—updated; also overlaid on SLOSH map
- FEMA Risk Mapping, Assessment, Planning (Flood Risk Map) November 16, 2016 [**note posting problems with these maps**]
 - Increased Inundation Areas: Nassau County, Florida (2 maps)
 - <http://www.fbfl.us/DocumentCenter/View/17836>
 - <http://www.fbfl.us/DocumentCenter/View/17837>
 - Coastal Inundation Depths 1% Annual Chance Map: Nassau County, Florida (2 maps)
 - <http://www.fbfl.us/DocumentCenter/View/17833>
 - <http://www.fbfl.us/DocumentCenter/View/17834>

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- maps from County Vulnerability study
- Potential density within the 100-Year Floodplain (AE)—updated
- Potential density within wetlands--updated
- ? maps of dune systems, etc. from Frank’s earlier work
- Onsite sewage locations—updated
- Outstanding Florida Waters—updated?
- Groundwater recharge area—updated
- Soils map—updated
- Underground storage tanks

EXPERTS WHO PROVIDED INPUT ON COASTAL MANAGEMENT AND CONSERVATION:

Warren Buchannan, B.S. in Botany, M.A. in Land Resources
Pat Foster-Turley, Ph.D. in Zoology
Frank Hopf, Ph.D. in Coastal Geomorphology, P.E.
Munsell McPhillips, Ph.D. in Biomedical Engineering
Robert Prager, P.E.

ACRONYMS AND DEFINITIONS FOR GOAL 2:

ACRONYMS:

ADA:	Americans with Disabilities Act
CCCL:	Coastal Construction Control Line
CHHA:	Coastal High Hazard Area
CITY:	City of Fernandina Beach
CUPZ:	Coastal Upland Protection Zone
COUNTY:	Nassau County
CRA:	Community Redevelopment Area
DEP:	Florida Department of Environmental Protection
ESL:	Environmentally Sensitive Lands/Areas
FAC:	Florida Administrative Code
FEMA:	Federal Emergency Management Agency
FIRM:	Flood Insurance Rate Map
FLUM:	Future Land Use Map
FS:	Florida Statute
GIS	Geographic Information System
LOS:	Levels of Service
LID:	Low Impact Development:
NEFRC:	Northeast Florida Regional Council

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NPS:	Non-Point Source Pollution
OFW:	Outstanding Florida Waters
SLOSH:	Sea, Lake and Overland Surges from Hurricane
SJRWMD:	St. Johns River Water Management District
STATE:	State of Florida
USACE:	United States Army Corps of Engineers

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 and land area with dense vegetation and tree canopies.

Class II and III waters – Class II waters are waters suitable for shellfish propagation or harvesting. Class III waters are waters suitable for fish consumption; recreation, propagation and maintenance of a healthy, well-balanced population of fish and wildlife. Water quality classifications are arranged in order of the degree of protection required, with Class I water having generally the most stringent water quality criteria and Class V the least. However, Class I, II, and III surface waters share water quality criteria established to protect fish consumption, recreation and the propagation and maintenance of a healthy, well-balanced population of fish and wildlife.

Coastal Construction Control Line – establishes an area of jurisdiction in which special siting and design criteria are applied for construction and related activities. These standards may be more stringent than those already applied in the rest of the coastal building zone because of the greater forces expected to occur in the more seaward zone of the beach during a storm event. It is an essential element of Florida's coastal management program because it provides protection for Florida's beaches and dunes while assuring reasonable use of private property.

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.

Conservation – Activities or conditions designated for the purpose of conserving or protecting natural resources or environmental quality, including areas designated for such purposes as flood control, protection of quality or quantity of groundwater or surface water, floodplain management, commercially or recreationally valuable fish and shellfish, or protection of vegetative communities or wildlife habitats.

Conservation design or conservation site design -- “Conservation design” is most appropriate in areas having natural and open space resources to be protected and preserved in perpetuity. These include floodplains, groundwater recharge areas, wetlands, woodlands, streams, wildlife habitat and migratory nesting sites, severe slopes, relic dunes, maritime hammock and historic and cultural resources. It is a system that first considers the natural landscape and ecology of a development site rather than determining design features on the basis of pre-established assumptions or other locations. In other words, the developer/designer identifies the ecological features of the site and then designs the construction to accommodate those features, “building around” the existing ecological features. The main principles for conservation design are:

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- flexibility in site design and lot size
- thoughtful protection and management of natural areas
- reduction of impervious surface areas
- sustainable storm water management

Conservation Lands – Areas designated Conservation in the City’s Future Land Use Map series.

Energy Efficiency – The implementation of practices, strategies and technologies that reduce the amount of energy consumed to achieve a desired effect (e.g. use of engines that provide more miles per gallon of gas, use of heating or cooling appliances that produce more BTU’s per watt of electricity consumed, patterns of land use that result in lower greenhouse gas emissions per household)

Environmentally Sensitive Lands/Areas – Any land area and/or water resources that may be determined to contain naturally occurring and relatively unaltered flora, fauna, or geologic conditions. Environmentally sensitive lands may include historical and archaeological resources, wetlands, wetland transition areas, estuarine shoreline areas, 100 year floodplains, maritime hammock, upland forests, open space, dune systems, wildlife habitat, aquifer recharge areas and all lands designated as Conservation on the Future Land Use Map.

Florida Friendly or Florida Friendly Landscape – means quality landscapes that conserve water, protect the environment, are adaptable to local conditions, and are drought tolerant. The principles of such landscaping include planting the right plant in the right place, efficient watering, appropriate fertilization, mulching, attraction of wildlife, responsible management of yard pests, recycling yard waste, reduction of stormwater runoff, and waterfront protection. Additional components include practices such as landscape planning and design, soil analysis, the appropriate use of solid waste compost, minimizing the use of irrigation, and proper maintenance.

Green Building /Sustainable Construction – Construction that promotes reduced energy consumption, utilizes renewable resources, conserves water, promotes the best use of building materials, encourages efficient waste management, conserves natural habitat and focuses on occupant health and environmental quality. On a barrier island, sustainable construction also contributes to the ability of the environment to withstand salt aerosol and the anticipated hazards of flooding, storm surge, and sea level rise. Sustainable construction is accomplished through emphasis on siting, design, construction, operation, maintenance, and analysis of the complete building life cycle.

Green Development /Sustainable Development – A development approach that integrates the following elements: environmental responsiveness, which benefits the surrounding environment; resource efficiency, which involves using resources in the construction and development and operations of buildings and/or communities in ways that are not wasteful; and sensitivity to culture and community, which is to foster a sense of community in design, construction, and operations. On a barrier island, sustainable development also contributes to the ability of the environment to withstand salt aerosol and the anticipated hazards of flooding, storm surge, and sea level rise.

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Green (or Clean) Technology – Renewable energy and energy efficiency technologies plus other technologies that make use of resources more environmentally benign and/or reduce carbon emissions.

Greenhouse Gases (GHG) – Gases that trap heat in the atmosphere examples include: carbon dioxide (CO₂), Methane (CH₄), Nitrous Oxide (N₂O), and Fluorinated Gases such as hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

Levels of Service – A qualitative and/or quantitative measure describing the operational conditions within a given public facility.

Low Impact Development (LID) – An approach to land development that uses various land planning and design practices and technologies to simultaneously conserve and protect natural resource systems and reduce infrastructure costs while managing stormwater runoff. LID still allows land to be developed, but in a cost-effective manner that helps mitigate potential environmental impacts. The approach includes using engineered small-scale hydrologic controls to replicate the pre-development hydrologic regime through infiltrating, filtering, storing, evaporating, and detaining runoff close to its source.

Natural Assets/Resources – Include a variety of ecological resources, including beaches, shores, shorelines, dune, estuary systems, rivers, harbors, floodplains, maritime hammock, upland forest, aquifer recharge areas, wetlands, minerals, wildlife habitat, marine habitat, vegetation, and fisheries.

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.

No net loss – No loss of trees, wetland, etc. may occur.

Non-point Source (NPS) Pollution – NPS pollution cannot be pinpointed to a single source. Over time, pollutants from our everyday activities accumulate on the land. Examples of NPS pollutants include gasoline, fertilizer, herbicides, pesticides and even soil. NPS pollution is a problem when rainfall or heavy irrigation carries sediments and dissolved chemicals to waterways in stormwater runoff and by leaching or percolating through soil.

Open Space – A parcel of land in a primarily open and/or undeveloped condition that may be suitable for any of the following: natural areas; wildlife and native plant habitat; important wetlands or watershed lands; wetland transition areas; stream or creek corridors; passive or low-impact activities; areas of little or no disturbance; and/or trails for non-motorized activities.

Parks – An area, in a natural or semi-natural state, set aside for recreation. Parks may include active and/or passive recreation opportunities, and may include open space.

Passive Recreation – Passive recreation means those recreational opportunities afforded by such natural resources as the native flora, fauna, and aesthetic appeal of a natural setting and requiring minimum development to utilize and enjoy such resources, including nature study, hiking, canoeing, picnicking, birding, fishing and other activities which do not involve active disturbance of the environment or excessive

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clearing and re-contouring of the land. In beach areas, activities such as shelling, fishing, hiking, boating, swimming, picnicking, board sailing, sunbathing, scuba diving and snorkeling are considered passive recreation.

Pervious Paving Materials – Porous asphalt, concrete or other surface and a high-void aggregate base that allows for rapid infiltration and temporary storage of rain on, or runoff delivered to, paved surfaces.

Point Source Pollution – Water pollution that results from water discharges into receiving waters from easily identifiable points; common point sources are discharges from factories and municipal sewage treatment plants.

Public Access – The ability of the public to physically reach, enter or use recreation sites, including beaches, shores, and waterways.

Recreational and Commercial Working Waterfront – A parcel or parcels of real property that provide access for water-dependent commercial activities, including hotels and motels as defined in F.S. 509.242(1), or provide access for the public to the navigable waters of the state. Recreational and commercial working waterfronts require direct access to or a location on, over, or adjacent to a navigable body of water. The term includes water-dependent facilities that are open to the public and offer public access by vessels to the waters of the state or that are support facilities for recreational, commercial, research, or governmental vessels. These facilities include public lodging establishments, docks, wharfs, lifts, wet and dry marinas, boat ramps, boat hauling and repair facilities, commercial fishing facilities, boat construction facilities, and other support structures over the water. As used in this section, the term “vessel” has the same meaning as in F.S. 327.02(39). Seaports are excluded from the definition.

Resource-based Recreation – Recreation which cannot be located anywhere and instead depends on a combination of elements in the natural or cultural environment. Examples include hiking, fishing, camping, boating, surfing, biking, nature study, and visiting historical or archaeological sites

Stormwater or Stormwater Runoff – Water that runs off impervious or water-saturated surfaces such as rooftops or pavements during or after precipitation, transporting sediments and dissolved chemicals into nearby waters.

Sustainability – Range of activities or characteristics that meet the needs of the present without compromising the ability of future generations to meet their own needs, recognizing the interdependence and mutual importance of environmental, economic and social concerns to achieve these ends. Such activities include, but are not limited, to the following goals:

- Improved environmental protection or restoration efforts, and
- Improved social conditions for all kinds of people,
- Improved economic opportunities.

Sustainable Construction/Green Building – Construction that promotes reduced energy consumption, utilizes renewable resources, conserves water, promotes the best use of building materials, encourages efficient waste management, conserves natural habitat and focuses on occupant health and environmental quality. Sustainable construction is

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Goal 2 (Goal 5 in 2030 Comprehensive Plan)

accomplished through emphasis on siting, design, construction, operation, maintenance, and analysis of the complete building life cycle.

Sustainable Development/Green Development – A development approach that integrates the following elements: environmental responsiveness, which benefits the surrounding environment; resource efficiency, which involves using resources in the construction and development and operations of buildings and/or communities in ways that are not wasteful; and sensitivity to culture and community, which is to foster a sense of community in design, construction, and operations.

Transition Areas – Areas of the City that are intended to provide for the efficient and orderly shifts between a low intensity land use district and a higher intensity land use district. The transition area shall mitigate or minimize negative incompatible land use impacts by promoting visual and physical compatibility and harmony between adjacent areas. Examples include, where multifamily development is planned adjacent to existing single-family residential uses or where commercial development is planned adjacent to residential uses then, such development should incorporate elements in its site design and architecture which serve to soften its impact and result in an appropriate transition.

Water-enhanced Uses – Activities that benefit economically from being located on or near the water, but that are neither dependent on direct access to water nor provides goods or services directly related to water-dependent uses. Water-enhanced uses are specifically excluded from definitions of both water-dependent and water-related uses.

Water-related Uses – Activities which are not directly dependent upon access to a water body, but which provide goods and services that are directly associated with water- dependent or waterway uses. These include, but are not limited to, commercial resorts, campgrounds, fish camps, seafood processing operations, dive ships, and bait and tackle stores.

Wetlands – Those 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. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological, or reproductive adaptations, have the ability to grow, reproduce, or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps and other similar areas. Florida wetlands generally do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto.

Wetland Transition Area – An ecological transition zone from uplands to wetlands which is an integral portion of the wetlands ecosystem, providing temporary refuge for wetlands fauna during high water episodes, critical habitat for animals dependent upon but not resident in wetlands, and slight variations of wetland boundaries over time due to hydrologic or climatologic effects; and a sediment and storm water control zone to reduce the impacts of development upon wetlands and wetlands species. Wetland transition areas are commonly protected through the use of buffer requirements.

**City of Fernandina Beach 2045 Comprehensive Plan
Goal 2 (Goal 5 in 2030 Comprehensive Plan)**

**SAMPLE REFERENCES FOR GOAL 2 BEYOND COMPREHENSIVE PLANS FOR
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City of Fernandina Beach 2045 Comprehensive Plan Goal 2 (Goal 5 in 2030 Comprehensive Plan)

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STAFF REPORT
PAB 2014-05- OHPA Strategic Master Plan & Comp Plan Amendments
Planning Advisory Board Hearing
November 12, 2014

APPLICATION:

OWNER/APPLICANT:	City of Fernandina Beach on behalf of Nassau County OHPA
AGENT:	City of Fernandina Beach
REQUESTED ACTION:	Incorporation by reference of the OHPA Strategic Master Plan and to Delete Goal 9 (Port Element) and Add new Goal 5P in the Conservation and Coastal Management Element to contain Port related goals, objectives and policies

*** All required application materials have been received. All fees have been paid. All required notices have been made. All copies of required materials are part of the official record and have been made available on the City's website and at the Community Development Department Office. ***

The full OHPA Strategic Master Plan Update and all appendices along with public comments received and the staff report may be located online at www.fbfl.us/CompPlan.

SUMMARY OF REQUEST AND BACKGROUND INFORMATION:

The Port of Fernandina was originally developed in agreement with the City of Fernandina Beach through a Preliminary Development Agreement in February 1986 (Resolution #801). The agreement was modified in April of the same year and formally amended in May 1987. In February 1988, the agreement was amended a second time to expand the Port property. A year later (February 1989), the City approved Resolution #962 to permit the Port of Fernandina as a Development of Regional Impact. In December 1990, the City agreed to the construction of a 200 foot extension of the existing berth at the Port of Fernandina (Resolution #90-35). The following February 1991, the City approved Resolution# 91-04 which amended the DRI Resolution #962 and provided for a mitigation plan as part of the berth extension. It is within this mitigation plan that 4.06 acres of wetlands are identified as a conservation area along the back marshlands side of Alligator Creek. The mitigation plan itself states "This conservation easement will eliminate the concern of future impacts by terminating any possible future expansion to the north and east into Alligator Creek." In August 1991, the City approved an amendment under Resolution #91-25 to the DRI resolution #962 to extend the build out date of the Port to December 1992. In March 1992 the City passed Resolution # 92-07 rescinding Resolution #91-25 for not satisfying "all of the prerequisites contained in prior resolutions, including the payment of equitable annual fees as required by paragraph 51 of Resolution Number 962." In March 1997, the original DRI Resolution #962 was amended twice through Resolutions 97-10 and 97-11 to provide for additional conditions, allowed a warehouse development and revised the time table for build out of the DRI.

The City amended its Comprehensive Plan in August 1995 to include a new element titled "Port Facilities Element." This was the first time the City had a Port Element contained within its Comprehensive Plan as was required by the state laws at that time. The Port Facilities Element was amended through the City's 1999 Evaluation and Appraisal Review (EAR) based amendments in January 2000. In July 2003, the City adopted the April 2002 Port Master Plan and associated Comp Plan amendments. The amendments made in 2003 serve as the existing Comp Plan Goals, Objectives, and Policies pertaining to the Port of Fernandina.

When City staff began working on the Evaluation and Appraisal report in 2008-2009, an update to the Port Master Plan as well as associated Comprehensive Plan (Comp Plan) amendments was identified as an area for future consideration. As part of the later EAR- based Comp Plan Amendments City staff reached out to Port staff to request a copy of their master plan in word form so that the formatting of the City's revised plan could be made consistent. At that time, Port staff explained that they would be looking to complete a full master plan update within the next few



STAFF REPORT
PAB 2014-05- OHPA Strategic Master Plan & Comp Plan Amendments
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years. The City received the requested documentation from Port Commissioner, Brian Reaves. In late 2011, the City finalized its EAR-based Comprehensive Plan Update.

Port Commissioner Brian Reaves reached out to City Staff in early 2013 to advise that the Port Authority had started the process of updating its 2002 Port Master Plan in order to become compliant with State Law requirements for providing an amended master plan every 10 years. Through a meeting with Commissioner Reaves, City Staff strongly encouraged a thorough and detailed Public Participation Program as part of their overall efforts and offered support, as needed. By the summer of 2013, the OHPA had hired a consultant team, Genesis Group, to work with them on developing a revised Master Plan. The consultant met with City Staff to obtain documents and materials necessary for their analysis. Through these meetings City Staff again encouraged the consultant to engage the public early in the process of developing a revised Port Master Plan. To date, neither a Public Participation Program nor an outline of public outreach activities has ever been provided to City Staff.

City Staff received a draft copy of the OHPA Port Master Plan for its initial review in mid- January 2014. By the end of that month, Staff had provided feedback to the consultant indicating that the document needed to reference existing Comp Plan policies, Staff expressed concern about the proposed filling of wetlands referenced in the draft as being in conflict with Coastal Management Objectives 5.08 and 5.09. Staff again provided the consultant with reference documents for the City's Comp Plan and Land Development Code. In March, City Staff requested that DEO provide some procedural direction on how to incorporate the Master Plan and Comp Plan amendments. Given the request to adopt the Master Plan update by reference and requirements to specifically cite a date and version, the Port decided to wait until they made a few adjustments.

In July 2014, City staff circulated the document for a courtesy level review among state reviewing agencies, obtained feedback, and provided the information back to OHPA via their consultants. Agencies choosing to comment included the Florida Department of Transportation – District 2 Office, Department of State- State Historic Preservation Office, and the St. Johns River Water Management District. The OHPA agreed to make changes to address the comments received by those commenting agencies.

The Port Master Plan Update and associated amendments were initially presented to the Planning Advisory Board (PAB) August 13, 2014. At that meeting, the PAB created a three member subcommittee to review the documents and collect public comments. The PAB subcommittee met on three dates in September to discuss various topics and concerns raised by citizens. Public input was permitted at all meetings. Comments received by email through September 8, 2014 were compiled into a single document and provided to the OHPA for their consideration at the OHPA Regular meeting held on September 10, 2014.

The OHPA subsequently requested a meeting with the PAB and City Staff. The meeting was held on Wednesday, October 1, 2014. PAB members were not present since the location was outside of the jurisdictional limits. The City Attorney and Senior Planner attended on behalf of the City. The primary issue presented by Staff was concern with action items contained in the Plan to fill wetlands. These action items would be inconsistent with the existing adopted policies contained in Objective 5.08 of the Conservation and Coastal Management Element which disallows filling of wetlands. The OHPA directed changes to the document in an attempt to address these concerns through a resolution (2014-04) passed at their regular meeting held on Wednesday, October 8, 2014.



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The changes to the document by the Port's consultant following OHPA Resolution 2014-04 are as follows:

- Added subtitles "A REALM OF POSSIBILITIES" "Data and Strategic Analysis performed as mandated by FS 311.14(2)"
- References to the OHPA Master Plan now include the word "strategic"
- Appendix "B" changed to contain Port History and Charter discussion
- Executive Summary contains a discussion on the SIS and the Port's position as an "emerging" SIS facility
- Footnote added to Phase 2 –Site Layout Figures contained in the Executive Summary and the Section 5 corresponding figures. Notes read as "*These areas were previously permitted under FDEP Permit #451730689 with mitigation completed. This permit has since expired and would require filing a new permit. The intended use for this area may occasionally include pre-staging cargo but would not be considered a cargo deck or container laydown area."
- Footnote added to Phase 3- Site Layout Figures contained in the Executive Summary and Section 5 corresponding figures. Notes read as "*This is part of a designated conservation easement and not permitted for fill. Filling in this area would be inconsistent with OHPA Resolution 2014-4 (Appendix H). Alternative efficiency improvements may be identified over time."
- Footnotes added to tables to clearly note that Dade Street connects to the Port
- Appendix "G" added to demonstrate consistency with FS 311.14
- Minor revisions to some of the proposed Comp Plan policies to be contained in sub-element 5P as requested through citizen input.
- Added Appendix "H" Resolution 2014-04
- Link 48 on all transportation tables revised to reflect an undivided highway. The prior error resulted in Link 48 not being "deficient" and promoted changes to Figures 2.2-5, 2.2-6, 6.1-5, 6.1-7, 6.1-8, 6.1-10, 6.1-11, 6.1-15 and 6.1-16
- A footnotes was added to Table 6.1-8 to provide source of the 1.5 passenger car equivalency
- Tables 4.5-2 and 5.2-1 revised for consistency

Following the updated documents provided to the City in late October 2014, Staff recommended that the Port include the recorded conservation easement specific to the area within City limits as part of Appendix D. It was also requested that the Port include an appendix to host all of the DRI history. The Port's representation felt these documents should not be included citing legal concern. Therefore, Staff has included them as part of the staff report to follow documentation associated with the request. Staff feels these are important aspects of the background and history of Port development and those documents should be easily located in the future. If included with the Strategic



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Master Plan Update then, all pertinent documents would be bundled together making everything accessible in one location.

CONSISTENCY WITH THE APPLICABLE FLORIDA STATUTES:

1. Section 163.3177(6)(b), Florida Statutes, identifies different levels of transportation analysis that must be included in the local government's comprehensive plan, based on the size and location of the local government.

This section of Florida Law requires that the City's transportation element address certain aspects of mobility and transportation system needs and availability of services. It requires that local governments within a Metropolitan Planning Organization (ours is the North Florida Transportation Planning Organization), address aviation, rail, seaport facilities, access to those facilities and intermodal terminals. As it pertains to the Port of Fernandina, the City's compliance with this Statute is met through Objective 2.11 (Waterways Network). The OHPA Strategic Master Plan provided a detailed transportation analysis and impacts in Section 6.

2. Section 163.3177(6)(g)8, Florida Statutes, requires that the comprehensive plan's coastal management element must "direct the orderly development, maintenance, and use of ports identified in Section 4.03.021(9) to facilitate Deepwater commercial navigation and other related activities." This requirement can be addressed in the port master plan.

*Florida law requires that the City's Coastal Management Element shall set forth the principles, guidelines, standards, and strategies that shall guide the local government's decisions and program implementation with respect to directing the "orderly development, maintenance, and use of ports to facilitate deep water commercial navigation and other related activities." As part of the OHPA Strategic Master Plan Update a proposed set of policies have been drafted as Appendix E which will be located in the City's Conservation and Coastal Management Element and identified as Goal 5P moving forward. As part of this requirement, the City will strike all of previously identified Goal 9 (Port Element). Appendix E provides details on information in **Red text** which identifies where similar Objectives and Policies were transferred over from the previous Goal 9. The new Goal 5P as proposed by the OHPA contains 16 objectives including the following:*

- 5.01 Port Development
- 5.02 Economic Diversification
- 5.03 St. Mary's River Entrance Channel and Amelia River Access
- 5.04 Intracoastal Connections
- 5.05 Highway Access and Connectivity
- 5.06 Rail Service and Connectivity
- 5.07 Airport Service and Connectivity
- 5.08 Natural Resource Preservation and Protection
- 5.09 Protection from Natural Hazards
- 5.10 Protection from Manmade Disasters
- 5.11 Budgetary Process
- 5.12 Funding Opportunities
- 5.13 Compatibility with the City's Comprehensive Plan



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- 5.14 Plan Implementation Coordination
- 5.15 Governmental and Agency Coordination
- 5.16 Collaboration with Local and Regional Maritime, Commercial and Industrial Interests

3. Section 163.3178(2)(k), Florida Statutes, requires port master plans to be included in the local government's coastal management element. It notes that port master plans must identify existing port facilities and any proposed expansions. To the extent that they are applicable, port master plans must also address the following requirements:

- a. Provide a land use and inventory map of existing coastal uses;

OHPA Strategic Master Plan Section 2.4 provides a map and summary of the City's land use and zoning (Figure 2.4-1). Coastal Resources are addressed in Section 2.3 and include: water resources, surface waters, storm water, wetlands, groundwater, and biological resources.

- b. Analyze the environmental, socioeconomic, and fiscal impact of development;

- *Environmental constraints are identified in OHPA Strategic Master Plan Sections 2.3 and 5.6.*
- *Socioeconomic issues are not fully identified in the OHPA Strategic Master Plan. There is some consideration of the City's Downtown Historic District included in Section 2.4.2 which speaks to port owned properties located within the historic district boundaries. However, the Plan itself lacks an analysis of community demographics, and demands for necessary public services in order to complete projects within the planning horizon, changes in employment and income levels, and changes to any aesthetic quality of the community. Much of this data is available through the 2010 Census and older data can be obtained using the City's data and analysis completed as part of its 2011 EAR based Comprehensive Plan Update. A "market study" or general analysis of geographical market conditions was completed and is contained within the OHPA Strategic Master Plan as Section 3 Opportunities and Constraints.*
- *Economic and Funding analysis is provided in Section 7 of the OHPA Strategic Master Plan.*

- c. Analyze effects of existing drainage systems on estuarine water quality;

An analysis of the effects of the existing drainage system on estuarine water quality has not been provided within the OHPA Strategic Master Plan. However, water resources and applicable federal laws are identified in Section 2.3.1 and Stormwater is generally discussed in Section 2.3.1.2.

- d. Outline principles for hazard mitigation and protection of human life;

Appendix E is the Port's Comprehensive Plan language developed as Goal 5P which includes Objectives 5P-09 and 5P.10 and addresses Protection from Natural Hazards and Protection from Manmade Disasters.

- e. Outline principles for protecting existing beach and dune systems;

The beach and dune system are not within proximity of the Port of Fernandina property. There is nothing within the OHPA Strategic Master Plan which calls for acquisition of property located near beaches and dunes systems within City limits. The City's Conservation and Coastal Management element addresses principles for protecting beach and dune systems in Objective 5.02.



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- f. Outline principles to eliminate inappropriate and unsafe development;

Appendix E contains requested new Comprehensive Plan language as Goal 5P which includes Objective 5P.08 and addresses Natural Resource Preservation and Protection. Together with Objectives 5P.09 and 5P.10 addressing Protection from Natural and Manmade Disasters, principles to eliminate inappropriate and unsafe development have been identified.

- g. Identify public access to shoreline areas and preservation of working waterfronts;

The City's Conservation and Coastal Management Element addresses preservation of shoreline areas and working waterfronts through Objective 5.05 and public access more specifically in Objective 5.01. These sections of the City's Comp Plan should be addressed within the OHPA Strategic Master Plan and could be added in Section 2.4 along with the other regulatory constraints identified.

- h. Designate coastal high-hazard areas and mitigation criteria;

The City's Conservation and Coastal Management Element addresses the Coastal High-Hazard Area and mitigation criteria—specifically in Objective 5.04. These sections of the City's Comp Plan should be addressed within the OHPA Strategic Master Plan and could be added in Section 2.4 along with the other regulatory constraints identified.

- i. Outline principles to assure that public facilities will be in place; and,

The City's Public Facilities Element Goal and all of its Objectives and Policies are aimed to ensure that adequate public facilities are in place at the time of development sufficient to meet the needs of current and future residents and visitors. These sections of the City's Comp Plan should be addressed within the OHPA Strategic Master Plan and could be added in Section 2.4 along with the other regulatory constraints identified.

- j. Mitigate the threat to human life and protect the coastal environment.

The OHPA Strategic Master Plan Update does not specifically include mitigation measures to protect human life and the coastal environment. Policies provided within Goal 5P however, do serve to provide for safety and security programs and measures which protect human life and the coastal environment.

4. Section 163.3178(3), Florida Statutes, identifies eligible port projects both in the port and within three (3) miles of the port that are not considered to be Developments of Regional Impact if they are consistent with the port master plan that is in compliance with Section 163.3178(2)(k), Florida Statutes.

The OHPA Strategic Master Plan Update contains Section 5 the Facility Improvement Plan which identifies port use of off-site properties in Figure 5.4.1. Section 5.5 is the 10-year Facility Improvement Plan. This section contains three (3) phases. It is within this Section that Staff previously identified potential conflicts with the City's Comprehensive Plan with language calling for filling of wetlands and those areas specifically identified in Figures 5.5-2 and 5.5-3. The City's Comprehensive Plan and existing Land Development Code regulations disallow filling of wetlands. If the projects contained within these figures are considered, under existing regulations it will require public decision making by the City prior to their approval.



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CONCLUSION:

The OHPA Strategic Master Plan Update generally fulfills statutory requirements. There are a couple of areas where analysis should be considered and included in the document. Socioeconomic analysis, outside of general market conditions, was not performed as part of the updated Strategic Master Plan. Analysis of the existing drainage system's effects on estuarine water quality was not included. Additional language from the City's Comprehensive plan relative to public access and preservation of working waterfronts, coastal high- hazard areas and mitigation criteria, and principles to assure public facilities are in should be included in the OHPA Strategic Master Plan Update. The OHPA should perform such analysis prior to its final approval and adoption by reference into the City's Comprehensive Plan. The recorded conservation easement for the property located within City limits should be included as part of Appendix D. An additional appendix should be included to provide DRI documentation history.

The PAB is requested to issue a recommendation to the City Commission on the incorporation of the OHPA Strategic Master Plan Update by reference in the Comprehensive Plan which will be reflected in Goal 5P. Further, the PAB is requested to issue a recommendation on the remaining Objectives and Policies proposed as 5P of the Conservation and Coastal Management Element.

MOTIONS TO CONSIDER:

I move to recommend **(approval or denial)** of PAB case number 2014-05 to the City Commission requesting that the City adopt by reference the OHPA Strategic Master Plan Update, that existing Goal 9 be deleted and replaced with Goal 5P to be contained in the Conservation and Coastal Management Element and that PAB case 2014-05, as presented, **(is or is not)** sufficiently compliant with applicable Florida Statutes to be approved at this time.

Submitted by:

A handwritten signature in blue ink that reads "Kelly N. Gibson".

Kelly N. Gibson
Senior Planner

1. **Call to Order** - The meeting was called to order at 3:00 pm.

Roll Call/Determination of Quorum

Board Members Present

Mark Bennett, Vice-Chair
Chris Occhuizzo
Eric Lawrence (alternate)

David Beal
Chip Ross
Jamie Morrill (alternate)

Board Members Absent

Charles Rogers

Others Present

Kelly Gibson, City Planner
Tammi Bach, City Attorney

Member Morrill and Member Lawrence were seated as voting members for this meeting.

2. **Old Business**

2.1 DISCUSS COMPREHENSIVE PLAN AMENDMENTS FOR THE PORT OF FERNANDINA - *The purpose of this discussion is to determine board consensus with respect to the OHPA proposed Comprehensive Plan amendments. The board will also discuss coordination with OHPA.*

The board reviewed and discussed the proposed Comprehensive Plan amendments and provided staff direction for changes. The summary of the changes to the OHPA proposal can be reviewed in the working draft from this meeting (see attached).

A motion was made by Member Ross, seconded by Member Morrill, to approve as written and forward to the Ocean Highway Port Authority (OHPA) so they can review it at their September meeting. It was noted this was a Special Meeting so the board could take action. Ms. Gibson explained the Port requested information about what the board wanted changed to become consistent. She stated this can be taken to them asking for their review as well as request a Special Meeting with the OHPA and the PAB. Member Beal suggested the review be subject to review by the City Attorney, since the board made changes the City Attorney has not seen. Vice-Chair Bennett noted the City Attorney saw everything, but the last couple items and Ms. Gibson can get those to the City Attorney and still get it to the OHPA for their September meeting. Member Ross suggested sending it to each of the Port Commissioners. Vice-Chair Bennett requested the whole corrected document be sent to the PAB as well. There was a brief discussion about a change of language regarding verification annually.

Ms. Joann Bean, 141 North 15th Street, inquired if they have to submit or approve this annually now. Vice-Chair Bennett replied no and explained that was a specific item dealing with mitigation for hazardous spills. He pointed out this would eventually go into the City's Comprehensive Plan. After a brief discussion, **vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

3. **Comments by the public** – There were no additional comments at this time.
4. **Adjournment** - There being no further business to come before the Planning Advisory Board, the meeting was adjourned 5:01 pm.

Secretary

Mark Bennett, Vice-Chair

25 August 2016

Comparison of OHPA Proposed Policy AND ALTERNATE POLICY

Section 163.3177(6) (g) 8, Florida Statutes, requires port related policies to be included in the Coastal Management Element of the local government's Comprehensive Plan. The recommended policies below are intended to be added to the City's Conservation and Coastal Management Element as a new section. Following each Proposed Objective and Policy are references to the Current Port Element Policies or an indication of a New Objective or Policy. The current policies have been included, beginning on page 9, for comparison purposes.

GOAL 5P

OHPA PROPOSAL - The Ocean Highway and Port Authority intends to plan and develop the Port in accordance with market forecasts and the community's commercial and industrial resources, to create jobs and stimulate local and regional economic development while striving to maintain the unique character of the City of Fernandina Beach.

ALTERNATIVE PROPOSAL - The Port of Fernandina shall maintain, plan and develop the Port located in Fernandina Beach, in accordance with market forecasts and the community's commercial and industrial resources, to create jobs and stimulate local and regional economic development while maintaining and enhancing the unique character of the City of Fernandina Beach, providing for the health, safety and economic welfare of the community, protecting the local marine environment, and not expanding into the surrounding historic residential neighborhood.

OBJECTIVE 5P.01 Port Development

OHPA PROPOSAL -The Ocean Highway and Port Authority shall pursue the phased planning and development, consistent with the Port Master Plan, to provide appropriate support facilities that will accommodate projected waterborne commerce demand, and appropriate support facilities. (New Objective)

ALTERNATIVE PROPOSAL - Within the City of Fernandina Beach, the Port of Fernandina shall pursue phased planning and development, consistent with the goals of the City of Fernandina Beach Comprehensive Plan and the mandates of Florida Statutes.

Policy 5P.01.01

OHPA PROPOSAL - The Ocean Highway and Port Authority shall acquire land and work with other land owners as needed to support Port development and economic growth. The addition of lands to the Port's ownership shall prompt a revision to the Port Master Plan. (New Policy)

ALTERNATIVE PROPOSAL - The Port of Fernandina shall prepare a Port Master Plan Map - a land use and inventory map of existing coastal uses including all existing infrastructure including fuel storage tanks, storm water management, zoning, wetland and other vegetative communities, undeveloped areas, areas

subject to coastal flooding, public evacuation routes, historic preservation areas and conservation areas. The Port Master Plan Map will be posted on the City website and updated at least annually.

Policy 5P.01.02

OHPA PROPOSAL -The Ocean Highway and Port Authority shall plan and develop waterfront and supporting upland infrastructure to accommodate the demand projections in the Port Master Plan and subsequent user commitments. The anticipated on-site development includes extending the existing wharf, site improvements, storage areas, cargo-handling equipment and other infrastructure needed for user service. Prior to any future expansion to the Port of Fernandina, all plans or proposals for expansion shall be reviewed by the City of Fernandina Beach or the County, as appropriate, for consistency in meeting all applicable Comprehensive Plan policies, land development regulations, building permits or other permit requirements. (Similar to Objective 9.02, Policy 9.02.01 and 9.02.02)

ALTERNATIVE PROPOSAL Within the City of Fernandina Beach, the Port of Fernandina shall not expand port operations beyond industrially waterfront zoned or industrially zoned land [as depicted on the 2011 Comprehensive Plan Map] The Port of Fernandina will not expand any ancillary operations including parking lots into the historic district or any other residentially or mixed use zoned land [as depicted on the 2011 Comprehensive Plan Map and in the Land Development Code] with the exception of 501 North 3rd Street and the adjacent parking lot west of the property.

Policy 5P.01.03

OHPA PROPOSAL -The Ocean Highway and Port Authority shall coordinate with the U.S. Army Corps of Engineers and other applicable local, regional, state and federal regulatory agencies and stakeholders for the resumption of maintenance dredging and initiation of new dredging as needed to accommodate the identified waterborne commerce operations. (Similar to proposed Policy 9.01.03)

ALTERNATIVE PROPOSAL - Prior to any new proposed development or redevelopment, within the City of Fernandina Beach, the Port of Fernandina will conduct an analysis of the environmental, socioeconomic, and fiscal impact on the City of Fernandina Beach.

The analysis will delineate the required infrastructure to support this development or redevelopment and the plans and principles to be used to control development and redevelopment to eliminate or mitigate the adverse impacts on coastal wetlands; living marine resources; unique wildlife habitat; historical and archaeological sites; other fragile coastal resources and the adjacent historic district.

The analysis will be presented to the City of Fernandina Beach for their review and comment. Those comments will be submitted with to the Port Council or other state or federal agencies with any new funding requests.

Policy 5P.01.04

OHPA PROPOSAL - -The Ocean Highway and Port Authority shall provide adequate maintenance and upkeep of its in-water and upland facilities to derive the best use from its infrastructure. (Similar to Objective 9.01)

ALTERNATIVE PROPOSAL - The Port of Fernandina shall continually maintain and upgrade its in-water and upland facilities to derive the best use from its infrastructure

Policy 5P.01.05

OHPA PROPOSAL – NONE

ALTERNATIVE PROPOSAL - The Port of Fernandina shall coordinate with the U.S. Army Corps of Engineers and the City of Fernandina Beach, regional, state and federal regulatory agencies for maintenance dredging of the Amelia Island River, as needed to accommodate waterborne commerce operations.

Policy 5P.01.06

OHPA PROPOSAL – NONE

ALTERNATIVE PROPOSAL - Prior to any future development or redevelopment to the Port of Fernandina, within the City of Fernandina Beach, all plans or proposals for development or redevelopment shall be reviewed by the City of Fernandina Beach for meeting all applicable Comprehensive Plan policies, land development regulations, City Ordinance requirements and provide that financial assurances are made that required public facilities will be in place to meet the demand imposed by the completed development or redevelopment. Such public facilities will be scheduled for phased completion to coincide with demands generated by the development or redevelopment.

OBJECTIVE 5P.02 Economic Diversification

OHPA PROPOSAL The Ocean Highway and Port Authority shall explore opportunities to develop synergies between its waterborne commerce operations and other economic resources in the area. (New Objective)

ALTERNATIVE PROPOSAL - The Port of Fernandina shall explore opportunities to develop synergies between its waterborne commerce operations and other economic resources in the area.

Policy 5P.02.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall seek potential users to achieve maximum site utilization and pursue expansion and development when new facilities will support economic growth. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall seek potential users to achieve maximum site utilization.

Policy 5P.02.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall explore complementary upland development opportunities through the authority of its Charter. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall explore complementary upland development opportunities.

Policy 5P.02.03

OHPA PROPOSAL The Ocean Highway and Port Authority shall continue its participation in Foreign Trade Zone 64 with JAXPORT and shall explore possible partnering opportunities. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall continue its participation in Foreign Trade Zone 64 with JAXPORT and shall explore other possible partnering opportunities.

OBJECTIVE 5P.03

St. Mary's River Entrance Channel and Amelia River Access

OHPA PROPOSAL The Ocean Highway and Port Authority shall pursue maintenance and new dredging activities at the St. Mary's River Entrance Channel and Amelia River to provide the water depths needed to serve ships and barges anticipated to call at the Port. To the extent possible, consistent with the development and expansion needs of the Port, maintenance and new dredging activities and the management of spoil material shall be pursued in a manner respectful of the State Comprehensive Plan's goals and policies addressing stewardship of water resources, coastal and marine resources, and natural systems. (New Objective)

ALTERNATIVE PROPOSAL The Port of Fernandina may pursue maintenance dredging activities from the St. Mary's River Entrance Channel to the Amelia River leading to the Port to provide the water depths needed to serve ships and barges that call at the Port. Maintenance dredging activities and the management of spoil material shall be pursued in a manner consistent with the State Comprehensive Plan's goals and policies addressing stewardship of water resources, coastal and marine resources, and natural systems.

Policy 5P.03.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall pursue maintenance and new dredging activities at the St. Mary's River Entrance and the Amelia River to provide water depths need to serve ships and barges anticipated to call at the Port. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina may undertake maintenance dredging, as required to ensure safe navigational conditions for the ships and barges calling at its facilities.

Policy 5P.03.02

~~OHPA PROPOSAL The Ocean Highway and Port Authority shall pursue deepening and widening the Amelia River Channel and turning basin in proximity to the Port area to achieve the water depths and width needed to serve the ships and barges that are anticipated to call at the Port. (New Policy)~~

ALTERNATIVE PROPOSAL Strike policy

Policy 5P.03.032

OHPA PROPOSAL The Ocean Highway and Port Authority shall undertake maintenance dredging, as required to ensure safe navigational conditions for the ships and barges calling at its facilities. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina may undertake maintenance dredging, as required to ensure safe navigational conditions for the ships and barges calling at its facilities.

Policy 5P.03.043

OHPA PROPOSAL The Ocean Highway and Port Authority shall identify an environmentally acceptable spoil site for the disposal of the dredged material the channel dredging projects generate. (New Policy)

ALTERNATIVE PROPOSAL Prior to any maintenance dredging the Port of Fernandina in agreement with the Corps of Engineers and other federal, state, or local agencies shall identify an environmentally acceptable spoil site for the disposal of the dredged material the maintenance channel dredging projects generate.

OBJECTIVE 5P.04 Intracoastal Connections

OHPA PROPOSAL To take better advantage of its proximity to the Intracoastal Waterway, the Ocean Highway and Port Authority shall support initiatives to improve Intracoastal connections, including shallow-water barge facilities, if appropriate to meet the requirements of Port users or to serve complementary industrial facility development in the region. (New Objective)

ALTERNATIVE PROPOSAL To take better advantage of its proximity to the Intracoastal Waterway, the Port of Fernandina may support initiatives to improve Intracoastal connections.

Policy 5P.04.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall cooperate with entities seeking to improve conditions along the Intracoastal Waterway and promote more barge traffic. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina may cooperate with entities seeking to improve conditions along the Intracoastal Waterway

Policy 5P.04.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall consider synergies with industrial users that can be served by barge as well as by road and rail. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina, within the City of Fernandina Beach, will not accept, transfer, load or store coal, coal ash, or Liquefied Natural Gas (LNG).

OBJECTIVE 5P.05 Highway Access and Connectivity

OHPA PROPOSAL The Ocean Highway and Port Authority shall collaborate with local and state agencies to develop the intermodal connections needed for the efficient movement of goods to and from its facilities. (New Objective)

ALTERNATIVE PROPOSAL The Port of Fernandina may collaborate with local and state agencies to develop the intermodal connections needed for the efficient movement of goods to and from its facilities.

Policy 5P.05.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall develop internal roads to serve the Port users which provide efficient access to the proximate off-Port, city, county and state highway network and shall coordinate the development of its on-Port roads with the City, County and Florida Department of Transportation. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall be required to mitigate traffic impact to the surrounding residential neighborhood, by designing the facilities, and/or scheduling arriving truck traffic to eliminate the queuing of trucks outside the gates.

Policy 5P.05.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall work with the City, the TPO, the Florida Department of Transportation, the local community and other entities to gain funding for any needed improvements to roads over which Port truck traffic must travel. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall work with the City, the TPO, the Florida Department of Transportation, the local community and other entities

to gain funding for any needed improvements to roads over which Port truck traffic must travel.

Policy 5P.05.03

OHPA PROPOSAL NONE

ALTERNATIVE PROPOSAL The Port of Fernandina shall implement a plan to prevent truck access or egress from the Port on North Front, North Second, and North Third Streets.

OBJECTIVE 5P.06 Rail Service and Connectivity

OHPA PROPOSAL The Ocean Highway and Port Authority shall collaborate with Genesee & Wyoming and CSX to obtain the best possible service and interchanges. (New Objective)

ALTERNATIVE PROPOSAL The Port of Fernandina shall collaborate with Genesee & Wyoming and CSX to obtain the best possible service and interchanges.

Policy 5P.06.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall continue its use of the on-site rail line and shall seek opportunities for more efficient use of the rail line. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina may continue its use of the on-site rail line and shall seek opportunities for more efficient use of the rail line.

Policy 5P.06.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall work with Genesee & Wyoming and CSX to identify and pursue improvements to the off-Port rail infrastructure, which could facilitate goods movement to and from the Port. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall collaborate with railways, FDOT, and the City to improve the warning devices at the Dade and Front Street highway-rail grade crossing to increase safety, with the goal of reducing fatalities and injuries.

OBJECTIVE 5P.07 Airport Service and Connectivity

OHPA PROPOSAL The Ocean Highway and Port Authority shall collaborate with local airports to develop the intermodal connections needed for the efficient movement of goods to and from its facilities. (New Objective)

ALTERNATIVE PROPOSAL

The Port of Fernandina may collaborate with City airports to develop the intermodal connections needed for the efficient movement of goods to and from its facilities.

Policy 5P.07.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall work with Jacksonville International Airport, Cecil Commerce Center, Fernandina Beach Municipal Airport and Hilliard Airpark to explore service opportunities for the efficient movement of goods through the Port. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina may work to explore service opportunities for the efficient movement of goods through the Port.

OBJECTIVE 5P.08

Natural Resource Preservation and Protection

OHPA PROPOSAL In carrying out its development activities and day-to-day operations, the Ocean Highway and Port Authority shall conserve and protect natural resources including forests, wetlands, fish, marine life, and wildlife, and shall cooperate with federal, state, regional and local agencies in developing sound environmental policies and measures to minimize the environmental impacts of Port development and operations. (New Objective)

ALTERNATIVE PROPOSAL

The Port of Fernandina shall conserve and protect natural resources including forests, wetlands, fish, marine life, and wildlife, and shall cooperate with federal, state, regional and local agencies in developing sound environmental policies and measures to minimize the environmental impacts of Port development and operations.

Policy 5P.08.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall limit specific and cumulative impacts on water quality to maintain the integrity of the Amelia River and maintain the applicable water standards. In so doing, the Ocean Highway and Port Authority shall design the drainage system on its property to meet NPDES, Florida Department of Environmental Protection, and St. Johns River Water Management District water quality standards and shall coordinate its efforts with federal, state, regional, county and city governmental agencies. (Similar to Policy 9.03.04 and 9.03.07)

ALTERNATIVE PROPOSAL The Port of Fernandina shall limit specific and cumulative impacts on water quality to maintain the integrity of the Amelia River and maintain the applicable water quality standards. In so doing, the Port shall design the drainage system on its property to meet National Pollution Discharge Elimination System [NPDES], Florida Department of Environmental Protection, and St. Johns River Water Management District water quality standards and shall coordinate its efforts with federal, state, regional, county and city governmental agencies.

Policy 5P.08.02

OHPA PROPOSAL The Ocean Highway and Port Authority avoid projects that destroy or significantly degrade identified wetlands and wildlife habitat or by providing mitigation measures. (Similar to Policy 9.03.06; revised based on SJRWMD comment)

ALTERNATIVE PROPOSAL Policy 5P.08.02 The Port of Fernandina shall not place or build structures including pier or pier extensions in wetlands, wetland transition areas, or conservation areas and not conduct activities which degrade any identified wetlands and wildlife habitat.

Policy 5P.08.03

OHPA PROPOSAL The Ocean Highway and Port Authority shall continue to coordinate with the Department of Environmental Protection, Division of Marine Resources, the New England Aquarium, the Cumberland Sound Pilots Association and other interested organizations to support protection of manatee and right whale communities that are on the fringe of Port operations. (Policy 9.03.05)

ALTERNATIVE PROPOSAL The Port of Fernandina shall continue to coordinate with state and federal agencies, the Cumberland Sound Pilots Association, and other interested organizations to protect manatee and right whale communities.

Policy 5P.08.04

OHPA PROPOSAL The Ocean Highway and Port Authority shall use best management practices during construction, operation and maintenance at the Port facility. (Similar to Policy 9.03.07)

ALTERNATIVE PROPOSAL The Port of Fernandina shall use best management practices during construction, operation and maintenance at the Port facility. All new development or redevelopment at the Port of Fernandina, within the City, shall meet or exceed applicable Federal, State, and local regulations.

Policy 5P.08.05

OHPA PROPOSAL NONE

ALTERNATIVE PROPOSAL A plan, including a proposed funding source, to remediate the surface drains which currently empty directly into the Intracoastal Waterway and wetlands will be developed by July 2017.

Policy 5P.08.06

OHPA PROPOSAL NONE

ALTERNATIVE PROPOSAL - AIR QUALITY - The Port of Fernandina shall coordinate and implement strategies with industry and the City to meet the air quality standards established by the EPA and DEP.

Policy 5P.08.07

OHPA PROPOSAL NONE

ALTERNATIVE PROPOSAL The Port of Fernandina will devise a feasibility plan by July 2017 concerning the benefits and costs of installing and requiring ship to shore power at the Port of Fernandina.

OBJECTIVE 5P.09 Protection from Natural Hazards

OHPA PROPOSAL The Ocean Highway and Port Authority shall implement the measures required by the City of Fernandina, Nassau County and other agencies to protect human life and property from natural hazards. (Similar to Policy 9.03.01)

ALTERNATIVE PROPOSAL The Port of Fernandina shall implement or exceed the measures required by the City of Fernandina, Nassau County and other agencies to protect human life and property from natural hazards.

Policy 5P.09.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall see that any habitable, non-residential buildings in special flood hazard areas are designed and constructed to reduce the potential for flooding and wind damage. (New Policy)

ALTERNATIVE PROPOSAL All new development or redevelopment at the Port of Fernandina, within the City, shall meet the standard of construction for V Flood Zones or a higher standard and be maintained as required by local ordinance and shall not have any adverse effect by increasing the elevation or velocity of flood waters or in increasing flows due to change in drainage or flow characteristic (e.g. change in direction) on the subject site, adjacent properties, or any public or private right-of-way.

Policy 5P.09.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall see that all buildings are designed and constructed in accordance with the Unified Florida Building Code or as approved by the local government. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall design and construct all development or redevelopment at the Port in accordance with the Unified Florida Building Code and Fernandina Beach City Ordinances including obtaining all required City permits and floodplain elevation certificates.

Policy 5P.09.03

OHPA PROPOSAL The Ocean Highway and Port Authority shall prepare a hurricane evacuation contingency plan and keep its plan up to date, ensuring that it is consistent with city and county emergency plans. (New Policy)

ALTERNATIVE PROPOSAL Policy 5P.09.03 The Port of Fernandina shall prepare a hurricane contingency plan and keep its plan up to date, ensuring that it is consistent with city and county emergency plans. This plan will be filed with the City on or before June 1st of each year.

Policy 5P.09.04

OHPA PROPOSAL The Ocean Highway and Port Authority shall implement post-disaster redevelopment procedures to reduce or eliminate exposure to human life and property to natural hazards. These procedures shall include the structural modification or removal of facilities that have experienced repeated storm damage. (New Policy)

ALTERNATIVE PROPOSAL Policy The Port of Fernandina—shall implement post-disaster redevelopment procedures to reduce or eliminate exposure to human life and property to natural hazards. These procedures shall include the structural modification or removal of facilities that have experienced repeated storm damage.

OBJECTIVE 5P.10

Protection from Man-made Disasters

OHPA PROPOSAL The Ocean Highway and Port Authority shall reduce exposure to human life and property to harm from manmade disasters by implementing sound safety and security programs. (Similar to Policy 9.03.01)

ALTERNATIVE PROPOSAL The Port of Fernandina shall reduce exposure to harm human life and property from manmade disasters by implementing sound safety and security programs.

Policy 5P.10.01

OHPA PROPOSAL To provide a safe operating environment, the Ocean Highway and Port Authority shall implement required Federal, state and local safety and health measures and see that operations are conducted in accordance with those measures. (New Policy)

ALTERNATIVE PROPOSAL To provide a safe operating environment, the Port of Fernandina shall implement required Federal, state and local safety and health measures and ensure that operations are conducted in accordance with those measures.

Policy 5P.10.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall prepare and implement the security plan mandated and approved under state and federal guidelines, consistent with funding availability. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall prepare and implement the security plan mandated and approved under state and federal guidelines.

Funding Port Security is a priority and shall preempt funding of any new development or redevelopment in the City of Fernandina Beach.

Policy 5P.10.03

OHPA PROPOSAL The Ocean Highway and Port Authority, in cooperation with all federal authorities, shall prohibit the handling of unauthorized toxic materials and will be prepared to contain toxic spills that could occur at the Port facility site. (Similar to Policy 9.03.01)

ALTERNATIVE PROPOSAL

Port of Fernandina in cooperation with all federal authorities shall prohibit the handling of unauthorized hazardous materials and shall be prepared to contain hazardous material spills that could occur at the Port facility site.

Policy 5P.10.04

OHPA PROPOSAL NONE

ALTERNATIVE PROPOSAL At the Port of Fernandina all emergency contingency materials and equipment **necessary (find reference to equipment required)** to mitigate petroleum spills in the water shall be stored onsite by July 1, 2017. This shall be verified by the Fernandina Beach Fire Chief or his designee on or before July 1st of each year.

Policy 5P.10.05

OHPA PROPOSAL NONE

ALTERNATIVE PROPOSAL A waterfront facility, which is a facility of particular hazard as defined in 33CFR 126.3, shall not be allowed in Waterfront Industrial or IW zoned areas.

Policy 5P.10.06

OHPA PROPOSAL NONE

ALTERNATIVE PROPOSAL The Port of Fernandina shall prepare an evacuation contingency and warning plan to evacuate the adjacent area in the event of a toxic spill, toxic gas release, Port fire, or other manmade disaster and keep its plan up to date, ensuring that it is consistent with city and county emergency plans. This plan shall be filed annually with the City no later than June 1st.

OBJECTIVE 5P.11 Budgetary Process

OHPA PROPOSAL The Ocean Highway and Port Authority shall implement a budgetary process that balances Port revenues, operating expenses, and capital expenditures needed to satisfy the anticipated market demand and capture new market share. (New Objective)

ALTERNATIVE PROPOSAL OBJECTIVE 5P.11 The Port of Fernandina shall implement a budgetary process that balances Port revenues, operating expenses, and capital expenditures needed to satisfy the anticipated market demand and capture new market share.

Policy 5P.11.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall monitor tariffs and fees charged by neighboring ports, both north and south, and shall implement a competitive fee structure. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall monitor tariffs and fees charged by neighboring ports, both north and south, and shall implement a competitive fee structure.

Policy 5P.11.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall update its capital improvement plan annually to reflect budgetary and market changes, prioritizing implementation to obtain the best return on facility investments. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall update its capital improvement plan annually to reflect budgetary and market changes, prioritizing implementation to obtain the best return on facility investments. The capital improvement plan shall be filed with the City annually on or before June 1st.

OBJECTIVE 5P.12 Funding Opportunities

OHPA PROPOSAL The Ocean Highway and Port Authority shall pursue diverse funding opportunities to accelerate the rate at which it can implement its capital improvement program. (Similar to Policy 9.01.01)

ALTERNATIVE PROPOSAL The Port of Fernandina shall pursue diverse funding opportunities to accelerate the rate at which it can implement its capital improvement program.

Policy 5P.12.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall prepare a briefing for area legislators in the fall of each year to acquaint them with the Port's economic impact on the region and the importance of its needs being addressed in the state's budget process. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall prepare a briefing for area legislators, the City, and the public in the fall of each year to review the Port's financial status, proposed capital improvement budget and to acquaint them with the Port's economic impact on the region and the importance of its needs being addressed in the state's budget process.

Policy 5P.12.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall actively seek grant funds from state and federal sources and shall supplement funding needs not met by grants with loans from commercial lending institutions and/or governmental entities. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall actively seek grant funds from state and federal sources and shall supplement funding needs not met by grants with loans from commercial lending institutions and/or governmental entities.

Policy 5P.12.03

OHPA PROPOSAL The Ocean Highway and Port Authority shall explore opportunities for public/private partnerships in the development of maritime and industrial facilities. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall explore opportunities for public/private partnerships in the development and redevelopment of the Port.

OBJECTIVE 5P.13

Compatibility with City's Comprehensive Plan

OHPA PROPOSAL The Ocean Highway and Port Authority shall work with the City of Fernandina to see that port maintenance and expansion activities are compatible with and support the programs and policies contained in the City's Comprehensive Plan. (New Objective)

ALTERNATIVE PROPOSAL The Port of Fernandina shall work with the City of Fernandina to insure that port maintenance and development or redevelopment activities are compatible with and support the programs and policies contained in the City's Comprehensive Plan.

Policy 5P.13.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall coordinate its planning and development efforts with the City of Fernandina to ensure that the Port's planned projects and land uses are consistent with the City's Comprehensive Plan and compatible with adjacent land uses. It shall also evaluate proposed amendments to the City's Comprehensive Plan, particularly the Conservation and Coastal Management Element, as to potential impacts on Port activities. (Similar to Policy 9.02.01)

ALTERNATIVE PROPOSAL The Port of Fernandina shall coordinate its planning and development efforts with the City of Fernandina to ensure that the Port's planned projects and land uses comply with the City's Comprehensive Plan, including the Conservation and Coastal Management Element and Land Development Code and are compatible with adjacent land uses.

Policy 5P.13.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall reduce any land use conflicts by installing and maintaining adequate buffer zones between Port property and adjacent potentially incompatible land uses. (Similar to Policy 9.03.02 and Policy 9.03.03)

ALTERNATIVE PROPOSAL Policy 5P.13.02 The Port of Fernandina shall continue to coordinate with the Fernandina Beach Historic District Council to ensure preservation and restoration of significant historical sites that fall within the jurisdiction of the Port Authority facility. Where Port property is adjacent to the Historic District, a 30 foot landscaped buffer shall be maintained.

Policy 5P.13.03

OHPA PROPOSAL The Ocean Highway and Port Authority shall coordinate with the City to ensure the provision of adequate infrastructure and utilities for Port operations. (Similar to Policy 9.02.03)

ALTERNATIVE PROPOSAL The Port of Fernandina shall coordinate with the City to ensure the provision of adequate infrastructure and utilities for Port operations.

OBJECTIVE 5P.14

Plan Implementation Coordination

OHPA PROPOSAL The Ocean Highway and Port Authority shall be proactive in coordinating its development efforts with local, state and federal permitting agencies and with private stakeholders to ensure that its development and operations are carried out in accordance with the public interest and regulatory requirements. (Similar to Objective 9.03)

ALTERNATIVE PROPOSAL The Port of Fernandina shall be proactive in coordinating its development efforts with local, state and federal permitting agencies and other private entities to ensure that its development and operations are carried out in accordance with the public interest and regulatory requirements.

Policy 5P.14.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall be sensitive to the concerns of local interests in implementing its development program and shall seek out the best possible environmental solutions to controversial issues. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall obtain community input prior to implementing any Port development program.

Policy 5P.14.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall comply with the provisions of the eventual permits governing its in-water and upland development program, and shall work with local, state and federal agencies to achieve a sound balance between its expansion requirements and the need to protect the surrounding environment. (Similar to Policy 9.02.04)

ALTERNATIVE PROPOSAL The Port of Fernandina shall comply with the provisions of the permits governing its in-water and upland development program.

OBJECTIVE 5P.15

Governmental and Agency Coordination

OHPA PROPOSAL The Ocean Highway and Port Authority shall coordinate its development and expansion program with applicable agencies to promote sound planning and economic growth. (New Objective)

ALTERNATIVE PROPOSAL The Port of Fernandina shall coordinate its development and redevelopment program with applicable agencies to promote sound planning and economic opportunities.

Policy 5P.15.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall support the economic development initiatives of the City of Fernandina Beach, by pursuing activities that expand opportunities in trade, industry and manufacturing. (Similar to Policy 9.01.03)

ALTERNATIVE PROPOSAL The Port of Fernandina shall support the economic development initiatives of the City of Fernandina Beach, by pursuing activities that expand economic opportunities.

Policy 5P.15.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall support the economic development initiatives of Nassau County, by pursuing activities that expand opportunities in trade, industry and manufacturing. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall review the economic development initiatives of Nassau County and support when consistent with the City of Fernandina Beach Comprehensive Plan.

Policy 5P.15.03

OHPA PROPOSAL In addition to city and county governments, the Ocean Highway and Port Authority shall cooperate with the Northeast Florida Regional Council; the St. Johns River Water Management District; the Florida Departments of Transportation, Environmental Protection and Economic Opportunity; the U.S. Army Corps of Engineers, and other applicable agencies in implementing the goals, objectives and policies of the Port Master Plan. (Similar to Objective 9.02)

ALTERNATIVE PROPOSAL In addition to city and county governments, the Port of Fernandina shall cooperate with the Northeast Florida Regional Council; the St. Johns River Water Management District; the Florida Departments of Transportation, Environmental Protection, and Economic Opportunity; the U.S. Army Corps of Engineers, and other applicable agencies in implementing the goals, objectives and policies as delineated in the Comprehensive Plan.

Policy 5P.15.04

OHPA PROPOSAL NONE

ALTERNATIVE PROPOSAL – The Port of Fernandina shall develop a strategic plan with a 10-year horizon which shall at a minimum include the elements listed in FS 311.14 – Seaport Planning and which adequately addresses the applicable requirements of FS 163.3178. To the extent feasible, the port master plan must be consistent with the City Comprehensive Plan.

The Port of Fernandina shall submit the Master Plan to the City for consistency review with City of Fernandina Beach Comprehensive Plan. Any inconsistencies that cannot be resolved with the Port of Fernandina shall be noted in the Port Master Plan and shall not be adopted in the Comprehensive Plan by reference.

OBJECTIVE 5P.16

Collaboration with Local and Regional Maritime, Commercial and Industrial Interests

OHPA PROPOSAL To help achieve its primary goal of economic development, the Ocean Highway and Port Authority shall cooperate with other Northeast Florida interests as they seek to expand the region's commercial and industrial base. (New Objective)

ALTERNATIVE PROPOSAL To help achieve its primary goal of economic development, the Port of Fernandina may cooperate with other Northeast Florida interests as they seek to expand the region's commercial and industrial base.

Policy 5P.16.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall participate in the efforts of local and regional groups pursuing area wide economic development. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina may participate in the efforts of local and regional groups pursuing area wide economic development.

Policy 5P.16.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall cooperate with JAXPORT to pursue areas of common interest, such as cargo handling synergies, regional promotional campaigns and special funding opportunities. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina may cooperate with JAXPORT to pursue areas of common interest, such as cargo handling synergies, regional promotional campaigns and special funding opportunities.

From: [Tammi Bach](#)
To: ["cwvd@netlaw.com"](mailto:cwvd@netlaw.com); [Len Kreger](#); [Dale Martin](#); [Laura DiBella](#)
Cc: ohpnc@gmail.com; [Kelly Gibson](#)
Subject: RE: Port of Fernandina
Date: Tuesday, December 19, 2017 10:40:25 AM

Whatever is submitted by OHPA for the Port Element must be approved by vote by OHPA. Alternatively, whatever is suggested as changes in Goals and Policies for Port Element by the City (PAB or Commission) must be approved by vote of OHPA.

Tammi E. Bach, J.D., B.C.S.
Board Certified Specialist City, County & Local Government Law
City Attorney
City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034
Ph# (904) 310-3275
Fax# (904) 310-3466

If this email is related to the Board, Committee or Commission that you serve on, please DO NOT REPLY TO ALL.

Disclaimer: According to Florida Public Records Law, email correspondence to and from the City of Fernandina Beach, including email addresses and other personal information, is public record and must be made available to the public and media upon request, unless otherwise exempt by the Public Records Law. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

-----Original Message-----

From: Clyde Davis [<mailto:cwdavispa@bellsouth.net>]
Sent: Tuesday, December 19, 2017 8:49 AM
To: Len Kreger; Dale Martin; Laura DiBella
Cc: ohpnc@gmail.com; Tammi Bach; Kelly Gibson
Subject: Re: Port of Fernandina

Excellent idea.

The Port Master Plan has been adopted by OHPA and accepted by FDOT.½ This was, I believe, in late 2014 or early 2015.½ I recognize that there is a legal requirement that the City include the plan in their Comprehensive Land use Plan as part of the coastal element.½ When and how this takes place is strictly up to the City.

To some degree you have a moving target.½ This Plan is not etched in stone.½ There are aspects of the plan that are very relevant to OHPA but which may not be relevant at all to the City.½ I see no reason why the City cannot edit the document, but do not know if that is permitted and will defer to Ms. Bach and Ms. Gibson.½ It may also be that with a new group in charge at Nassau Terminals there may be changes initiated from that direction.½ We will simply have to wait and see.

Regardless, there is an awful lot of work stacking up for 2018. So, with best wishes for the season, I remain,

Clyde

On 12/19/2017 5:32 AM, Len Kreger wrote:

> All:
>
> Some background to the Master Plan comment below.
>
> About three years ago the hearings were held at the PAB for the updated Port Master Plan. After about 20 hours of Public Hearing the Plan was rejected. For reasons I am not complete aware of the Plan was never brought to the Commission. At a later time the PAB crafted a Port Master Plan. Again this was not moved forward.
>
> At the present time the Port Facilities in Goal 9 of the Comprehensive Plan. State Statute 163.3178 (1.d)(6)(k) Coastal Management requires the a comprehensive master plan prepared by each deep water port which addresses existing port facilities and an proposed expansions, etc be included in the Conservation and Coastal Management Element.
>
> We are approaching the initiation of the 2009 Evaluation and Appraisal Report which would be an excellent time to get this issue resolved.
>
> Len
>
>
> _____
> From: Len Kreger
> Sent: Monday, December 18, 2017 2:45 PM
> To: Dale Martin; Laura DiBella
> Cc: cwDavispa@bellsouth.net; ohpnc@gmail.com; Tammi Bach; Kelly Gibson
> Subject: RE: Port of Fernandina
>
> We should be prepared to discuss in some detail the status of the OH&PA Master Plan Status.
> _____
> From: Dale Martin
> Sent: Monday, December 18, 2017 8:38 AM
> To: Laura DiBella
> Cc: cwDavispa@bellsouth.net; ohpnc@gmail.com; Chip Ross; Johnny Miller; Len Kreger; Philip Chapman; Robin Lentz; Roy G. Smith; Tim Poynter; Shelley Hirsch; Sherri Mitchell
> Subject: RE: Port of Fernandina
>
> Good morning, Laura:
>
> Thank you. I will ask the City Commission to offer time for your comments and insight during the Presentations portion of the agenda.
>
> I look forward to seeing you tomorrow evening.
>

>
> Mr. Dale L. Martin
>
> City Manager, Fernandina Beach
>
>
>
> Disclaimer: According to Florida Public Records Law, email correspondence to and from the City of Fernandina Beach, including email addresses and other personal information, is public record and must be made available to the public and media upon request, unless otherwise exempted by the Public Records Law. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.
>
> From: Laura DiBella [<mailto:laura@nassauflorida.com>]
> Sent: Saturday, December 16, 2017 5:13 PM
> To: Dale Martin
> Cc: cwdxavspa@bellsouth.net; ohpanc@gmail.com; Chip Ross; Johnny Miller; Len Kreger; Philip Chapman; Robin Lentz; Roy G. Smith; Tim Poynter; Shelley Hirsch; Sherri Mitchell
> Subject: Re: Port of Fernandina
>
> Please forgive my delay, Dale, as I was out of the office most of the day yesterday. I planned on attending the meeting on Tuesday and would be happy to provide an update at any time of the meeting you wish, just let me know and I will see you then.
>
> Have a great rest of the weekend.
> Laura DiBella
> 561.756.3132
>
>
>
> On Dec 15, 2017, at 12:33 PM, Dale Martin <dmartin@fbfl.org<<mailto:dmartin@fbfl.org>>> wrote:
> Good afternoon, Laura:
>
> Given the increasing interest in the apparent changes at the Port of Fernandina (the transition from Kinder Morgan to Worldwide Terminals), I would like to invite you, Mr. Davis, or other Ocean Highway Port Authority officials to provide an overview of the transition at Tuesday evening 1/2 City Commission meeting (either during the Proclamation/Presentation or Public Comment portion of the agenda). Since the Port has a prominent presence in Fernandina Beach, I believe that information related to the operator will serve the community well.
>
> Thank you for your consideration.
>
>
> Mr. Dale L. Martin
>
> City Manager, Fernandina Beach
>
> 204 Ash Street
>
> Fernandina Beach, FL 32034
>
> (904) 310-3100
>
>
> Disclaimer: According to Florida Public Records Law, email correspondence to and from the City of Fernandina Beach, including email addresses and other personal information, is public record and must be made available to the public and media upon request, unless otherwise exempted by the Public Records Law. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.
>
>
>

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5 August 2016

Comparison of OHPA Proposed Policy AND ALTERNATE POLICY

Section 163.3177(6) (g) 8, Florida Statutes, requires port related policies to be included in the Coastal Management Element of the local government's Comprehensive Plan. The recommended policies below are intended to be added to the City's Conservation and Coastal Management Element as a new section. Following each Proposed Objective and Policy are references to the Current Port Element Policies or an indication of a New Objective or Policy. The current policies have been included, beginning on page 9, for comparison purposes.

GOAL 5P

OHPA PROPOSAL - The Ocean Highway and Port Authority intends to plan and develop the Port in accordance with market forecasts and the community's commercial and industrial resources, to create jobs and stimulate local and regional economic development while striving to maintain the unique character of the City of Fernandina Beach.

ALTERNATIVE PROPOSAL - The Port of Fernandina shall maintain, plan and develop the Port located in Fernandina Beach, in accordance with market forecasts and the community's commercial and industrial resources, to create jobs and stimulate local and regional economic development while maintaining and enhancing the unique character of the City of Fernandina Beach, providing for the health, safety and economic welfare of the community, protecting the local marine environment, and not expanding into the surrounding historic residential neighborhood.

OBJECTIVE 5P.01

Port Development

OHPA PROPOSAL -The Ocean Highway and Port Authority shall pursue the phased planning and development, consistent with the Port Master Plan, to provide appropriate support facilities that will accommodate projected waterborne commerce demand, and appropriate support facilities. (New Objective)

ALTERNATIVE PROPOSAL - Within the City of Fernandina Beach, the Port of Fernandina shall pursue phased planning and development, consistent with the goals of the City of Fernandina Beach Comprehensive Plan and the mandates of Florida Statutes.

Policy 5P.01.01

OHPA PROPOSAL - The Ocean Highway and Port Authority shall acquire land and work with other land owners as needed to support Port development and economic growth. The addition of lands to the Port's ownership shall prompt a revision to the Port Master Plan. (New Policy)

ALTERNATIVE PROPOSAL - The Port of Fernandina shall prepare a Port Master Plan Map -□ a land use and inventory map of existing coastal uses including all existing infrastructure including fuel storage tanks, storm water management, zoning, wetland and other vegetative communities, undeveloped areas, areas subject to coastal flooding, public evacuation routes, historic preservation areas and conservation areas. The Port Master Plan Map will be posted on the City website and updated at least annually.

Policy 5P.01.02

OHPA PROPOSAL -The Ocean Highway and Port Authority shall plan and develop waterfront and supporting upland infrastructure to accommodate the demand projections in the Port Master Plan and subsequent user commitments. The anticipated on-site development includes extending the existing wharf, site improvements, storage areas, cargo-handling equipment and other infrastructure needed for user service. Prior to any future expansion to the Port of Fernandina, all plans or proposals for expansion shall be reviewed by the City of Fernandina Beach or the County, as appropriate, for consistency in meeting all applicable Comprehensive Plan policies, land development regulations, building permits or other permit requirements. (Similar to Objective 9.02, Policy 9.02.01 and 9.02.02)

ALTERNATIVE PROPOSAL Within the City of Fernandina Beach, the Port of Fernandina shall not expand port operations beyond industrially waterfront zoned or industrially zoned land [as depicted on the 2011 Comprehensive Plan Map] The Port of Fernandina will not expand any ancillary operations including parking lots into the historic district or any other residentially or mixed use zoned land [as depicted on the 2011 Comprehensive Plan Map and in the Land Development Code] with the exception of 501 North 3rd Street and the adjacent parking lot west of the property.

Policy 5P.01.03

OHPA PROPOSAL -The Ocean Highway and Port Authority shall coordinate with the U.S. Army Corps of Engineers and other applicable local, regional, state and federal regulatory agencies and stakeholders for the resumption of maintenance dredging and initiation of new dredging as needed to accommodate the identified waterborne commerce operations. (Similar to proposed Policy 9.01.03)

ALTERNATIVE PROPOSAL - Prior to any new proposed development or redevelopment, within the City of Fernandina Beach, the Port of Fernandina will conduct an analysis of the environmental, socioeconomic, and fiscal impact on the City of Fernandina Beach.

The analysis will delineate the required infrastructure to support this development or redevelopment and the plans and principles to be used to control development and redevelopment to eliminate or mitigate the adverse impacts on coastal wetlands; living marine resources; unique wildlife habitat; historical and archaeological sites; other fragile coastal resources and the adjacent historic district.

The analysis will be presented to the City of Fernandina Beach for their review and comment. Those comments will be submitted with to the Port Council or other state or federal agencies with any new funding requests.

Policy 5P.01.04

OHPA PROPOSAL - -The Ocean Highway and Port Authority shall provide adequate maintenance and upkeep of its in-water and upland facilities to derive the best use from its infrastructure. (Similar to Objective 9.01)

.

ALTERNATIVE PROPOSAL - The Port of Fernandina shall continually maintain and upgrade its in-water and upland facilities to derive the best use from its infrastructure

Policy 5P.01.05

OHPA PROPOSAL – NONE

ALTERNATIVE PROPOSAL - The Port of Fernandina shall coordinate with the U.S. Army Corps of Engineers and the City of Fernandina Beach, regional, state and federal regulatory agencies for maintenance dredging of the Amelia Island River, as needed to accommodate waterborne commerce operations.

Policy 5P.01.06

OHPA PROPOSAL – NONE

ALTERNATIVE PROPOSAL - Prior to any future development or redevelopment to the Port of Fernandina, within the City of Fernandina Beach, all plans or proposals for development or redevelopment shall be reviewed by the City of Fernandina Beach for meeting all applicable Comprehensive Plan policies, land development regulations, City Ordinance requirements and provide that financial assurances are made that required public facilities will be in place to meet the demand imposed by the completed development or redevelopment. Such public facilities will be scheduled for phased completion to coincide with demands generated by the development or redevelopment.

OBJECTIVE 5P.02

Economic Diversification

OHPA PROPOSAL The Ocean Highway and Port Authority shall explore opportunities to develop synergies between its waterborne commerce operations and other economic resources in the area. (New Objective)

ALTERNATIVE PROPOSAL - The Port of Fernandina shall explore opportunities to develop synergies between its waterborne commerce operations and other economic resources in the area.

Policy 5P.02.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall seek potential users to achieve maximum site utilization and pursue expansion and development when new facilities will support economic growth. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall seek potential users to achieve maximum site utilization.

Policy 5P.02.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall explore complementary upland development opportunities through the authority of its Charter. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall explore complementary upland development opportunities.

Policy 5P.02.03

OHPA PROPOSAL The Ocean Highway and Port Authority shall continue its participation in Foreign Trade Zone 64 with JAXPORT and shall explore possible partnering opportunities. (New Policy)

ALTERNATIVE PROPOSAL Policy 5P.02.03

The Port of Fernandina shall continue its participation in Foreign Trade Zone 64 with JAXPORT and shall explore other possible partnering opportunities.

OBJECTIVE 5P.03

St. Mary's River Entrance Channel and Amelia River Access

OHPA PROPOSAL The Ocean Highway and Port Authority shall pursue maintenance and new dredging activities at the St. Mary's River Entrance Channel and Amelia River to provide the water depths needed to serve ships and barges anticipated to call at the Port. To the extent possible, consistent with the development and expansion needs of the Port, maintenance and new dredging activities and the management of spoil material shall be pursued in a manner respectful of the State Comprehensive Plan's goals and policies addressing stewardship of water resources, coastal and marine resources, and natural systems. (New Objective)

ALTERNATIVE PROPOSAL The Port of Fernandina may pursue maintenance dredging activities from the St. Mary's River Entrance Channel to the Amelia River leading to the Port to provide the water depths needed to serve ships and barges that call at the Port. Maintenance dredging activities and the management of spoil material shall be pursued in a manner consistent with the State Comprehensive Plan's goals and policies addressing stewardship of water resources, coastal and marine resources, and natural systems.

Policy 5P.03.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall pursue maintenance and new dredging activities at the St. Mary's River Entrance and the Amelia River to provide water depths need to serve ships and barges anticipated to call at the Port. (New Policy)

ALTERNATIVE PROPOSAL

The Port of Fernandina may undertake maintenance dredging, as required to ensure safe navigational conditions for the ships and barges calling at its facilities.

~~Policy 5P.03.02~~

~~OHPA PROPOSAL The Ocean Highway and Port Authority shall pursue deepening and widening the Amelia River Channel and turning basin in proximity to the Port area to achieve the water depths and width needed to serve the ships and barges that are anticipated to call at the Port. (New Policy)~~

ALTERNATIVE PROPOSAL

Strike policy

Policy 5P.03.032

OHPA PROPOSAL The Ocean Highway and Port Authority shall undertake maintenance dredging, as required to ensure safe navigational conditions for the ships and barges calling at its facilities. (New Policy)

ALTERNATIVE PROPOSAL

The Port of Fernandina may undertake maintenance dredging, as required to ensure safe navigational conditions for the ships and barges calling at its facilities.

Policy 5P.03.043

OHPA PROPOSAL The Ocean Highway and Port Authority shall identify an environmentally acceptable spoil site for the disposal of the dredged material the channel dredging projects generate. (New Policy)

ALTERNATIVE PROPOSAL

Prior to any maintenance dredging the Port of Fernandina in agreement with the Corps of Engineers and other federal, state, or local agencies shall identify an environmentally acceptable spoil site for the disposal of the dredged material the maintenance channel dredging projects generate.

OBJECTIVE 5P.04

Intracoastal Connections

OHPA PROPOSAL To take better advantage of its proximity to the Intracoastal Waterway, the Ocean Highway and Port Authority shall support initiatives to improve Intracoastal connections, including shallow-water barge facilities, if appropriate to meet the requirements of Port users or to serve complementary industrial facility development in the region. (New Objective)

ALTERNATIVE PROPOSAL

To take better advantage of its proximity to the Intracoastal Waterway, the Port of Fernandina may support initiatives to improve Intracoastal connections.

Policy 5P.04.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall cooperate with entities seeking to improve conditions along the Intracoastal Waterway and promote more barge traffic. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina may cooperate with entities seeking to improve conditions along the Intracoastal Waterway

Policy 5P.04.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall consider synergies with industrial users that can be served by barge as well as by road and rail. (New Policy)

ALTERNATIVE PROPOSAL

The Port of Fernandina, within the City of Fernandina Beach, will not accept, transfer, load or store coal, coal ash, or Liquefied Natural Gas (LNG).

OBJECTIVE 5P.05

Highway Access and Connectivity

OHPA PROPOSAL The Ocean Highway and Port Authority shall collaborate with local and state agencies to develop the intermodal connections needed for the efficient movement of goods to and from its facilities. (New Objective)

ALTERNATIVE PROPOSAL

The Port of Fernandina may collaborate with local and state agencies to develop the intermodal connections needed for the efficient movement of goods to and from its facilities.

Policy 5P.05.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall develop internal roads to serve the Port users which provide efficient access to the proximate off-Port, city, county and state highway network and shall coordinate the development of its on-Port roads with the City, County and Florida Department of Transportation. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall be required to mitigate traffic impact to the surrounding residential neighborhood, by designing the facilities, and/or scheduling arriving truck traffic to eliminate the queuing of trucks outside the gates.

Policy 5P.05.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall work with the City, the TPO, the Florida Department of Transportation, the local community and other entities to gain funding for any needed improvements to roads over which Port truck traffic must travel. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall work with the City, the TPO, the Florida Department of Transportation, the local community and other entities to gain funding for any needed improvements to roads over which Port truck traffic must travel.

Policy 5P.05.03

OHPA PROPOSAL
NONE

ALTERNATIVE PROPOSAL The Port of Fernandina shall implement a plan to prevent truck access or egress from the Port on North Front, North Second, and North Third Streets.

OBJECTIVE 5P.06

Rail Service and Connectivity

OHPA PROPOSAL The Ocean Highway and Port Authority shall collaborate with Genesee & Wyoming and CSX to obtain the best possible service and interchanges. (New Objective)

ALTERNATIVE PROPOSAL The Port of Fernandina shall collaborate with Genesee & Wyoming and CSX to obtain the best possible service and interchanges.

Policy 5P.06.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall continue its use of the on-site rail line and shall seek opportunities for more efficient use of the rail line. (New Policy)

ALTERNATIVE PROPOSAL Policy 5P.06.01

The Port of Fernandina may continue its use of the on-site rail line and shall seek opportunities for more efficient use of the rail line.

Policy 5P.06.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall work with Genesee & Wyoming and CSX to identify and pursue improvements to the off-Port rail infrastructure, which could facilitate goods movement to and from the Port. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall collaborate with railways, FDOT, and the City to improve the warning devices at the Dade and Front Street highway-rail grade crossing to increase safety, with the goal of reducing fatalities and injuries.

OBJECTIVE 5P.07

Airport Service and Connectivity

OHPA PROPOSAL The Ocean Highway and Port Authority shall collaborate with local airports to develop the intermodal connections needed for the efficient movement of goods to and from its facilities. (New Objective)

ALTERNATIVE PROPOSAL

The Port of Fernandina may collaborate with City airports to develop the intermodal connections needed for the efficient movement of goods to and from its facilities.

Policy 5P.07.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall work with Jacksonville International Airport, Cecil Commerce Center, Fernandina Beach Municipal Airport and Hilliard Airpark to explore service opportunities for the efficient movement of goods through the Port. (New Policy)

ALTERNATIVE PROPOSAL

The Port of Fernandina may work to explore service opportunities for the efficient movement of goods through the Port.

OBJECTIVE 5P.08

Natural Resource Preservation and Protection

OHPA PROPOSAL In carrying out its development activities and day-to-day operations, the Ocean Highway and Port Authority shall conserve and protect natural resources including forests, wetlands, fish, marine life, and wildlife, and shall cooperate with federal, state, regional and local agencies in developing sound environmental policies and measures to minimize the environmental impacts of Port development and operations. (New Objective)

ALTERNATIVE PROPOSAL

The Port of Fernandina shall conserve and protect natural resources including forests, wetlands, fish, marine life, and wildlife, and shall cooperate with federal, state, regional and local agencies in developing sound environmental policies and measures to minimize the environmental impacts of Port development and operations.

Policy 5P.08.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall limit specific and cumulative impacts on water quality to maintain the integrity of the Amelia River and maintain the applicable water standards. In so doing, the Ocean Highway and Port Authority shall design the drainage system on its property to meet NPDES, Florida Department of Environmental Protection, and St. Johns River Water Management District water quality standards and shall coordinate its efforts with federal, state, regional, county and city governmental agencies. (Similar to Policy 9.03.04 and 9.03.07)

ALTERNATIVE PROPOSAL

The Port of Fernandina shall limit specific and cumulative impacts on water quality to maintain the integrity of the Amelia River and maintain the applicable water quality standards. In so doing, the Port shall design the drainage system on its property to meet National Pollution Discharge Elimination System [NPDES], Florida Department of Environmental Protection, and St. Johns River Water Management District water quality standards and shall coordinate its efforts with federal, state, regional, county and city governmental agencies.

Policy 5P.08.02

OHPA PROPOSAL The Ocean Highway and Port Authority avoid projects that destroy or significantly degrade identified wetlands and wildlife habitat or by providing mitigation measures. (Similar to Policy 9.03.06; revised based on SJRWMD comment)

ALTERNATIVE PROPOSAL

The Port of Fernandina shall not place or build structures including pier or pier extensions in wetlands, wetland transition areas, or conservation areas and not conduct activities which degrade any identified wetlands and wildlife habitat.

Policy 5P.08.03

OHPA PROPOSAL The Ocean Highway and Port Authority shall continue to coordinate with the Department of Environmental Protection, Division of Marine Resources, the New England Aquarium, the Cumberland Sound Pilots Association and other interested organizations to support protection of manatee and right whale communities that are on the fringe of Port operations. (Policy 9.03.05)

ALTERNATIVE PROPOSAL The Port of Fernandina shall continue to coordinate with state and federal agencies, the Cumberland Sound Pilots Association, and other interested organizations to protect manatee and right whale communities.

Policy 5P.08.04

OHPA PROPOSAL The Ocean Highway and Port Authority shall use best management practices during construction, operation and maintenance at the Port facility. (Similar to Policy 9.03.07)

ALTERNATIVE PROPOSAL The Port of Fernandina shall use best management practices during construction, operation and maintenance at the Port facility. All new development or redevelopment at the Port of Fernandina, within the City, shall meet or exceed applicable Federal, State, and local regulations.

Policy 5P.08.05

OHPA PROPOSAL

NONE

ALTERNATIVE PROPOSAL

A plan, including a proposed funding source, to remediate the surface drains which currently empty directly into the Intracoastal Waterway and wetlands will be developed by July 2017.

Policy 5P.08.06

OHPA PROPOSAL

NONE

ALTERNATIVE PROPOSAL - AIR QUALITY - The Port of Fernandina shall coordinate and implement strategies with industry and the City to meet the air quality standards established by the EPA and DEP.

Policy 5P.08.07

OHPA PROPOSAL

NONE

ALTERNATIVE PROPOSAL The Port of Fernandina will devise a feasibility plan by July 2017 concerning the benefits and costs of installing and requiring ship to shore power at the Port of Fernandina.

OBJECTIVE 5P.09

Protection from Natural Hazards

OHPA PROPOSAL The Ocean Highway and Port Authority shall implement the measures required by the City of Fernandina, Nassau County and other agencies to protect human life and property from natural hazards. (Similar to Policy 9.03.01)

ALTERNATIVE PROPOSAL The Port of Fernandina shall implement or exceed the measures required by the City of Fernandina, Nassau County and other agencies to protect human life and property from natural hazards.

Policy 5P.09.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall see that any habitable, non-residential buildings in special flood hazard areas are designed and constructed to reduce the potential for flooding and wind damage. (New Policy)

ALTERNATIVE PROPOSAL Policy 5P.09.01

All new development or redevelopment at the Port of Fernandina, within the City, shall meet the standard of construction for V Flood Zones or a higher standard and be maintained as required by local ordinance and shall not have any adverse effect by increasing the elevation or velocity

of flood waters or in increasing flows due to change in drainage or flow characteristic (e.g. change in direction) on the subject site, adjacent properties, or any public or private right-of-way.

Policy 5P.09.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall see that all buildings are designed and constructed in accordance with the Unified Florida Building Code or as approved by the local government. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall design and construct all development or redevelopment at the Port in accordance with the Unified Florida Building Code and Fernandina Beach City Ordinances including obtaining all required City permits and floodplain elevation certificates.

Policy 5P.09.03

OHPA PROPOSAL The Ocean Highway and Port Authority shall prepare a hurricane evacuation contingency plan and keep its plan up to date, ensuring that it is consistent with city and county emergency plans. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall prepare a hurricane contingency plan and keep its plan up to date, ensuring that it is consistent with city and county emergency plans. This plan will be filed with the City on or before June 1st of each year.

Policy 5P.09.04

OHPA PROPOSAL The Ocean Highway and Port Authority shall implement post-disaster redevelopment procedures to reduce or eliminate exposure to human life and property to natural hazards. These procedures shall include the structural modification or removal of facilities that have experienced repeated storm damage. (New Policy)

ALTERNATIVE PROPOSAL Policy The Port of Fernandina shall implement post-disaster redevelopment procedures to reduce or eliminate exposure to human life and property to natural hazards. These procedures shall

include the structural modification or removal of facilities that have experienced repeated storm damage.

OBJECTIVE 5P.10

Protection from Man-made Disasters

OHPA PROPOSAL The Ocean Highway and Port Authority shall reduce exposure to human life and property to harm from manmade disasters by implementing sound safety and security programs. (Similar to Policy 9.03.01)

ALTERNATIVE PROPOSAL The Port of Fernandina shall reduce exposure to harm human life and property from manmade disasters by implementing sound safety and security programs.

Policy 5P.10.01

OHPA PROPOSAL To provide a safe operating environment, the Ocean Highway and Port Authority shall implement required Federal, state and local safety and health measures and see that operations are conducted in accordance with those measures. (New Policy)

ALTERNATIVE PROPOSAL To provide a safe operating environment, the Port of Fernandina shall implement required Federal, state and local safety and health measures and ensure that operations are conducted in accordance with those measures.

Policy 5P.10.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall prepare and implement the security plan mandated and approved under state and federal guidelines, consistent with funding availability. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall prepare and implement the security plan mandated and approved under state and federal guidelines. Funding Port Security is a priority and shall preempt funding of any new development or redevelopment in the City of Fernandina Beach.

Policy 5P.10.03

OHPA PROPOSAL The Ocean Highway and Port Authority, in cooperation with all federal authorities, shall prohibit the handling of unauthorized toxic materials and will be prepared to contain toxic spills that could occur at the Port facility site. (Similar to Policy 9.03.01)

ALTERNATIVE PROPOSAL

Port of Fernandina in cooperation with all federal authorities shall prohibit the handling of unauthorized hazardous materials and shall be prepared to contain hazardous material spills that could occur at the Port facility site.

Policy 5P.10.04

OHPA PROPOSAL

NONE

ALTERNATIVE PROPOSAL Policy

At the Port of Fernandina all emergency contingency materials and equipment **necessary (find reference to equipment required)** to mitigate petroleum spills in the water shall be stored onsite by July 1, 2017. This shall be verified by the Fernandina Beach Fire Chief or his designee on or before July 1st of each year.

Policy 5P.10.05

OHPA PROPOSAL

NONE

ALTERNATIVE PROPOSAL

A waterfront facility, which is a facility of particular hazard as defined in 33CFR 126.3, shall not be allowed in Waterfront Industrial or IW zoned areas.

Policy 5P.10.06

OHPA PROPOSAL

NONE

ALTERNATIVE PROPOSAL The Port of Fernandina shall prepare an evacuation contingency and warning plan to evacuate the adjacent area in the event of a toxic spill, toxic gas release, Port fire, or other manmade disaster and keep its plan up to date, ensuring that it is consistent with city and county emergency plans. This plan shall be filed annually with the City no later than June 1st.

OBJECTIVE 5P.11

Budgetary Process

OHPA PROPOSAL The Ocean Highway and Port Authority shall implement a budgetary process that balances Port revenues, operating expenses, and capital expenditures needed to satisfy the anticipated market demand and capture new market share. (New Objective)

ALTERNATIVE PROPOSAL The Port of Fernandina shall implement a budgetary process that balances Port revenues, operating expenses, and capital expenditures needed to satisfy the anticipated market demand and capture new market share.

Policy 5P.11.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall monitor tariffs and fees charged by neighboring ports, both north and south, and shall implement a competitive fee structure. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall monitor tariffs and fees charged by neighboring ports, both north and south, and shall implement a competitive fee structure.

Policy 5P.11.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall update its capital improvement plan annually to reflect budgetary and market changes, prioritizing implementation to obtain the best return on facility investments. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall update its capital improvement plan annually to reflect budgetary and market changes, prioritizing implementation to obtain the best return on facility investments. The capital improvement plan shall be filed with the City annually on or before June 1st.

OBJECTIVE 5P.12

Funding Opportunities

OHPA PROPOSAL The Ocean Highway and Port Authority shall pursue diverse funding opportunities to accelerate the rate at which it can implement its capital improvement program. (Similar to Policy 9.01.01)

ALTERNATIVE PROPOSAL The Port of Fernandina shall pursue diverse funding opportunities to accelerate the rate at which it can implement its capital improvement program.

Policy 5P.12.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall prepare a briefing for area legislators in the fall of each year to reacquaint them with the Port's economic impact on the region and the importance of its needs being addressed in the state's budget process. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall prepare a briefing for area legislators, the City, and the public in the fall of each year to review the Port's financial status, proposed capital improvement budget and to reacquaint them with the Port's economic impact on the region and the importance of its needs being addressed in the state's budget process.

Policy 5P.12.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall actively seek grant funds from state and federal sources and shall supplement funding needs not met by grants with loans from commercial lending institutions and/or governmental entities. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall actively seek grant funds from state and federal sources and shall supplement funding needs not met by grants with loans from commercial lending institutions and/or governmental entities.

Policy 5P.12.03

OHPA PROPOSAL The Ocean Highway and Port Authority shall explore opportunities for public/private partnerships in the development of maritime and industrial facilities. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall explore opportunities for public/private partnerships in the development and redevelopment of the Port.

OBJECTIVE 5P.13

Compatibility with City's Comprehensive Plan

OHPA PROPOSAL The Ocean Highway and Port Authority shall work with the City of Fernandina to see that port maintenance and expansion activities are compatible with and support the programs and policies contained in the City's Comprehensive Plan. (New Objective)

ALTERNATIVE PROPOSAL The Port of Fernandina shall work with the City of Fernandina to insure that port maintenance and development or redevelopment activities are compatible with and support the programs and policies contained in the City's Comprehensive Plan.

Policy 5P.13.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall coordinate its planning and development efforts with the City of Fernandina to ensure that the Port's planned projects and land uses are consistent with the City's Comprehensive Plan and compatible with adjacent land uses. It shall also evaluate proposed amendments to the City's Comprehensive Plan, particularly the Conservation and Coastal Management Element, as to potential impacts on Port activities. (Similar to Policy 9.02.01)

ALTERNATIVE PROPOSAL The Port of Fernandina shall coordinate its planning and development efforts with the City of Fernandina to ensure that the Port's planned projects and land uses comply with the City's Comprehensive Plan, including the Conservation and Coastal Management Element and Land Development Code and are compatible with adjacent land uses.

Policy 5P.13.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall reduce any land use conflicts by installing and maintaining adequate buffer zones between Port property and adjacent potentially incompatible land uses. (Similar to Policy 9.03.02 and Policy 9.03.03)

ALTERNATIVE PROPOSAL The Port of Fernandina shall continue to coordinate with the Fernandina Beach Historic District Council to ensure preservation and restoration of significant historical sites that fall within the jurisdiction of the Port Authority facility. Where Port property is adjacent to the Historic District, a 30 foot landscaped buffer shall be maintained.

Policy 5P.13.03

OHPA PROPOSAL The Ocean Highway and Port Authority shall coordinate with the City to ensure the provision of adequate infrastructure and utilities for Port operations. (Similar to Policy 9.02.03)

ALTERNATIVE PROPOSAL The Port of Fernandina shall coordinate with the City to ensure the provision of adequate infrastructure and utilities for Port operations.

OBJECTIVE 5P.14

Plan Implementation Coordination

OHPA PROPOSAL The Ocean Highway and Port Authority shall be proactive in coordinating its development efforts with local, state and federal permitting agencies and with private stakeholders to ensure that its development and operations are carried out in accordance with the public interest and regulatory requirements. (Similar to Objective 9.03)

ALTERNATIVE PROPOSAL The Port of Fernandina shall be proactive in coordinating its development efforts with local, state and federal permitting agencies and other private entities to ensure that its development and operations are carried out in accordance with the public interest and regulatory requirements.

Policy 5P.14.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall be sensitive to the concerns of local interests in implementing its development program and shall seek out the best possible environmental solutions to controversial issues. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall obtain community input prior to implementing any Port development program.

Policy 5P.14.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall comply with the provisions of the eventual permits governing its in-water and upland development program, and shall work with local, state and federal agencies to achieve a sound balance between its expansion requirements and the need to protect the surrounding environment. (Similar to Policy 9.02.04)

ALTERNATIVE PROPOSAL The Port of Fernandina shall comply with the provisions of the permits governing its in-water and upland development program.

OBJECTIVE 5P.15

Governmental and Agency Coordination

OHPA PROPOSAL The Ocean Highway and Port Authority shall coordinate its development and expansion program with applicable agencies to promote sound planning and economic growth. (New Objective)

ALTERNATIVE PROPOSAL The Port of Fernandina shall coordinate its development and redevelopment program with applicable agencies to promote sound planning and economic opportunities.

Policy 5P.15.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall support the economic development initiatives of the City of Fernandina Beach, by pursuing activities that expand opportunities in trade, industry and manufacturing. (Similar to Policy 9.01.03)

ALTERNATIVE PROPOSAL The Port of Fernandina shall support the economic development initiatives of the City of Fernandina Beach, by pursuing activities that expand economic opportunities.

Policy 5P.15.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall support the economic development initiatives of Nassau County, by pursuing activities that expand opportunities in trade, industry and manufacturing. (New Policy)

ALTERNATIVE PROPOSAL The Port of Fernandina shall review the economic development initiatives of Nassau County and support when consistent with the City of Fernandina Beach Comprehensive Plan.

Policy 5P.15.03

OHPA PROPOSAL In addition to city and county governments, the Ocean Highway and Port Authority shall cooperate with the Northeast Florida Regional Council; the St. Johns River Water Management District; the Florida Departments of Transportation, Environmental Protection and Economic Opportunity; the U.S. Army Corps of Engineers, and other applicable agencies in implementing the goals, objectives and policies of the Port Master Plan. (Similar to Objective 9.02)

ALTERNATIVE PROPOSAL In addition to city and county governments, the Port of Fernandina shall cooperate with the Northeast Florida Regional Council; the St. Johns River Water Management District; the Florida Departments of Transportation, Environmental Protection, and Economic Opportunity; the U.S. Army Corps of Engineers, and other applicable agencies in implementing the goals, objectives and policies as delineated in the Comprehensive Plan.

Policy 5P.15.04

OHPA PROPOSAL NONE

ALTERNATIVE PROPOSAL - The Port of Fernandina shall develop a strategic plan with a 10-year horizon which shall at a minimum include the elements listed in FS 311.14 - Seaport Planning and which adequately addresses the applicable requirements of FS 163.3178. To the extent feasible, the port master plan must be consistent with the City Comprehensive Plan.

The Port of Fernandina shall submit the Master Plan to the City for consistency review with City of Fernandina Beach Comprehensive Plan. Any inconsistencies that cannot be resolved with the Port of Fernandina shall be noted in the Port Master Plan and shall not be adopted in the Comprehensive Plan by reference.

OBJECTIVE 5P.16

Collaboration with Local and Regional Maritime, Commercial and Industrial Interests

OHPA PROPOSAL To help achieve its primary goal of economic development, the Ocean Highway and Port Authority shall cooperate with other Northeast Florida interests as they seek to expand the region's commercial and industrial base. (New Objective)

ALTERNATIVE PROPOSAL

To help achieve its primary goal of economic development, the Port of Fernandina may cooperate with other Northeast Florida interests as they seek to expand the region's commercial and industrial base.

Policy 5P.16.01

OHPA PROPOSAL The Ocean Highway and Port Authority shall participate in the efforts of local and regional groups pursuing area wide economic development. (New Policy)

ALTERNATIVE PROPOSAL

The Port of Fernandina may participate in the efforts of local and regional groups pursuing area wide economic development.

Policy 5P.16.02

OHPA PROPOSAL The Ocean Highway and Port Authority shall cooperate with JAXPORT to pursue areas of common interest, such as cargo handling synergies, regional promotional campaigns and special funding opportunities. (New Policy)

ALTERNATIVE PROPOSAL

The Port of Fernandina may cooperate with JAXPORT to pursue areas of common interest, such as cargo handling synergies, regional promotional campaigns and special funding opportunities.



GOAL 5P: PORT SUB- ELEMENT

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Collaboration with Local and Regional Maritime, Commercial and Industrial Interests

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GOAL 5P | PORT FACILITIES ELEMENT

THE PORT OF FERNANDINA SHALL MAINTAIN, PLAN AND DEVELOP THE PORT LOCATED IN FERNANDINA BEACH, IN ACCORDANCE WITH MARKET FORECASTS AND THE COMMUNITY'S COMMERCIAL AND INDUSTRIAL RESOURCES, TO CREATE JOBS AND STIMULATE LOCAL AND REGIONAL ECONOMIC DEVELOPMENT WHILE MAINTAINING AND ENHANCING THE UNIQUE CHARACTER OF THE CITY OF FERNANDINA BEACH, PROVIDING FOR THE HEALTH, SAFETY AND ECONOMIC WELFARE OF THE COMMUNITY, PROTECTING THE LOCAL MARINE ENVIRONMENT, AND NOT EXPANDING INTO THE SURROUNDING HISTORIC RESIDENTIAL NEIGHBORHOOD.

OBJECTIVE 5P.01.

PORT DEVELOPMENT

Within the City of Fernandina Beach, the Port of Fernandina shall pursue phased planning and development, consistent with the goals of the City of Fernandina Beach Comprehensive Plan and the mandates of Florida Statutes.

POLICY 5P.01.01.

The Port of Fernandina shall prepare a Port Master Plan Map – a land use and inventory map of existing coastal uses including all existing infrastructure including fuel storage tanks, storm water management, zoning, wetland and other vegetative communities, undeveloped areas, areas subject to coastal flooding, public evacuation routes, historic preservation areas and conservation areas. The Port Master Plan Map will be posted on the City website and updated at least annually.

POLICY 5P.01.02.

Within the City of Fernandina Beach, the Port of Fernandina shall not expand port operations beyond industrially waterfront zoned or industrially zoned land (as depicted on the 2011 Comprehensive Plan Map). The Port of Fernandina will not expand any ancillary operations including parking lots into the historic district or any other residentially or mixed use zoned land (as depicted in the 2011 Comprehensive Plan Map and in the Land Development Code) with the exception of 501 North 3rd Street and the adjacent parking lot east of the property.

POLICY 5P.01.03.

Prior to any new proposed development or redevelopment, within the City of Fernandina Beach, the Port of Fernandina will conduct an analysis of the environmental, socioeconomic, and fiscal impact on the City of Fernandina Beach.

The analysis will delineate the required infrastructure to support this development or redevelopment and the plans and principles to be used to control development and redevelopment to eliminate or mitigate the adverse impacts on coastal wetlands; living marine resources; unique wildlife habitat; historical and archaeological sites; other fragile coastal resources and the adjacent historic district.

The analysis will be presented to the City of Fernandina Beach for their review and comment. Those comments will be submitted to the Port Council or other state or federal agencies with any new funding requests.

POLICY 5P.01.04.

The Port of Fernandina shall continually maintain and upgrade its in-water and upland facilities to derive the best use from its infrastructure.

POLICY 5P.01.05.

The Port of Fernandina shall coordinate with the U.S. Army Corps of Engineers and the City of Fernandina Beach, regional, state and federal regulatory agencies for maintenance dredging of the Amelia Island River, as needed to accommodate waterborne commerce operations.

POLICY 5P.01.06.

Prior to any future development or redevelopment to the Port of Fernandina, within the City of Fernandina Beach, all plans or proposals for development or redevelopment shall be reviewed by the City of Fernandina Beach for meeting all applicable Comprehensive Plan policies, land development regulations, City Ordinance requirements and provide that financial assurances are made that required public facilities will be in place to meet the demand imposed by the completed development or redevelopment. Such public facilities will be scheduled for phased completion to coincide with demands generated by the development or redevelopment.

OBJECTIVE 5P.02.

ECONOMIC DIVERSIFICATION

The Port of Fernandina shall explore opportunities to develop synergies between its waterborne commerce operations and other economic resources in the area.

POLICY 5P.02.01.

The Port of Fernandina shall seek potential users to achieve maximum site utilization.

POLICY 5P.02.02.

The Port of Fernandina shall explore complementary upland developmental opportunities, but not within the boundaries of the Fernandina Beach historic district.

POLICY 5P.02.03.

The Port of Fernandina shall continue its participation in Foreign Trade Zone 64 with JAXPORT and shall explore other possible partnering opportunities.

OBJECTIVE 5P.03.

ST. MARY'S RIVER ENTRANCE CHANNEL AND AMELIA RIVER ACCESS

The Port of Fernandina may pursue maintenance dredging activities from the St. Mary's River Entrance Channel to the Amelia River leading to the Port to provide the water depths needed to serve ships and barges that call at the Port. Maintenance dredging activities and the management of spoil material shall be pursued in a manner consistent with the State Comprehensive Plan's goals and policies addressing stewardship of water resources, coastal and marine resources, and natural systems.

POLICY 5P.03.01.

The Port of Fernandina may undertake maintenance dredging, as required to ensure safe navigational conditions for the ships and barges calling at its facilities.

POLICY 5P.03.02.

Prior to any maintenance dredging the Port of Fernandina in agreement with the Corps of Engineers and other federal, state, or local agencies shall identify an

environmentally acceptable spoil site for the disposal of the dredged material the channel dredging projects generate.

OBJECTIVE 5P.04.

INTRACOASTAL CONNECTIONS

To take better advantage of its proximity to the Intracoastal Waterway, the Port of Fernandina may support initiatives to improve Intracoastal connections.

POLICY 5P.04.01.

The Port of Fernandina may cooperate with entities seeking to improve conditions along the Intracoastal Waterway.

POLICY 5P.04.02.

The Port of Fernandina, within the City of Fernandina Beach, will not accept, transfer, load or store coal, coal ash, or Liquefied Natural Gas (LNG).

OBJECTIVE 5P.05.

HIGHWAY ACCESS AND CONNECTIVITY

The Port of Fernandina may collaborate with local, regional, and state agencies to develop the intermodal connections needed for the efficient movement of goods to and from its facilities.

POLICY 5P.05.01.

The Port of Fernandina shall be required to mitigate traffic impact to the surrounding residential neighborhood, by designing the facilities, and/or scheduling arriving truck traffic to eliminate the queuing of trucks outside the gates.

POLICY 5.05.02.

The Port of Fernandina shall work with the City, the TPO, the Florida Department of Transportation, the local community and other entities to gain funding for any needed improvements to roads over which Port truck traffic must travel.

POLICY 5.05.03.

The Port of Fernandina shall implement a plan to prevent truck access or egress from the Port on North Front (south of Calhoun Street), North Second (south of Broome Street), and North Third Streets in an effort to reduce truck traffic effects on adjoining residential properties.

OBJECTIVE 5P.06.

RAIL SERVICE AND CONNECTIVITY

The Port of Fernandina shall collaborate with Genesee & Wyoming and CSX, or their successors, to obtain the best possible service and interchanges.

POLICY 5P.06.01.

The Port of Fernandina may continue its use of the on-site rail line and shall seek opportunities for more efficient use of the rail line.

POLICY 5P.06.02.

The Port of Fernandina shall collaborate with railways, FDOT, and the City to improve the warning devices at the Dade and Front Street highway-rail grade crossing to increase safety, with the goal of reducing fatalities and injuries.

OBJECTIVE 5P.07.

AIRPORT SERVICE AND CONNECTIVITY

The Port of Fernandina may collaborate with City airports to develop the intermodal connections needed for the efficient movement of goods to and from its facilities.

POLICY 5P.07.01.

The Port of Fernandina may work to explore service opportunities for the efficient movement of waterborne goods through the Port.

OBJECTIVE 5P.08.

NATURAL RESOURCE PRESERVATION AND PROTECTION

The Port of Fernandina shall conserve and protect natural resources including forests, wetlands, fish, marine life, and wildlife, and shall cooperate with federal, state, regional, and local agencies in developing sound environmental impacts of Port development and operations.

POLICY 5P.08.01.

The Port of Fernandina shall limit specific and cumulative impacts on water quality to maintain the integrity of the Amelia River and maintain the applicable water quality standards. In doing so, the Port shall design the drainage system on its property to meet National Pollution Discharge Elimination System (NPDES), Florida Department of Environmental Protection, and St. Johns River Water Management District water quality standards and shall coordinate its efforts with federal, state, regional, county and city governmental agencies.

POLICY 5P.08.02.

The Port of Fernandina shall not place or build structures including pier or pier extensions in wetlands, wetland transition areas, or conservation area and shall not conduct activities which degrade any wetlands and/or wildlife habitat.

POLICY 5P.08.03.

The Port of Fernandina shall continue to coordinate with state and federal agencies, the Cumberland Sound Pilots Association, and other interested organizations to protect manatee and right whale communities surrounding the Amelia River Basin.

POLICY 5P.08.04.

The Port of Fernandina shall use best management practices during construction, operation and maintenance at the Port facility. All new development or redevelopment at the Port of Fernandina, within the City, shall meet or exceed applicable Federal, State, and local regulations.

POLICY 5P.08.05.

A plan, including a proposed funding source, to remediate the surface drains which currently empty directly into the Intracoastal Waterway and wetlands will be developed by April 1, 2019.

POLICY 5P.08.06.

The Port of Fernandina shall coordinate and implement strategies with industry and the City to meet the air quality standards established by the EPA and DEP.

POLICY 5P.08.07.

The Port of Fernandina will devise a feasibility plan by April 1, 2019 concerning the benefits and costs of installing and requiring ship to shore power at the Port of Fernandina.

OBJECTIVE 5P.09.**PROTECTION FROM NATURAL HAZARDS**

The Port of Fernandina shall implement or exceed the measures required by the City of Fernandina, Nassau County and other agencies to protect human life and property from natural hazards.

POLICY 5P.09.01.

All new development or redevelopment at the Port of Fernandina, within the City, shall meet the standard of construction for V Flood Zones or a higher standard and be maintained as required by local ordinance and shall not have any adverse effect by increasing the elevation or velocity of flood waters or in increasing flows due to change in drainage or flow characteristic (e.g. change in direction) on the subject site, adjacent properties, or any public or private right-of-way.

POLICY 5P.09.02.

The Port of Fernandina shall design and construct all development or redevelopment at the Port in accordance with the Unified Florida Building Code and Fernandina Beach City Ordinances including obtaining all required City permits and floodplain elevation certificates.

POLICY 5P.09.03.

The Port of Fernandina shall prepare a hurricane contingency plan and keep its plan up to date, ensuring that it is consistent with city and county emergency plans. This plan will be filed with the City on or before June 1st of each year.

POLICY 5P.09.04.

The Port of Fernandina shall implement post-disaster redevelopment procedures to reduce or eliminate exposure to human life and property to natural hazards. These procedures shall include the structural modification or removal of facilities that have experienced repeated storm damage.

OBJECTIVE 5P.10.**PROTECTION FROM MAN-MADE DISASTERS**

The Port of Fernandina shall reduce exposure to harm human life and property from manmade disasters by implementing sound safety and security programs.

POLICY 5P.10.01.

To provide a safe operating environment, the Port of Fernandina shall implement required Federal, state and local safety and health measures and ensure that operations are conducted in accordance with those measures.

POLICY 5.10.02.

The Port of Fernandina shall prepare and implement the security plan mandated and approved under state and federal guidelines. Funding Port Security is a priority and shall preempt funding of any new development or redevelopment in the City of Fernandina Beach.

POLICY 5P.10.03.

The Port of Fernandina in cooperation with all federal authorities shall prohibit the handling of unauthorized hazardous materials and shall be prepared to contain hazardous material spills that could occur at the Port facility site.

POLICY 5P.10.04.

At the Port of Fernandina all emergency contingency materials and equipment necessary to mitigate petroleum spills in the water shall be stored onsite by April 1, 2019. This shall be verified by the Fernandina Beach Fire Chief or his designee on or before April 1st of each year.

POLICY 5P.10.05.

A waterfront facility, which is a facility of particular hazard as defined in 33CFR 126.3, shall not be allowed in Waterfront Industrial or I-W zoned areas.

POLICY 5P.10.06.

The Port of Fernandina shall prepare an evacuation contingency and warning plan to evacuate the adjacent area in the event of a toxic spill, toxic gas release, Port fire, or other manmade disaster and keep its plan up to date, ensuring that is consistent with city and county emergency plans. This plan shall be filed annually with the City no later than April 1st.

OBJECTIVE 5P.11.

BUDGETARY PROCESS

The Port of Fernandina shall implement a budgetary process that balances Port revenues, operating expenses, and capital expenditures needed to satisfy the anticipated market demand and capture new market share.

POLICY 5P.11.01.

The Port of Fernandina shall monitor tariffs and fees charged by neighboring ports, both north and south, and shall implement a competitive fee structure.

POLICY 5.11.02.

The Port of Fernandina shall update its capital improvement plan annually to reflect budgetary and market changes, prioritizing implementation to obtain the best return on facility investments. The capital improvement plan shall be filed with the City annually on or before April 1st.

OBJECTIVE 5P.12.

FUNDING OPPORTUNITIES

The Port of Fernandina shall pursue diverse funding opportunities to accelerate the rate at which it can implement its capital improvement plan.

POLICY 5P.12.01.

The Port of Fernandina shall prepare a briefing for area legislators, the City, and the public in the fall of each year to review the Port's financial status, proposed capital improvement budget and to reacquaint them with the Port's economic impact on the region and the important of its needs being addressed in the state's budget process.

POLICY 5.12.02.

The Port of Fernandina shall actively seek grant funds from state and federal sources and shall supplement funding needs not met by grants with loans from commercial lending institutions and/or governmental entities.

POLICY 5.12.03.

The Port of Fernandina shall explore opportunities for public/private partnerships in the development and redevelopment of the Port.

OBJECTIVE 5P.13.**COMPATIBILITY WITH THE CITY'S COMPREHENSIVE PLAN**

The Port of Fernandina shall work with the City of Fernandina to ensure that port maintenance and development or redevelopment activities are compatible with and support the programs and policies contained in the City's Comprehensive Plan.

POLICY 5P.13.01.

The Port of Fernandina shall coordinate its planning and development efforts with the City of Fernandina Beach to ensure that the Port's planned projects and land uses comply with the City's Comprehensive Plan, including the Conservation and Coastal Management Element and Land Development Code and are compatible with adjacent land uses.

POLICY 5.13.02.

The Port of Fernandina shall continue to coordinate with the Fernandina Beach Historic District Council to ensure preservation and restoration of significant historical sites that fall within the jurisdiction of the Port Authority facility. Where Port property is adjacent to the Historic District, a 30-foot landscaped buffer shall be maintained.

POLICY 5.13.03.

The Port of Fernandina shall coordinate with the City to ensure the provision of adequate infrastructure and utilities for Port operations.

OBJECTIVE 5P.14.**PLAN IMPLEMENTATION COORDINATION**

The Port of Fernandina shall be proactive in coordinating its development efforts with local, state and federal permitting agencies and other private entities to ensure that its development and operations are carried out in accordance with the public interest and regulatory requirements.

POLICY 5P.14.01.

The Port of Fernandina shall obtain community input prior to implementing any Port development program.

POLICY 5.14.02.

The Port of Fernandina shall comply with the provisions of the permits governing its in-water and upland development program.

OBJECTIVE 5P.15.

GOVERNMENTAL AND AGENCY COORDINATION

The Port of Fernandina shall coordinate its development and redevelopment program with applicable agencies to promote sound planning and economic opportunities.

POLICY 5P.15.01.

The Port of Fernandina shall support the economic development initiatives of the City of Fernandina Beach, by pursuing activities that expand economic opportunities.

POLICY 5.15.02.

The Port of Fernandina shall review the economic development initiatives of Nassau County and support when consistent with the City of Fernandina Beach Comprehensive Plan.

POLICY 5P.15.03.

In addition to city and county governments, the Port of Fernandina shall cooperate with the Northeast Florida Regional Council; the St. Johns River Water Management District; the Florida Departments of Transportation, Environmental Protection, and Economic Opportunity; the U.S. Army Corps of Engineers, and other applicable agencies in implementing the goals, objective and policies as delineated in the Comprehensive Plan.

POLICY 5.15.04.

The Port of Fernandina shall develop a strategic plan with a 10-year horizon which shall at a minimum include the elements listed in FS 311.14 – Seaport Planning and which adequately addresses the applicable requirements of FS 163.3178. To the extent feasible, the port master plan must be consistent with the City Comprehensive Plan.

The Port of Fernandina shall submit the Master Plan to the City for consistency review with City of Fernandina Beach Comprehensive Plan. Any inconsistencies that cannot be resolved with the Port of Fernandina shall be noted in the Port Master Plan and shall not be adopted in the Comprehensive Plan by reference.

OBJECTIVE 5P.16.

COLLABORATION WITH LOCAL AND REGIONAL MARITIME, COMMERCIAL, AND INDUSTRIAL INTERESTS

To help achieve its primary goal of economic development, the Port of Fernandina may cooperate with other Northeast Florida interests as they seek to expand the region's commercial and industrial base.

POLICY 5P.16.01.

The Port of Fernandina may participate in the efforts of local and regional groups pursuing area wide economic development.

POLICY 5.16.02.

The Port of Fernandina may cooperate with JAXPORT to pursue areas of common interest, such as cargo handling synergies, regional promotional campaigns and special funding opportunities.



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ITEM TYPE: Future Land Use Map Amendment < 10 Acres

REQUESTED ACTION:

SYNOPSIS:

CITY ATTORNEY COMMENTS:

Jacob Platt, Senior Planner 1/6/2021

Kelly N. Gibson, AICP, Planning Director 1/6/2021

_____ Date: January 06, 2021

Submitted By: Jacob Platt, Senior Planner



PAB Meeting Discussion Items

January 13, 2021
5:00 PM

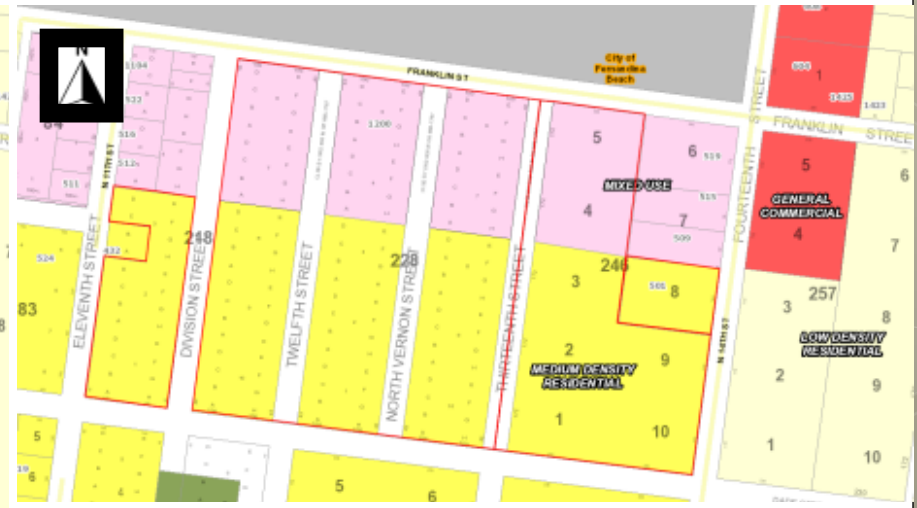
Boundary Error

Parcel # 00-00-31-1800-0218-0010, 00-00-31-1800-0246-0010, 501 N. 14th Street, 1200 Franklin Street

ZONING



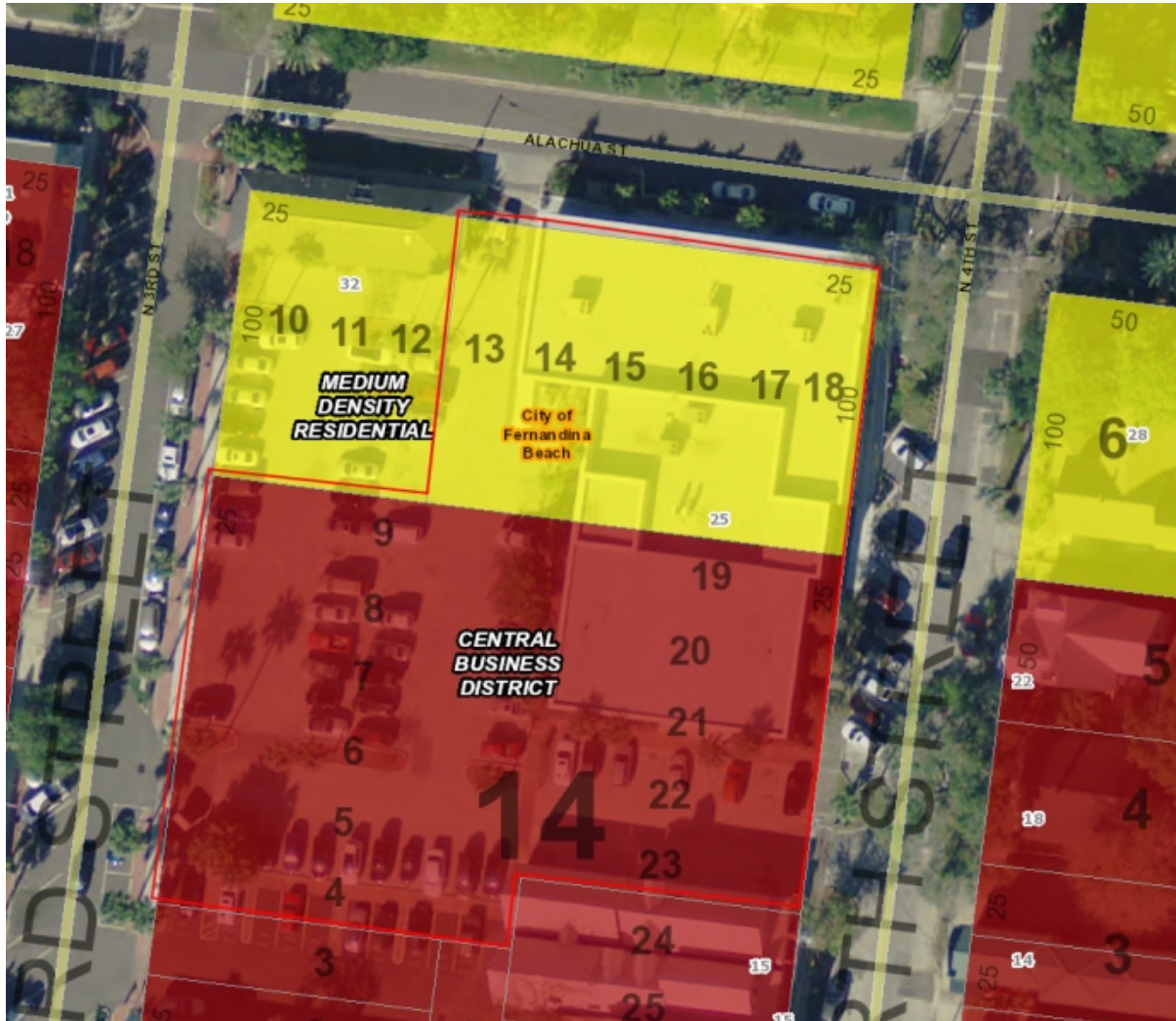
FLUM



Discrepancy between the alignment to the underlying lots of record.

Boundary Error

Fernandina Beach Branch Library

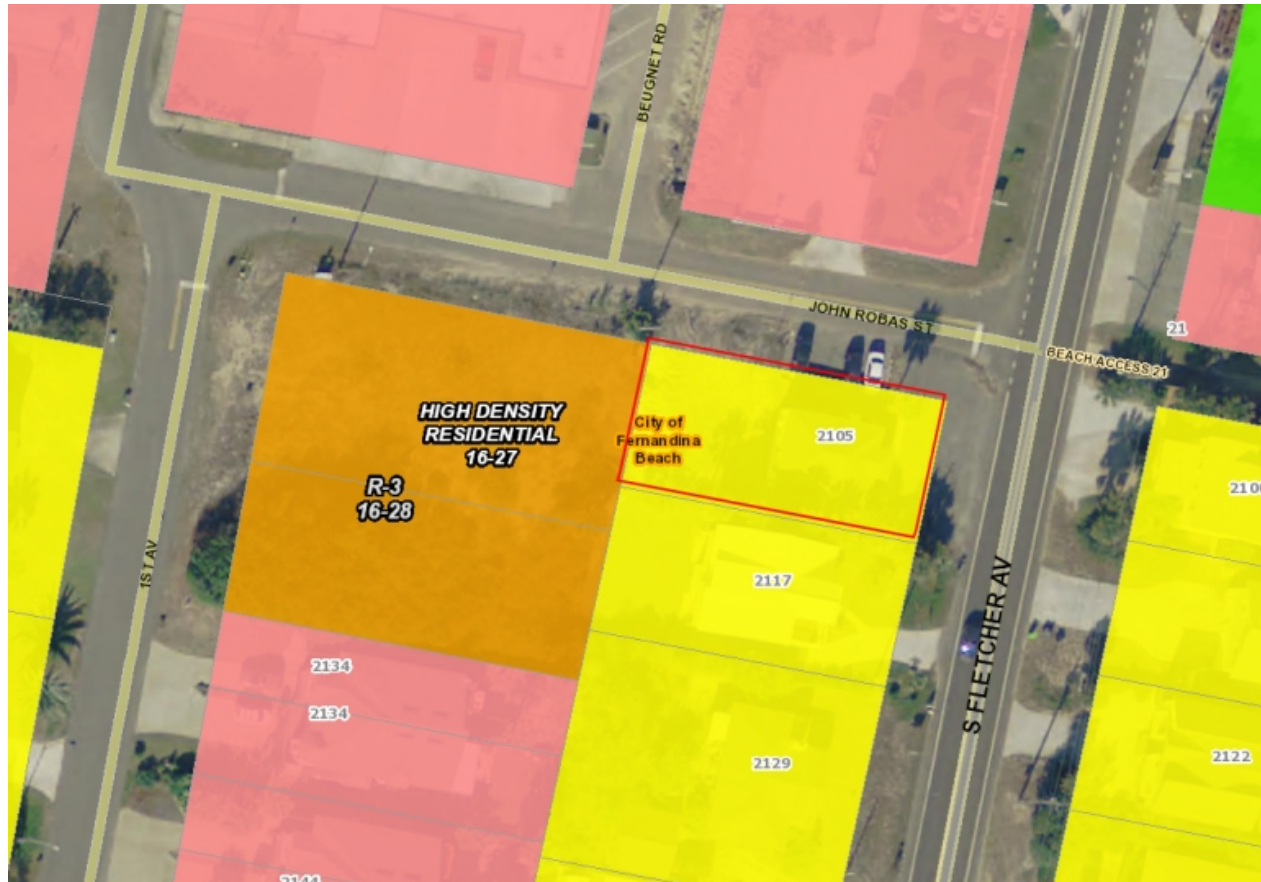


25 North 4th St.

Underlying lots of
record fronting
Alachua Street

R-2 Zoning
MDR FLUM

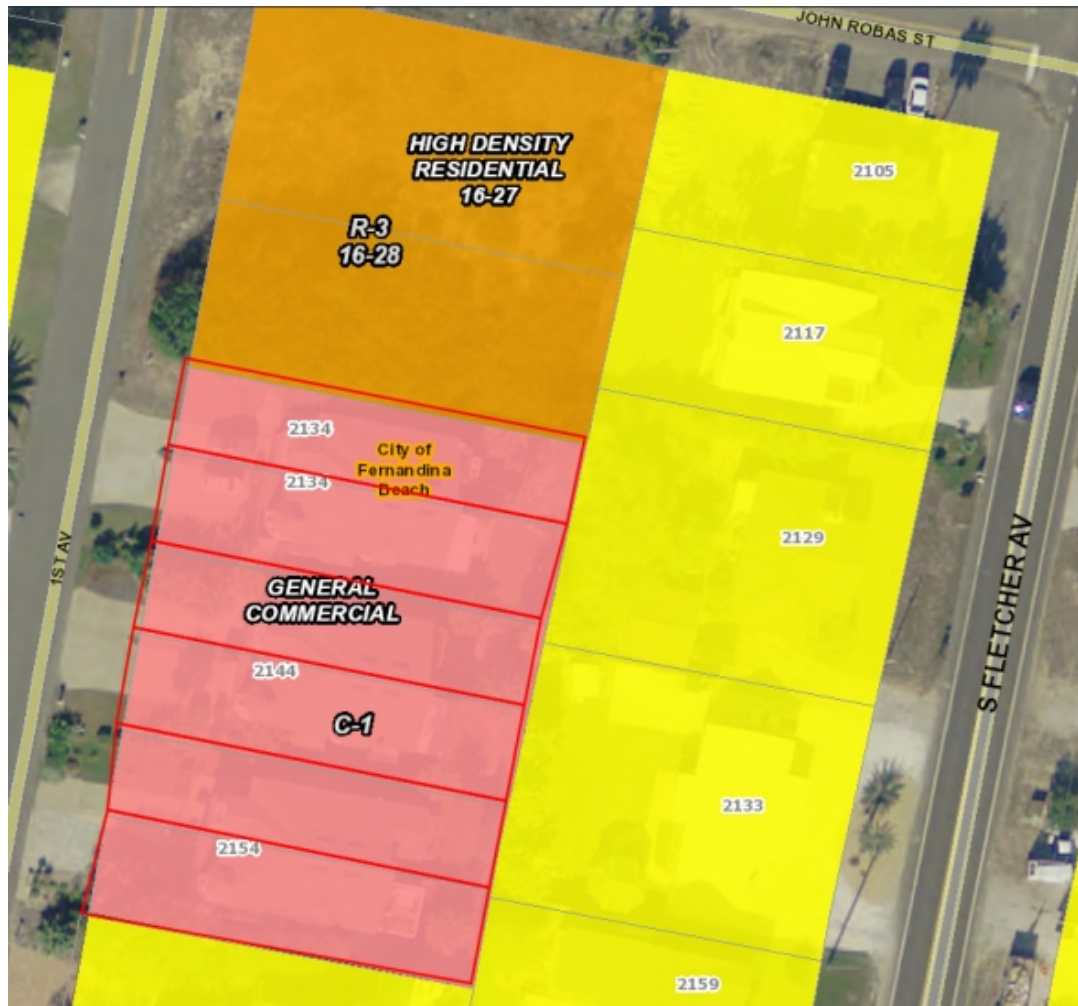
2105 S. Fletcher Avenue



Existing Office
Building

R-2 Zoning
MDR FLUM

Error



2134 A&B 1st Avenue
2144 A&B 1st Avenue
2154 A&B 1st Avenue

C-1 Zoning
General Commercial
FLM

Error



3172 S. Fletcher Avenue – Beachside Motel

R-3 Zoning
HDR FLUM

Nonconforming commercial
use in a residential zoning district.

Error



3199 S. Fletcher Ave.
The Surf

R-3 Zoning
HDR FLUM

Nonconforming
commercial use in a
residential zoning
district.

PLANNING ADVISORY BOARD AGENDA ITEM
City of Fernandina Beach



SUBJECT:

ITEM TYPE: Vacation of Right-of-Way

REQUESTED ACTION:

SYNOPSIS:

CITY ATTORNEY COMMENTS:

Date: December 09, 2020

Submitted By: Taylor Hartmann, Planning Technician

PLANNING ADVISORY BOARD AGENDA ITEM
City of Fernandina Beach



SUBJECT:

ITEM TYPE: Vacation of Right-of-Way

REQUESTED ACTION:

SYNOPSIS:

CITY ATTORNEY COMMENTS:

Jacob Platt, Senior Planner

Kelly N. Gibson, AICP, Planning Director

Tammi E. Bach, City Attorney

Date: January 06, 2021

Submitted By: Taylor Hartmann, Planning Technician



Planning Activity Report for October 2020

HISTORIC DISTRICT COUNCIL (HDC)

The HDC Board meets every 3rd Thursday of each month

LOCATION	CASE NUMBER	MEETING DATE	SUMMARY OF REQUEST	STAFF RECOMMENDATION OR ACTION	BOARD FINDING	NEXT STEPS
205 Amelia Street	HDC 2020-0047	12/17/2020	COA to construct 2-story single-family home and a detached garage	Pending Review	Pending meeting	
205 N 3rd St.	HDC 2020-0048	12/17/2020	COA to construct a two-story single-family home w/detached 2 car garage + pool	Pending Review	Pending meeting	
101 N. 2nd Street	HDC 2020-0051	12/17/2020	COA to demolish metal building and remove slab	Pending Review	Pending meeting	
809 San Fernando St.	HDC 2020-0046	12/17/2020	COA to construct a 2-story single-family residence	Pending Review	Pending meeting	
Block 13, Lots 7+9, Ladies St.	HDC 2020-0049	12/17/2020	COA to construct a 2-story single-family residence and detached garage	Pending Review	Pending meeting	
910 Someruelus Street	HDC 2020-0024	12/17/2020	COA for the demolition of a non-contributing structure	Approval	Pending meeting	
1020 White Street	HDC 2020-0052	1/21/2021	COA to construct a 2-story single-family residence	Pending Review	Pending meeting	
San Fernando St., Block 7, Lot 8	HDC 2020-0050	1/21/2021	Certificate of Approval (COA) to construct a 2-story guesthouse and detached shed using matching and/or complimentary materials to existing structure	Pending Review	Continued to date certain Jan. 21, 2021 Regular Meeting	
116 N. 4th St.	HDC 2020-0055	1/21/2021	Certificate of Approval (COA) to replace existing front steps and brick walkway	Pending Review	Pending meeting	
302 Centre St.	HDC 2020-0056	1/21/2021	Certificate of Approval (COA) to construct a 6100 s.f. restaurant	Pending Review	Pending meeting	
302 Centre St.	HDC 2020-0057	1/21/2021	Certificate of Approval (COA) to demolish a primary structure	Pending Review	Pending meeting	



Planning Activity Report for October 2020

HDC OLD BUSINESS

LOCATION	CASE NUMBER	MEETING DATE	SUMMARY OF REQUEST	STAFF RECOMMENDATION OR ACTION	BOARD FINDING	NEXT STEPS
Lots 2 + 3 + 4 Blck 8 N. 2nd St	HDC 2020-0034	12/17/2020	COA FINAL review for two 3-story single family dwellins on three (3) 25' lots of record	Pending Review	Pending Meeting	
229 S. 8th Street	HDC 2020-0036	12/17/2020	COA to replace 19 windows	Denial	Continued from 10/12/20 to 12/12/2020	
316 N. 3rd Street	HDC 2020-0037	12/17/2020	CONCEPTUAL COA to construct new 2-story primary structure with detached 1 1/2 car garage	Approval	Continued from 10/12/20 to 12/17/2020	
231 N. Front	HDC 2020-0038	12/17/2020	COA to demolish a primary structure	Pending Review	Pending Meeting	
Lots 3+4, Block 11, New Street	HDC 2020-0030	12/17/2020	Final Certificate of Approval (COA) to construct a 2-story primary residence.	Pending Review	Pending Meeting	
1132 White Street	HDC 2019-0039	1/21/2021	Amendment to previously approved Certificate of Approval (COA) to increase room sizes and adjust roof form on east and southeast elevations accordingly.	Pending Review	Pending Meeting	



Planning Activity Report for October 2020

BOARD OF ADJUSTMENT (BOA)

The Board meets on the 3rd Wednesday of each month

LOCATION	CASE NUMBER	MEETING DATE	SUMMARY OF REQUEST	STAFF RECOMMENDATION OR ACTION	BOARD FINDING	NEXT STEPS
Mike + Melissa Bell - 101 N. 7th St	BOA 2020-0013	12/16/2020	Variance from LDC 4.02.03 € seeking reduction in rear yard setback from 28ft to 18ft too allow a 10ft deep 1-story porch	Denial	pending meeting	
Mark D. Chauncey - 321 N. 19th St	BOA 2020-0012	12/16/2020	Variance from LDC 4.02.03€ seeking reduction of front yard setback	Denial	Applicant Requested Postponement to 12/16/2020 Regular Meeting	

PLANNING ADVISORY BOARD (PAB)

The Board meets on the 2nd Wednesday of each month

LOCATION	CASE NUMBER	MEETING DATE	SUMMARY OF REQUEST	STAFF RECOMMENDATION OR ACTION	BOARD FINDING	NEXT STEPS

TECHNICAL REVIEW COMMITTEE (TRC)

The Committee meets on the 2nd and 4th Thursday of each month.

LOCATION	CASE NUMBER	MEETING DATE	SUMMARY OF REQUEST	STAFF RECOMMENDATION OR ACTION	BOARD FINDING	NEXT STEPS
233 S. 14th St.	SPR 2020-0013	1/14/2021	Site Plan Review to construct pervious parking lot and dry pond system to serve an 11-unit group residential	pending review	pending meeting	
309 N. 10th St.	SPR 2020-0012	1/14/2021	Site Plan Review to extend 10th St. for a residential single family lot	pending review	pending meeting	

ADMINISTRATIVE REVIEW APPLICATIONS

LOCATION	CASE NUMBER	APPLICATION DATE	SUMMARY OF REQUEST	STAFF RECOMMENDATION OR ACTION	REVIEW FINDING	NEXT STEPS
Lots 2 3 4 N. 2dn Street	ADMIN2020-	9/22/2020	Minor Subdivison/Lot Line Adj			

WATER SEWER ANNEXATION AGREEMENT

LOCATION	CASE NUMBER	APPLICATION DATE	SUMMARY OF REQUEST	STAFF RECOMMENDATION OR ACTION	REVIEW FINDING	NEXT STEPS
855 Cashen Drive	ADMIN2020-0028	11/2/2020	Water/Wastewater Annexation	Approval	CC Dec. 15 Regular Meeting	
858 Cashen Drive	ADMIN2020-0029	11/2/2020	Water/Wastewater Annexation	Approval	CC Dec. 15 Regular Meeting	