



AGENDA
FERNANDINA BEACH CITY COMMISSION
WORKSHOP
JULY 5, 2022
5:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. DISCUSSION**
 - 3.1 **ALTERNATIVE REVENUES** - *This item is placed on the agenda at the request of Commissioner Ross.*
 - 3.2 **TREE PROTECTION, INSPECTION, AND EVALUATION:** *This item is placed on the agenda at the request of Mayor Lednovich.*
- 4. ADJOURNMENT**

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSES, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS MADE. AT THE DISCRETION OF THE MAYOR, A RECESS MAY BE SCHEDULED EVERY NINETY MINUTES.

Persons with disabilities requiring accommodations in order to participate should contact the City Clerk at (904) 310-3115 or TTY/TDD 711 (for the hearing or speech impaired).

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Alternative Revenues

ITEM TYPE: Discussion

REQUESTED ACTION:

SYNOPSIS: Comm. Ross wishes to discuss additional revenue opportunities such as, but not limited to, fire service fees, municipal utility taxes, special assessments, etc.

FISCAL IMPACT:

CITY ATTORNEY COMMENTS:

CITY MANAGER RECOMMENDATION(S):

Dale Martin, City Manager 6/9/2022

Katie Newton, Legal Assistant 6/28/2022

Date: June 14, 2022

Submitted By: Monica Benischek, Administrative Services Manager

COMMISSION ACTION:

REVENUE

CURRENT SOURCES

35% of Revenue for the General Fund comes from other sources than property tax:

- **Intergovernmental** **6.7%**
 - **State and Federal Grants [variable and unpredictable]**
 - **State 1/2 cent sales tax - population based**
 - **OHPA – being litigated**
 - **State revenue sharing -**
- **Franchise Fees** **6.1%**
 - **Electricity**
 - **Propane Gas**
- **Sales/Use/Fuel Tax** **11.3%**
 - **Small County surtax**
 - **Local option gas tax**
 - **Insurance tax**
- **Charges for services** **7.5%**
 - **Parks & Recreation**
 - **Ambulance**
 - **Ocean Rescue**
- **Licenses & Permits** **1.6%**
- **Fines & Forfeitures** **.1%**
- **Other** **.9%**

TOTAL \$8 million +/-

**PREVIOUSLY SUGGESTED AND PREVIOUSLY REJECTED
ADDITIONAL SOURCES OF REVENUE FOR THE GENERAL
FUND**

- **Paid Beach Parking**
- **Paid Parking Downtown**
- **Increase Electric Franchise Fee**
- **Charge Youth Leagues for Use of Playing Fields**
- **Building Department Fees**

OTHER POSSIBILITIES

Fire Services Currently Cost the City approximately \$3.1 million / year and the 5 Year Estimated Capital Costs are \$3 million +/-.

- **Possibility #1 - Fire Services Assessment Fee**

- Fire Services Assessment Fee is an annual recurring fire services special assessment program which provides a dedicated, stable source of funding for fire services excluding emergency medical services. The assessment can be used to help fund all aspects of the city's fire service program including firefighters, related facilities such as new fire stations and a training facility, apparatus, equipment and programs.
- There are many possibilities on how to apply the fee. One example is listed below:

City Leesburg Current Fire Protection Assessment Rates:

Residential Property Use

Categories

Rate per Dwelling Unit

Residential

\$ 87.00

Non-Residential Property Use

Categories

Rate per Square Foot

Commercial

\$ 0.05

Industrial/Warehouse

\$ 0.02

Institutional

\$ 0.15

Church

\$ 0.04

The Fire Protection Assessment Ordinance provides for certain exemptions for the following categories of property:

- a. Homesteaded, owner occupied residential parcels owned by Low Income Persons as defined in the Ordinance;
- b. Mobile Home Park and Recreational Vehicle Park properties, in accordance with an occupancy formula specified in the Ordinance; and
- c. Wholly tax exempt Church property used primarily for religious purposes

- **Possibility #2 - Special Assessment Fees [SAF]**

Cities are authorized to collect special assessments by F.S. § 170.01. A special assessment is a charge “assessed against the property of a particular locality because that property derives some special benefit” from a government service provided in that locale beyond the general benefit accruing to all citizens.

A Special Assessment Fee can provide for the payment of all or any part of the costs of any such improvements by levying and collecting special assessments on the abutting, adjoining, contiguous, or other specially benefited property.

A special assessment fee can be used to partially or fully fund:

- Roads and Sidewalks
- Road lighting
- Stormwater projects
- Underground utilities
- Sea walls

- **Possibility #3 - Water Public Service Tax**

ARTICLE IV. PUBLIC SERVICE TAX City Ordinances

Sec. 74-128. Same—Other utilities.

There is hereby levied by the city on each and every purchase within the city of electricity, metered or bottled gas (natural, liquified petroleum gas, or manufactured), **water service**, and telegraph service a tax of ten percent of the total amount of the charges made by the sellers. Services competitive with those enumerated in this section shall be taxed on a comparable basis at the same rate. The tax imposed by this section shall not be applied against any fuel adjustment charge.

(Code 1955, § 21-3; Ord. No. 731, 2-3-87; Code 1991, § 118.01)

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Tree protection, inspection, and evaluation.

ITEM TYPE: Discussion

REQUESTED ACTION:

SYNOPSIS: This matter is before the City Commission following discussion at their June 21, 2022, Regular Meeting.

FISCAL IMPACT:

CITY ATTORNEY COMMENTS:

CITY MANAGER RECOMMENDATION(S):

Dale Martin, City Manager 6/28/2022

Caroline Best

Date: June 28, 2022

Submitted By: Caroline Best, City Clerk

COMMISSION ACTION:



















Fernandina Beach Tree Management Plan

2019- 2024



City of Fernandina Beach

2019-2024

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KEY HIGHLIGHTS FROM YOUR ARBORIST

TREE INVENTORY SUMMARY (City-owned trees)

In 2009 and 2017, a tree inventory was conducted on over 14,000 City-owned trees. It appears that a small number of forested areas/wetlands were skipped due to inventory costs exceeding the budgeted allocation. This inventory can be found on the Nassau County Property Appraiser's website: (www.nassauflpa.com). The 2009 Selvig inventory report and companion 2010 master's thesis are available on the City's website: (www.fbfl.us).

CANOPY COVERAGE ANALYSIS (All trees within City Limits)

Did our canopy SHRINK or GROW based on all the assessments? Our current canopy coverage is likely around 39% as 2 reports show. However, there IS a significant difference between the estimates using 2008 and 2009 aerials. Should another historical analysis be done to satisfy our curiosity, or should we simply accept our current 39% and move on?

- **37% Canopy Coverage using 2008 aerials:** This assessment was conducted in 2009 as part of the *Selvig Tree Appraisal*. View pg. 37
- **39% Canopy Coverage using 2018 aerials:** This assessment was conducted by the Nassau County Property Appraiser's office throughout the entire county. By request, they isolated data for the City limits. Did our canopy GROW?
- **44% Canopy Coverage using 2009 aerials AND 39% using 2019 aerials:** Provided in 2020 by *Carter Environmental Services*.

Observation 1 - On the 2019/2009 assessments, comparing the large natural areas where no development occurred. We observed gaps in the interior in 2019, but not in 2009. Could differences be from image quality/shadowing, winter vs. summer, hurricane Matthew (2016), Irma (2017) ... or was there actual canopy loss? Your City Arborist expected to find MORE FOLIAGE in the interior due to normal growth and re-sprouting, even with the 2016-2017 hurricane seasons. The 2009 aerials appear to have over-predicted the canopy percentage across the board.

Observation 2 - All trees retained and planted in new developments will continue to grow and increase the canopy coverage. It is interesting to see this ingrowth already happening in older developments as the Carter report highlights so well! This data is outstanding, even with possible biases. It helps us reflect on past actions and informs our decisions for the future!

GOAL ANALYSIS

In 2019, the Commission set a goal to increase canopy by 5% by 2024. In 2020, the Commission implemented a significant revision to its tree protection ordinance by modifying mitigation ratios from 20/25% to 50% for all development. It is expected that the resulting changes will affect the number of fees paid for mitigation inches, thereby inspiring design choices that preserve more trees onsite.

Finding SPACES to plant requires buy-in from all departments with suitable areas. This remains the City's principal challenge when considering new plantings, especially on a large scale. The City needs to reconsider its planting philosophy for trees in public rights-of-way and modify the Greenway Management Plan to allow for tree plantings. Other ideas for planting can be found in the report.

INTRODUCTION

Forests generally develop over time through a complex interaction of climate, soils, and organisms; an ecosystem that is relatively stable and self-sustaining. Natural or man-made disturbances like wildfire, windstorms, timber harvesting, or planting might occur over large areas from time to time, but the natural process continues for the most part. In an urban environment, the natural landscape may be modified in a smaller area, but in a more drastic and permanent way. As infill occurs, the natural environment becomes fragmented and displaced by fill dirt, concrete, structures, and a hodge-podge of native and non-native vegetation. With long term planning and management, the urban forest can be better preserved, replaced, and shaped with intentionality to compliment society and the environment.

This management plan outlines the goals and methods the City will use to preserve and enhance our urban forest in a sustainable way while accommodating social and economic needs.

TREE INVENTORY SUMMARY (City-owned trees)

The first step in creating a tree plan is to assess the present condition. In 2009 and 2017, a tree inventory was conducted for Fernandina Beach, examining over 14,000 City-owned trees. A small number of forested areas and wetlands were omitted due to time and expense outweighing the usefulness of the data. The tree inventory can be found on the Nassau County Property Appraiser's GIS map (www.nassauflpa.com), utilizing the "Map Layers" tab, under "Planning and Growth Management". By analyzing the data, City staff can make better management decisions.

The 2009 Selvig Tree Inventory and Canopy Analysis report as well as the 2010 Latimer Master's Thesis based on the above report are available on the City's website: (www.fbfl.us).

Inventory Results:

Approximately 65% of the trees were located along city streets with the remaining 35% in public spaces. Additionally, nearly 70% of the trees were reported to be in good condition. The data further revealed that 28% of our public trees are live oaks, 19% are sabal palms, and 12% are laurel oaks. The 2009 and 2010 reports recommended increasing diversity through future tree plantings. Even so, we want to use reliable tree species that can tolerate the harsh environmental conditions found in Fernandina Beach. *The Ecology of Maritime Forests of the Southern Atlantic Coast* is an excellent document on local tree species

Canopy Coverage Analysis (All trees within City Limits)

Of course, the City's tree inventory is limited to City-owned trees. To broaden the scope and knowledge of the entire tree canopy within the City limits, aerial photography can be utilized. Although this does not capture tree-specific data, it does provide a more comprehensive snapshot of the canopy to observe and influence changes over time.

Disclaimer: It is important to note that **image analysis results are simply ESTIMATES**. Aerial photos contain many inherent differences (image clarity, pixel color, shadowing, seasons/years, etc.) An estimated 37% Canopy Coverage using 2008 aerials.

This assessment was conducted in 2009 as part of the Selvig Tree Appraisal.

An estimated 39% Canopy Coverage using 2018 aerials.

This assessment was conducted by the Nassau County Property Appraiser's office throughout the entire county. By request, their staff isolated the data for the city limits of Fernandina Beach and verbally reported an estimate of 39% canopy coverage. Did the canopy GROW slightly?

An estimated 44% Canopy Coverage using 2009 AND

An estimated 39% Canopy Coverage using 2019 (See appendix documents).

Before learning about the county's 2018 assessment, City staff contracted with Carter Environmental Services in St. Augustine to conduct an analysis using the current City boundary using aerials from 2009 and 2019. Take into consideration that some properties within the current City limits were not under City ownership in 2009, however they were still included.

Based on the 2018 and 2019 aerials, our canopy coverage is currently around 39%. However, there IS a significant difference between the 2008 and 2009 results.

The assessment based on the 2008 aerials suggests the canopy GREW 2 percentage points (a 5.3% difference). $(3,137_{\text{now}} / 2,979_{\text{then}} \times 100) - 100 = \mathbf{5.3\%}$

The assessment based on the 2009 aerials suggests the canopy DECREASED by 5.3 percentage points (a 12.3% difference). $(3,137_{\text{now}} / 3,577_{\text{then}} \times 100) - 100 = \mathbf{12.3\%}$

	Acres	Percent
FB Total	8,051	100.0
Canopy 2008	2,979	37.0
Canopy 2019	3,137	39.0
Difference	158	2.0
% Difference	5.3	

	Acres	Percent
FB Total	8,051	100.0
Canopy 2009	3,577	44.4
Canopy 2019	3,137	39.0
Difference	-440	-5.5
% Difference	-12.3	

This discrepancy between the 2008 and 2009 aerials may be something we have to accept unless additional analysis work is conducted based on different aerials. However, we could simply accept the current 39% estimate and move on. To begin with, we will compare the large natural areas (where no development occurred) in the 2019/2009 aerials. In 2019 we see gaps in the interior that are largely absent in the 2009 assessment. Why? Could this be differences in image quality, seasons (winter vs. summer), storm damage from Hurricane Matthew (2016), and Irma (2017), or actual canopy loss? Your City arborist expected to find a DENSER canopy in undisturbed areas due to normal growth and re-sprouting, even with minimal storm damage. Could the 2009 aerials have OVER-predicted the canopy percentage in natural areas and throughout the entire city? Yes, perhaps. Can the annual growth rate of every tree (39% canopy coverage) in the city be able to replace some of the simultaneous developments? Yes, easily!

In addition, all the trees retained and planted in new developments will continue to grow and increase the canopy coverage. It is interesting to see this already occurring within older developments as the Carter report has highlights so excellently. Even if there are possible errors, we can use this data to reflect on past behaviors and consider better ways to supplement our canopy.

As part of the assessment, Cater Environmental Services will deliver a speech at the upcoming meeting of the City Committee as the schedule permits. Again, this report is available on our City website: (www.fbfl.us).

TREE VALUATION

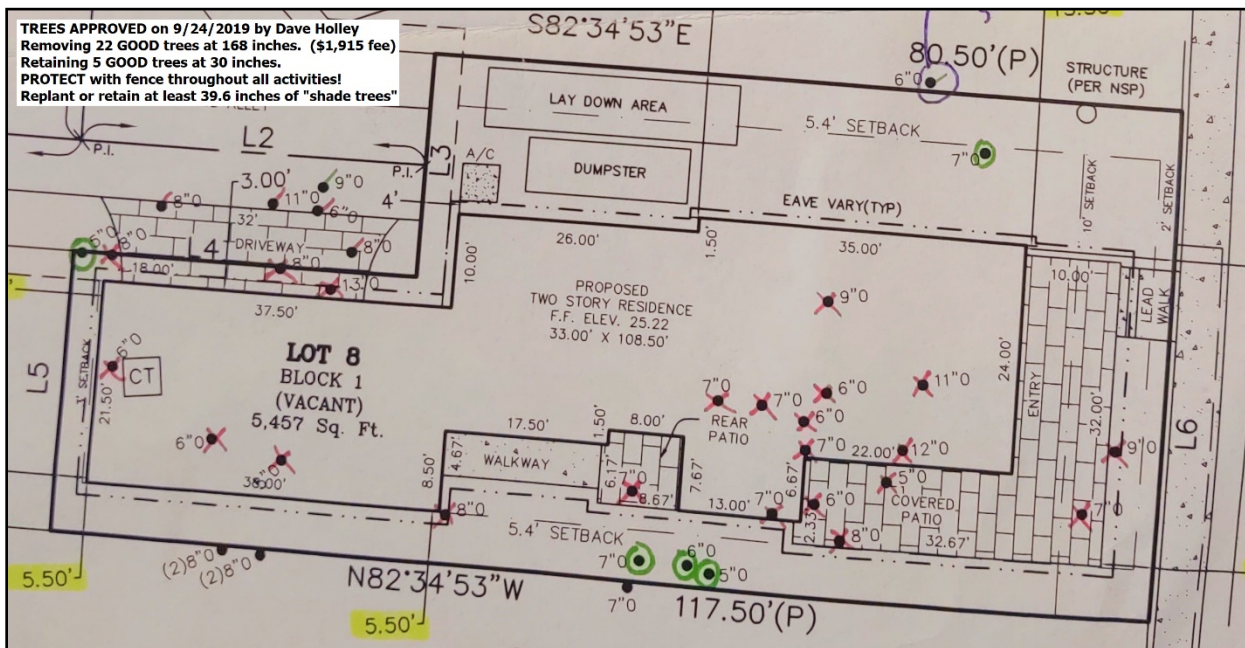
Trees provide a variety of services to people, wildlife, and the environment such as:

- Capturing stormwater (on the canopy, within fallen leaves, and from root absorption).
- Moderating the temperature (making things cooler in the summer and warmer in winter).
- Reducing wind speeds and improving air quality.
- Adding value to residences and businesses
- Maximizing local patronage and tourism for businesses and many more.

Selvig Tree Appraisal used i-Tree software in 2009 to quantify the value of the annual environmental and aesthetic benefits of the 7,000 trees contained in the inventory, and the value totaled \$56,637,455. Some years later, the 2017 inventory provided an additional 7,091 trees for a total estimated value of \$114,000,000.

TREE PLANTING

In 2019, the City Commission established a goal to increase the canopy coverage by 5% before the end of 2024. Also, in May of 2020, the City Commission revised the tree protection ordinance, making tree preservation requirements stricter for new developments. Previously, at least 20% of the inches approved for removal had to be mitigated (retained or replanted onsite) for residential properties and 25% for commercial lots. **The new standard is to mitigate 50%** of the inches slated for removal, but it will not be possible on many small lots.



To mitigate 20%, this plan shows 30 inches being retained. Replanting 9.6 inches is feasible.
To mitigate 50%, this site would need to replant 69 inches or about 27 shade trees. Not advised!

This means the tree fund will inevitably collect substantially more mitigation dollars at \$400 per tree. In theory, if all tree funds can be converted into actual trees, this will preserve over 15% more canopy.

Finding SPACES to plant will require buy-in from all departments with suitable areas. However, at some point, the city will run out of amenable spaces for new trees.

ACTION PLAN FOR 5% CANOPY INCREASE:

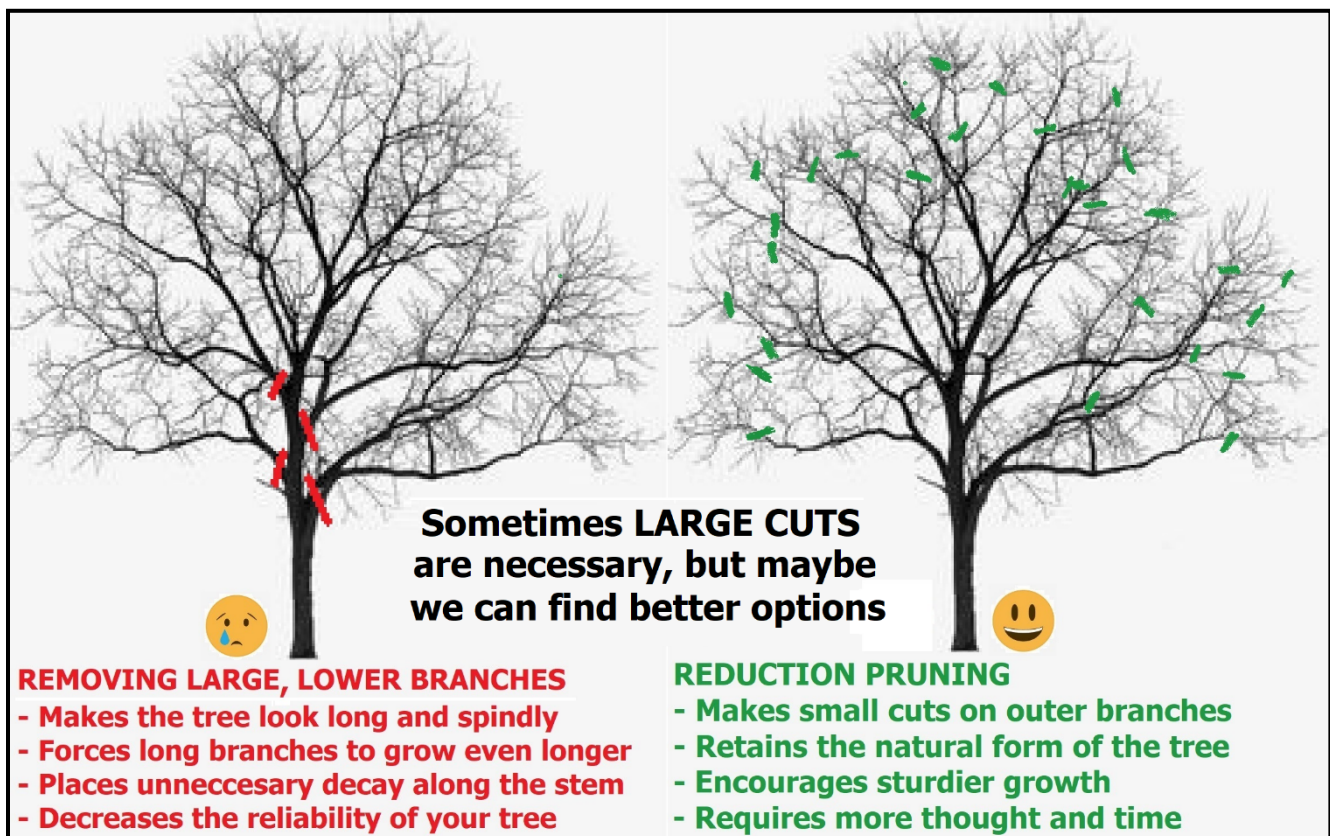
- Arbor Day Plantings – We celebrate FLORIDA Arbor Day in January and NATIONAL in April. In 2020, we celebrated by planting 32 trees at MLK Park and 1 tree at City Hall.
- Emma Love Planting – In February of 2020, we planted 20 trees with students and teachers at Emma Love Hardee. Schools can be excellent places to plant trees!
- Non-profit partnerships – Keep Nassau Beautiful planted 5 trees in City Parks in 2020, and the Junior Woman's Club planted 1 tree.
- Filling in street tree vacancies identified on the GIS tree inventory. Mapping new areas.
- Fernandina Loves Trees – We are encouraging each city resident to plant 1 tree at home.
- Trees for Permits Program – Every time a tree removal is approved, I ask people to let me know if they would be interested in obtaining a free tree if/when they become available. Many people do not respond, although a few have expressed interest.
- Natives for Invasive Replacement Program – Brazilian pepper, Chinese tallow, and Chinaberry are a few non-native plants. If residents agree to remove them, the City will provide replacement trees as an incentive. The first one is currently in the works.
- Adopt a Street Tree – Jacksonville has a program where people can request free trees in their right-of-way if City staff approves. The homeowner would handle the watering.
- Education and tree giveaway at schools – Besides planting trees at schools, we can give away bare root tree seedlings to students to take home and plant.
- Trick or Tree Halloween Giveaway – Bare root tree seedlings can be obtained cheaply. While kids collect candy on Centre Street, a small tree can be given away in a damp, sealed baggie. Even if some trees do not make it into the ground, others will.
- Trees in Parks (Central Park, Lighthouse, Egan's Creek Park, Atlantic Rec Center, Peck Center, MLK Center)– Parks are easy to plant since they are usually free of utilities. However, open spaces must be retained for events and regular use.
- Trees in Bosque Bello– Trees can also be planted on the edges in Bosque Bello cemetery and infilled as declining trees are removed. Understandably, many spaces will be unavailable for planting due to burial plots.
- Trees in Greenway – Similar to parks, the greenway is an easy place to plant, but not as easy to keep watered. Perhaps the best way to improve the canopy here would be to protect natural sprouts from mowing until they are large enough to be considered real trees.
- Trees in Golf Course – Similar to the greenway, the spaces between the greens grow naturally. Trees in maintained areas are mostly mature, and sometimes we lose a few. Although new plantings may not be as beneficial to residents, there's certainly ample space.
- Tree partnerships with Nassau County planting/maintenance or to encourage more tree planting in county rights-of-way and at boat ramps. County roadways often have large, barren road shoulders. If the city agreed to plant and establish trees on county property, a few biological deserts could be converted into an oasis. Potential planting areas may include Jasmine Street, Citrona Drive, Will Hardee Road, Susan Drive, Simmons Road, North and South 14th Street, Amelia Island Parkway, and Crane Island Drive.

RECENT TREE PLANTING EVENTS (68 trees in 2020 and 142 since 2018)

DATE	# Trees	Event Details
5/1/2018	3	Live oaks for Central Park for National Arbor Day
11/16/2018	4	Live oaks in ROW across from City Hall on Ash Street, placed by business
1/18/2019	25	Florida Arbor Day railroad buffer at S 3 rd and Elm (cedar & wax myrtle)
4/26/2019	4	National Arbor Day at Peck - 4 live oaks
8/2/2019	1	Class Reunion at Peck Center - 1 live oak
12/9/2019	6	Live oaks at Central Park, going above and beyond to offset new solar field
12/17/2019	1	Palm transplanted from Waterfront to Central Park
12/18/2019	1	Keep Nassau Beautiful - 1 live oak at Central Park
1/17/2020	32	Florida Arbor Day - 32 trees at MLK Park
2/21/2020	20	Emma Love tree planting with students (oak, poplar, magnolia, redbud)
2/21/2020	3	Citizen allowed 3 pine seedlings to be planted on private property
4/24/2020	1	Junior Women's Club - 1 Bottlebrush in 2 nd Street ROW across from City Hall
4/30/2020	2	Keep Nassau Beautiful - 2 magnolias at park beside City Hall Park
4/30/2020	2	Keep Nassau Beautiful - 2 live oaks at Egans Park

TREE MAINTENANCE

Routine tree maintenance is conducted on City trees for safety, clearance, and long-term reliability. Removing dead wood, reducing/removing certain branches, or total tree removal will be considered on a case by case basis. The City Arborist is available to assist any department with tree care.



APPENDICIES

Available on City Website at www.fbfl.us/trees

2020 Carter Canopy Analysis report

https://cityoffernandinabeach-my.sharepoint.com/:b:/g/personal/dholley_fbfl_city1/EYE5L5nz-V9MkDqWLvUW7uMBh-hXxsXBulN5_Bs5cvFlmw?e=4jowVP

2009 Selvig Tree Inventory and Canopy Analysis report (2009 Tree Management Plan)

https://cityoffernandinabeach-my.sharepoint.com/:b:/g/personal/dholley_fbfl_city1/EZdU325YzgRDit8a8eGoGfcBs4NsWOGjksndw8Xh536jQg?e=Nw97tZ

2010 Latimer Master's Thesis - Urban Forest Planning: A revised process using technology and concept development to develop structure and function, March 2010

https://cityoffernandinabeach-my.sharepoint.com/:b:/g/personal/dholley_fbfl_city1/ESDcsUAOaeBPjezBKrkxA3IBu97Ci7kvJHMUi7C8fGGuBQ?e=DquyzX

2018 City Tree Inventory Update

<https://maps.nassauflpa.com/NassauTaxMap/#> use the "Map Layers" tab and turn on:

Planning and Growth Management

City of F.B. Tree Inventory

SOURCES

Edwards, A. R. (2005). *The Sustainability Revolution*. Gabriola Island: New Society Publishers.

Geiger, J., & King, D. H. (2004). *The Large Tree Argument: The Case for Large Stature Trees vs. Small Stature Trees*. Retrieved October 3, 2009, from Center for Urban Forest Research:
http://www.fs.fed.us/psw/programs/cufr/research/studies_detail.php?ProjID=136

Harris, W., & Dines, N. T. (1998). *Time Saver Standards for Landscape Architects*. New York: McGraw Hill Publishing Company.

Lyle, J. T. (1985). *Design for Human Ecosystems*. New York: Van Nostrand Reinhold.

Matheny, N. P., & Clark, J. R. (1993). *Evaluation of Hazard Trees in Urban Areas*. Champaign: International Society of Arboriculture.

Matheny, N. P., & Clark, J. R. (2008). *Municipal Specialist Certification Study Guide*. Champaign: International Society of Arboriculture.

Nelson, G. (2003). *Florida's Best Native Landscape Plants*. Gainesville: University Press of Florida.
Recommended On-Line Resources:

International Society of Arboriculture: The professional accrediting agency for arboriculture. The site contains general information, links to research and construction details
website: www.isa-arbor.com

Center for Urban Forest Research: A branch of the U.S. Forest service. They conduct a wide variety of research on the performance of trees.
website: <http://www.fs.fed.us/psw/programs/cufr/>

University of Florida: Landscape Plants: Contains a wide variety of resources regarding plant care, selection, design, maintenance standards, storm management and species profiles.
website: <http://hort.ifas.ufl.edu/woody/>

Monrovia Nurseries: An excellent resource for selecting plant material
website: <http://www.monrovia.com/>

i-tree: A database program that helps analyze tree inventories for both value and composition
website: www.itreetools.org

SITE DESIGN REQUIREMENTS

Adopted September 5, 2006
Revised 02-22-2022

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4.00.00 GENERALLY

4.00.01 Purpose and Intent

The intent of this chapter is to provide design standards applicable to all development activity in the City. The purposes are to:

- A. Establish reasonable and equitable standards of design;
- B. Ensure that public facilities and utilities are available to all developments;
- C. Provide for adequate light, air, and privacy;
- D. Prevent the overcrowding of the land and undue congestion of the population; and
- E. Provide for open spaces and recreational areas through the most efficient design and layout of the land.

4.00.02 Applicability

- A. No building shall be constructed, installed, enlarged, reconstructed, or structurally altered, except in compliance with the standards and requirements of this LDC.
- B. Where an overlay district applies to a site, the standards for the overlay district shall apply in addition to the standards of the underlying zoning district.
- C. In addition to standards for all development within a zoning district, supplemental standards for specific uses are set forth in Section 6.02.00. Such supplemental standards shall apply in addition to the standards of the zoning district and overlay district, if applicable, in which the development is located.
- D. Where conflict arises between standards required in a zoning district, in an overlay district, by supplemental standards, or by other legally binding document, the following rules shall be used in the application of standards:
 - 1. Where a City-approved site plan, City-approved development agreement, court order, or other legally binding document which authorizes development applies to the site, the standards in the legally binding document shall apply.
 - 2. In all other situations, the stricter standard shall apply.

4.00.03 Design Principles

Development design shall first take into account the protection of environmental and natural resources as set forth in Chapter 3. All development shall be designed to avoid unnecessary impervious surface cover; to provide adequate access to lots and sites; and to avoid adverse effects of shadow, glare, noise, odor, traffic, drainage, and utilities on surrounding properties.

4.01.00 DENSITY AND HOUSING STANDARDS

4.01.01 Density and Housing Types

Table 4.01.01. Density and Housing Types in Base Zoning Districts.

Zoning District	Maximum Gross Density (dwelling units per acre)	Permissible Housing Types
RE	1.0	Single-family detached
R1-G	4.0	Single-family detached
R-1	4.0	Single-family detached
RLM	6.0	Single-family detached
R-2	8.0	Single-family detached Duplex structures Triplex structures Townhouses
R-3	10.0	Single-family detached Duplex structures Triplex structures Townhouses Multi-family structures with 4 or more units
OT-1	10.0	Single-family detached
OT-2	10.0	Single-family detached
MU-1	8.0	Single-family detached Duplex structures Triplex structures Townhouses Mixed Use
MU-8	18.0	Single-family detached Duplex structures Triplex structures Townhouses Multi-family structures with 4 or more units Mixed Use
C-1		Prohibited
C-2		Prohibited
C-3	34.0	Single-family detached Duplex structures Triplex structures Townhouses Multi-family structures or mixed use
I-1		Not permitted as a principal use ¹
I-2		Not permitted as a principal use ¹
I-A		Not permitted as a principal use ¹
I-W		Not permitted as a principal use ¹
W-1	2.0 with bonus potential to 4.0	Single-family within mixed use
PI-1		Not permitted as a principal use ¹
CON		Not permitted as a principal use ¹
REC		Prohibited

¹An accessory dwelling unit is permissible for caretakers or security personnel. See Section 5.01.04.

4.02.00 DESIGN STANDARDS FOR BASE ZONING DISTRICTS

4.02.01 Standards for Lot Design

- A. The following types of lots are permissible:
 - 1. Corner lot, located at the intersection of two (2) streets and abutting such streets on two (2) adjacent sides. Lots abutting a right of way that is used as a beach access shall not be considered a corner lot, if access is not provided through the beach access.
 - 2. Double-frontage lot, with frontage on two (2) opposing sides; where one (1) frontage is on an alley, the lot is not considered a double-frontage lot. A double-frontage lot may also be called a through-lot.
 - 3. Interior lot, which has street frontage on only one (1) side.
 - 4. Lots that are located in conformity with the established street pattern.
- B. Only one (1) principal residential building and its allowable accessory buildings shall hereafter be erected on any one (1) lot.
- C. Except as specifically provided in this LDC, no lot existing at the time of adoption of this LDC shall be reduced, divided, or changed so as to produce a lot or tract of land which does not comply with the minimum standards as set forth in this LDC.
- D. The impervious surface ratio is calculated by dividing the total of all impervious surfaces on the lot by the total lot area. Water bodies are impervious surfaces.
- E. Where cluster development is permissible and proposed under unified development control, the calculation of impervious surface shall apply to the entire site and shall not be applied to individual lots within the development site.
- F. The floor area ratio is calculated by dividing the total of all floor areas on the site by the total site area. Floor areas include the gross floor area on each floor or story of the principal building and the floor area of any accessory building, not including parking areas.
- G. Minimum lot area shall be consistent with the density standards set forth in Table 4.01.01. For the purpose of determining consistency of the lot area with density standards, density shall be as defined in the Comprehensive Plan.
- H. The minimum lot area for lots in the RE zoning district shall be 43,560 square feet.
- I. Lots shall be designed to comply with the standards set forth in Table 4.02.01(J).

Table 4.02.01 (J). Design Standards for Lots

Zoning District	Minimum Lot Width (ft.)	Maximum Impervious Surface Ratio for Lots (%)	Maximum Floor Area Ratio for Lots (%) (Note 1)
RE	100	60	50
R1-G	75	60	50
R-1	50 or 75 Note 2	60	50
RLM	50	60	50
R-2	50 Note 4	60	50
R-3	50	60	50
OT-1	46.5	Note 6	50
OT-2	46.5	Note 6	50
MU-1	50	60	50
MU-8	25	60	200
C-1	50	60	1.50
C-2	50	60	1.50
C-3	25	75 Note 3	200
I-1	75	60	50
I-2	75	60	50
I-A	75	60	50
I-W	75	60	75
W-1	25	60	75
PI-1	50	60 Note 5	50
CON	NA	5	NA
REC	NA	Note 5	NA

- Notes:
1. For RE, R-1, R-2, R-3, OT-1, and OT-2, the FAR standard applies to any permissible commercial uses.
 2. The minimum lot width for lots platted prior to the effective date of this LDC is fifty (50) feet. The minimum lot width for lots platted on or after the effective date of this LDC is seventy-five (75) feet.
 3. The maximum impervious surface ratio within the "Central Business District" land use category, as depicted on the Future Land Use Map, may be 1.00 where the application is for redevelopment of a lot that is developed with 100% impervious surface. Where the application is for new development of a vacant lot, the maximum impervious surface on the lot may be 100% where stormwater facilities are available and have sufficient capacity to accept the runoff from the lot.
 4. Development is permissible on lots which were platted before the effective date of this LDC and have a minimum width of twenty-five (25) feet.
 5. Proposed development on lots within the "Recreation" land use, as depicted on the Future Land Use Map shall not exceed 0.25 impervious surface ratios.
 6. Refer to Chapter 8 Section 8.01.01.02 for maximum lot coverage.

4.02.02 Requirements Regarding Combining Lots

A. Applicability

Lots or parcels that abut Ocean Avenue, North Fletcher Avenue, or South Fletcher Avenue are subject to the provisions of this section regarding combining lots.

B. Purpose

The provisions of this section are intended to ensure that development in the beach area on the streets identified in Section 4.02.02(A) above is consistent with the existing pattern of development.

C. Combining two (2) or more lots is prohibited where the resulting lot is not compatible with the surrounding neighborhood as defined by any one of the following characteristics:

1. The proposed lot has a width greater than 100 feet.
2. The proposed lot area is not consistent with the density for the zoning district, as set forth in Table 4.01.01.

4.02.03 Standards for Buildings and Building Placement

A. Encroachment

1. A yard created by the setbacks set forth in this section will not be considered a yard for any other building.
2. Every part of a required yard must be open and unobstructed from its lowest point to the sky, except as set forth in Section 4.02.03(A) (3), (4), (5) and (6) below.
3. Front entry steps may encroach into a minimum front yard up to forty-two (42) inches.
4. The following building features may project into a minimum yard up to twenty-four (24) inches: sills, belt courses, cornices, buttresses, ornamental features, chimneys, and eaves.
5. The following building features may project into a minimum rear yard up to forty-two (42) inches: open or enclosed fire escapes, outside stairwell, and balconies.
6. Porches may encroach up to ten (10) feet into the rear yard setback.
 - a. Porches must comply with the front and side yard setbacks.
7. Decks with a finished floor of 12" or less from grade are permissible encroachments into the side and rear yards up to ten (10) feet from the property line. For installation of a deck on varying topography, the floor level may be allowed to reach a maximum of 36" from grade.
 - a. Decks must comply with the front yard setbacks.
8. Mechanical equipment may be located within the side or rear yard setback, but not closer than five (5) feet to side or rear yard lot lines and screened by landscaping or opaque fencing.
9. Specific requirements for fences and signs are outlined in Sections 5.01 and 5.03.

B. On double-frontage lots, the designated front yard will be determined by the City.

C. Standards for building height:

1. Building height shall be measured from the average natural grade, to the highest point on the structure unless the property is located within a flood hazard area as provided herein. Properties located within a flood hazard area shall measure building height to the highest point on the structure from:
 - a. The higher of the base flood elevation or approved finished grade for buildings and structures in a special flood hazard area and 0.2 percent annual chance of flood hazard area.
 - b. The approved finished grade for buildings and structures in coastal high hazard areas (Zone V) and Coastal A zones.

2. Building Height Encroachments: the calculation of maximum building height shall not include architectural rooftop features, mechanical equipment, elevator shafts, chimneys or other venting systems as required by the Florida Building Code, except as provided in subsection 4.02.03(C)2(a).
 - a. Residentially zoned properties located within 1,000 feet of the Coastal Construction Control Line (CCCL) cannot exceed 35 feet in building height. The only permissible encroachments are chimneys or other venting systems as required by the Florida Building Code.
 3. The following structures shall not be subject to height limits: telecommunications towers, flagpoles, and City-owned water towers.
- D. Buildings shall comply with the standards in Table 4.02.03(E) set forth below:

Table 4.02.03(E). Standards for Building Heights and Setbacks

Zoning District	Maximum Building Height (ft.) ¹	Minimum Setback			
		Front (ft.)	Side ²	Rear (ft.)	Corner Lot (side abutting street) (ft.) ³
RE	35	25	10% of lot width	25	15
R1-G	35	25	10% of lot width	25, 50 feet for fairway lots	15
R-1	35	25	10% of lot width	25	15
RLM	35	25	10% of lot width	25	15
R-2	35	25	10% of lot width	20	15
R-3	45	25	10% of lot width	20	15
OT-1	35	See specific standards in Section 8.01.01.02.			
OT-2	35	See specific standards in Section 8.01.01.02.			
MU-1	35	None	None ⁴	10	10
MU-8	45	See specific standards in Section 4.03.03			
C-1	45	None	None ⁴	10	10
C-2	45	None	None	None	None
C-3	45	None	None	None	None
I-1	45 ⁵	None	None	None	None
I-2	45 ⁵	None	None	None	None
I-A	45	None	None	None	None
I-W	35	None	None	None	None
W-1	See specific standards in Section 8.01.02.				
PI-1	45	25	10	10	10
CON	25	None	None	None	None
REC	25	None	None	None	None

1. A building within 1,000 feet of the Coastal Construction Control Line (CCCL) shall not exceed thirty-five (35) feet in building height.

2. Each side yard setback shall be increased by one-half ($\frac{1}{2}$) foot for each one (1) foot, or fraction thereof, of building heights above twenty-five (25) feet.
3. Buildings shall not encroach into the required clear visibility triangle at intersections, as set forth in Section 7.01.08.
4. Where access is provided from an alley or public street to the rear of the principal building, no side yard setback is required. Where such access is not available, one (1) side yard shall be a minimum of ten (10) feet. Any other side yard shall have a minimum side yard setback of zero (0) feet.
5. Manufacturing and/or Assembly – Heavy uses shall be exempt from height regulations.

face do not comply with the R-2 district's 25-foot front setback requirement. When constructing on lot "a" the property owner would be allowed to use the average setback of all existing principal structures on the block face. In this example, the resulting contextual setback would be 14.4 feet—the average of front setbacks for structures on lots 2, 3, 4, 5 and 6.

Lot "b" may use the setback of lot 9, since the orientation of the structure on lot "b" will be oriented onto two streets and lot 9 is the only other structure on this block. The orientation of structures on corner lots determines the applicable block face.

2. Procedure

- a. An application and applicable fees for a context sensitive setback determination shall meet the requirements set forth in Section 11.01.03, and City policies, as amended from time to time.
- b. Measurements accompanying an application must be validated by a licensed land surveyor.
- c. The City Manager shall evaluate the application for a context sensitive setback determination for compliance with the requirements set forth in Section 4.02.03(F)(1) above.
- d. Upon approval, the City Manager shall provide a notice of intent to approve, to be posted on the subject property for a period of ten (10) days. Any appeals of this intent to approve shall follow the process provided in Section 11.07.00.
- e. Following the notice period, the City Manager issues a written order stating the approved setbacks for the subject property. A copy of such order shall be submitted with any building permit application for the property.

3. Monthly Reports Required

A monthly report shall be prepared to summarize the number and type of context sensitive setback determinations granted in the previous month.

4.02.04 Specific Requirements for Lots Abutting the Municipal Golf Course Fairway in R1-G

- A. For purposes of this subsection, the term "golf fairway residential areas" shall mean all those residential lots of land located adjacent to the municipal golf course.
- B. That portion of any golf fairway residential lot or block within 25 feet of the lot or block line bordering the golf course shall be in general conformity with the overall landscaping pattern for the golf course fairway area established by the golf course architect. All individual lot or block landscaping plans must be approved by the community development department.
- C. There is reserved to the city a golf course maintenance easement area on each lot adjacent to the fairway. This reserved easement shall permit the city at its election to go onto any fairway lot at any reasonable hour and maintain or landscape the golf course maintenance easement area. The maintenance and landscaping may include regular removal of underbrush, trees less than six inches in diameter, stumps, trash or debris, planting of grass, watering, application of fertilizer, and mowing the easement area. This golf course maintenance easement area shall be limited to the portion of those lots within 25 feet of the lot line bordering on the golf course or that lesser area as may be shown as a golf course maintenance area on the recorded plat of the lot. No fence shall be allowed on any golf course maintenance easement.

4.02.05 Specific Requirements for Resort Rental Residential

- A. Resort rental residential units shall be limited to occupancy periods per rental of thirty (30) or fewer days.
- B. Dwelling units used as resort rental residential units shall provide one (1) parking space for each two (2) occupants; occupancy shall be the number of occupants according to the fire rating.
- C. Parking shall be located in the side or rear yard, except for lots abutting the Atlantic Ocean. Parking shall be located at least ten (10) feet from the front property line where parking is permissible in the front yard. This provision is for new resort rental permits only. For new Resort Rental permits issued after October 1, 2006 parking is prohibited in the front yards of houses on the west side of Fletcher Avenue.

4.02.06 Specific Standards for Townhouse Development

- A. Townhouse development shall comply with the density of the zoning district in which it is proposed. The additional standards set forth in this section shall apply to all townhouse development.
- B. Side yard setback requirements do not apply to interior lot lines.
- C. A townhouse is a single-family attached dwelling unit. It is contiguous to adjacent units by a common wall.
- D. There shall be at least two (2) but not more than six (6) units in one (1) building.
- E. Each townhouse dwelling unit shall have a direct entrance to the outside, and shall not open to a common lobby, hallway, foyer, or other similar space.
- F. Where all lots, parcels, and dwelling units are under common ownership, there shall be a management plan to demonstrate unified control and management of common areas and facilities.
- G. Where common open space, recreation facilities, or other accessory structures or facilities are proposed, sidewalks or pedestrian paths shall be provided to connect buildings, parking lots, open space, and common areas.

4.03.00 DESIGN STANDARDS FOR OVERLAY DISTRICTS

4.03.01 Standards for Planned Unit Development (PUD) Overlay

- A. Purpose
It is the purpose of the PUD overlay district to provide flexible land use and design and to allow planned diversification and integration of uses and structures, while retaining to the City the authority to establish limitations and regulations thereon for the benefit of the public health, welfare, and safety. A PUD overlay district is intended to promote economical and efficient land use, an improved level of amenities, appropriate and harmonious variety in physical development, creative design, variety of housing types, and a better urban environment.
- B. A PUD overlay district shall have the following characteristics:
 - 1. Unified control for development purposes;
 - 2. Unified site design, planned and developed as a whole, in a single development operation or a programmed series of development operations, including lands, buildings, structures, and uses;
 - 3. Civic spaces in residential developments which provide opportunities for resident social interaction;
 - 4. Commercial land uses, if any, which provide convenient service, employment, and access, and yet remain separated from residential areas by the use of landscaping and natural buffers; and
 - 5. Conservation of natural resources as set forth in Chapter 3.

- C. A PUD shall provide a public benefit. At a minimum, two (2) or more of the following public benefit conditions shall result from the implementation of the proposed PUD:
 - 1. Replacement of nonconforming development;
 - 2. Creation of public open space, such as plazas or parks;
 - 3. Improved waterfront protection and enhancement of views of oceanfront and riverfront areas;
 - 4. Preservation of designated historically significant structures;
 - 5. Replacement or rehabilitation of obsolete, blighted, or underutilized buildings; or
 - 6. Provision of bicycle paths and walkways that provide public access to public open space or water bodies.
- D. An application for a PUD shall contain comprehensive and detailed plans for development of the site, including building location, building dimensions, building elevations, location, and dimensions of accessory structures, landscaping, open space, amenities, and detailed plans for infrastructure.
- E. An application for approval of a PUD shall include a description of the program for provision, operation, and maintenance of areas, improvements, facilities, and services intended for common use by some or all of the occupants of the PUD, but which will not be provided, operated, or maintained at general public expense.
- F. A PUD overlay district is permissible in the following zoning districts: R-1, RLM, R-2, R-3, MU-1, C-1, and C-2.
- G. A PUD overlay district is prohibited within the Coastal High Hazard Area as established in the Comprehensive Plan.
- H. The following general design standards shall be used in evaluating a PUD:
 - 1. The preferred access to a PUD is an arterial or major collector street. A PUD shall be located and designed to minimize traffic impacts in established residential neighborhoods.
 - 2. The natural topography, soils, natural vegetation, and surface water shall be preserved and utilized through the careful location and design recreation areas, open space, and drainage facilities. Open space areas shall utilize wetlands, floodplains, shorelines and other natural features.
- I. The following specific design requirements apply to PUD development:
 - 1. The minimum land area for a PUD is five (5) acres, except as set forth in Section 4.03.01(1)(2) below.
 - 2. Where a minimum of twenty-five (25) percent of the dwellings in a residential PUD are set aside to meet affordable housing needs, the minimum land area may be reduced to two (2) acres.
 - 3. A residential PUD shall include two (2) or more housing types. Permissible housing types include: single-family attached, single-family detached, townhouse, duplex, triplex, and multi-family buildings.
 - 4. Within a residential PUD, five (5) percent of the land area shall be designed and used for civic or recreational purposes. Water bodies and wetlands shall not be included within the calculation of land area set aside for civic or recreational purposes.
 - 5. Where residential uses are permissible in the underlying zoning district, the maximum residential density shall comply with the density standards set forth in Table 4.01.01.
 - 6. Where nonresidential uses are permissible in the underlying zoning district, the maximum floor area ratio shall not exceed 0.21.
 - 7. Within a mixed-use PUD, the following standards apply:

- a. A minimum of five (5) percent of the land area shall be designed and used for civic purposes;
 - b. A maximum of fifty (50) percent of the land area shall be devoted to nonresidential uses;
 - c. A maximum of eighty (80) percent of the land area shall be devoted to residential uses; and
 - d. Water bodies and wetlands shall not be included within the calculation of land area set aside for civic or recreational purposes.
- J. The following site design standards may deviate from the standards applicable to the underlying zoning district, and, upon approval of a site plan for the PUD, shall become binding upon all development within the PUD:
1. Minimum building setbacks;
 2. Maximum building height;
 3. Minimum parking ratio;
 4. Maximum impervious surface ratio;
 5. Minimum lot width; and
 6. Landscape design.

4.03.02 Standards for Development in the Airport Overlay

Construction design standards for development on the Airport have been established to apply reasonable criteria to guide the development and improvement of leaseholds at Fernandina Beach Municipal Airport. These design standards are described and depicted in the Architecture and Building Design Standards for Development on the Airport, which is adopted by reference and made a part hereof. Objectives of these design standards are:

1. Facilitate high quality development which seeks to maximize the utilization of property for new buildings and facilities and, when appropriate, renovate existing facilities.
2. Assure that all development is aesthetically attractive and presents a pleasing and reasonably consistent appearance with a reasonable economic life.
3. Promote measures that will assure that airport safety and security issues are properly addressed.
4. Promote the efficient use of land to minimize the impact on wetlands or other environmentally constrained land areas.
5. Assure compatibility of the development proposed by the various airport lessees.
6. Designate and maintain appropriate corridors for utilities, public access to various airport facilities and controlled airside access.
7. Provide adequate separation between buildings and public rights-of-way.
8. Provide ample off-street parking with appropriate landscaping to screen vehicular and equipment storage areas.
9. Maximize the availability and use of aircraft ramp areas.

The purpose of this section is to establish limitations on the height of objects and uses of land to prevent the creation of obstructions hazardous to aeronautical operations or which could increase the risk to the public's health, safety or well-being in the event of an aviation accident or which would otherwise impair the full utility and operating capacity of Fernandina Beach Municipal Airport. This section creates specific surfaces for three separate purposes providing height restrictions conforming to varying obstruction standards: land use limitations based on sensitivity to aviation generated noise; land use based on increased risk of injury; and hazard to health or property damage in the event of an aircraft accident.

1. Obstruction Height Surfaces: Surface sizes and height limitations established in this section conform to the standards for determining obstructions to air navigation of 14 CFR

Part 77, ss77.23. For civil airports there are hereby created and established certain surfaces which include all of the land lying beneath the primary, approach, transition horizontal and conical surfaces as they apply to a particular airport. These surfaces are described and depicted in the Airport Layout Plan Update, 1999 Technical Report, as may be amended, which is adopted by reference and made a part hereof. All provision shall be consistent with Section 333, Florida Statutes. An area located in more than one of the described surfaces is considered to be only in the surface with the more restrictive height limitation. The various surfaces are hereby established and defined as follows:

- A. The primary surface is an area longitudinally centered on each runway, extending 200 feet beyond each end of a paved runway. The width of the surface so specified for each runway for the most precise approach existing or planned for either end of the runway. No structure or obstruction shall be permitted within the primary surface that is not part of the landing and takeoff facilities and is of a greater height than the nearest point on the runway centerline. The width of the primary surface of a runway shall be that width for the most precise approach existing or planned for either end of that runway. Therefore, for Fernandina Beach Municipal Airport the width of the primary surface for Runways 4 and 22, 8 and 26, and 13 and 31 is 500 feet for non precision instrument runways having visibility minimums greater than three-fourths ($3/4$) statute mile.
- B. The horizontal surface is the area surrounding the Fernandina Beach Municipal Airport with the outer boundary constructed by swinging arcs of specified radii from the center of each primary surface end for each airport runway then connecting adjacent arcs by tangents. The arc radii for each runway end will have the same arithmetic value and will be the highest value determined for either end of that runway. When a smaller arc is encompassed by the tangent connecting larger arcs, the smaller shall be disregarded in determining the surface boundary. No structure or obstruction will be permitted in the horizontal surface that has a height greater than 150 feet above the airport elevation. For the Runways 4 and 22, 8 and 26, and 13 and 31 the radius of each arc is 10,000 feet for runways designated or planned for other than utility, non precision instrument runway.
- C. The conical surface is the area extending outward from the periphery of the horizontal surface for a distance of 4,000 feet. No object or structure will be permitted in the conical surface that has a height greater than 150 feet above the airport elevation at its inner boundary with permitted height increasing one (1) foot vertically for every twenty (20) feet of horizontal distance measured outward from the inner boundary to a height of 200 feet above airport elevation at the outer boundary.
- D. The approach surface is an area longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is designated for each runway based upon the type of approach available or planned for that runway end.
 - a. The inner edge of the approach surface is the same width as the primary surface.
 - b. The outer width of the approach surface is the most precise approach existing or planned for that runway end expanding uniformly for Runways 4 and 22, 8 and 26, and 13 and 31 to a width of 3,500 feet for that end of a non-precision instrument runway other than utility, having visibility minimums greater than three-fourths ($3/4$) of a statute mile.

- c. The approach surface for Runways 4 and 22, 8 and 26, and 13 and 31 extends for a horizontal distance of 10,000 feet for all non precision instrument runways other than utility.
 - d. No object or structures will be permitted within an approach surface, beginning at its intersection with the end of the primary surface, having a height greater than the runway end elevation, the height above the runway end elevation increasing with the horizontal distance outward and for Runways 4 and 22, 8 and 26, and 13 and 31 the permitted height increases one foot vertically for every 34 feet horizontal distance for all non precision instrument runways other than utility.
 - E. The transitional surface as the area extending outward from the sides of every primary surface and approach surface connecting them to the horizontal surface and an area outward 5,000 feet horizontally or until intersection with the conical surface from the side of that portion of the approach surface of a precision instrument runway extending through and beyond the conical surface. No object or structure will be permitted within the transitional surface greater in height than the primary surface or approach surface at their adjoining boundary lines increasing at a rate of one (1) foot vertically for every seven (7) feet horizontally, with the horizontal distance measured at right angles to the runway centerline and extended centerline, until the height of the slope matches the height of the horizontal surface or the height of the conical surface and for a horizontal distance of 5,000 feet from each side of that part of the approach surface for a precision instrument runway extending beyond the conical surface.
 - F. In addition to the height limitations imposed in (A) through (E) above, no structure or obstruction shall be permitted within the City's jurisdiction that would cause a minimum obstruction clearance altitude, a minimum descent altitude, a minimum vectoring altitude, or a decision height to be raised. Nor impose either the establishment of restrictive minimum climb gradients or non-standard take-off weather minimums for any runway at Fernandina Beach Municipal Airport.
 - G. Applications for land development or improvement will be reviewed by the Fernandina Beach Municipal Airport for their potential impact on the imaginary surfaces designated for existing and planned operating conditions at the Airport as well as those associated with existing and planned instrument approach and instrument departure procedures. The latter instrument procedures are defined by the "United States Standard for Terminal Procedures" as may be amended by the Federal Aviation Administration (FAA). Proposed land development or improvements that penetrate the imaginary surfaces or that may cause an increase to instrument approach and/or instrument departure procedures shall not be permitted.
2. Airport Noise Zones, Boundaries and Requirements
- A. No noise specific zones have been identified as part of this section. However, if the City of Fernandina Beach in the future undertakes the development of a FAA Area Equivalent Method (AEM) study and it shows noise impact areas off the airport property, then this section can be amended as needed to reflect the results of the noise impact studies. Such noise studies, consistent with FAR Part 150, or equivalent noise studies map overlay land use noise zones using AEM. The AEM is a mathematical procedure that provides the noise contour area of a specific airport given the types of aircraft and the number of operations for such aircraft. These noise zones are based on projected yearly averaged 24-hour day/night average

- noise level (DNL) impact projections arising from aircraft flight operations at the Fernandina Beach Municipal Airport.
- B. Where an airport authority or other governing body operating a publicly owned, public-use airport has not conducted a noise study, neither residential construction nor any educational facility as defined in Chapter 1013, with the exception of aviation school facilities, shall be permitted within an area contiguous to the airport measuring one-half the length of the longest runway on either side of and at the end of each runway centerline.
3. Public Safety and Welfare
- A. Notwithstanding any other provision of this section, no use may be made of land or water within any surface established by this section in a manner so as to interfere with the operation of an airborne aircraft. The following special requirements shall apply to each permissible use:
 - 1. All lights or illumination used in conjunction with street, parking, signs, or use of land and structures shall be arranged and operated in such a manner that it is not misleading to or obscure pilots vision during critical take-off or landing stages of flight or be otherwise dangerous to aircraft occupants or flight operations at Fernandina Beach Municipal Airport or in the vicinity thereof.
 - 2. No operations of any type shall produce smoke, glare, or other visual obscurations hazards within three (3) statute miles of any usable runway of the Fernandina Beach Municipal Airport.
 - 3. No operations of any type device shall produce electronic interference with navigation signals or radio communication between the airport, aircraft or an air traffic control facility.
 - 4. No use of high energy beam devices is permitted where the energy transmission is not fully contained within a building or some type of absorbing or masking vessel.
 - B. Aircraft Over-flight and Accident Potential Zones (APZ) are hereby created and established of certain surfaces underlying those recurring, fixed flight paths for aircraft taking-off and landing at Fernandina Beach Municipal Airport. Of necessity, aircraft must routinely operate at low altitude and climb from or descend to the runway along these paths. The potential of an aircraft accident, should one occur, is statistically most significant in these surfaces thus the risk of injury to people or damage to property on the ground that could result from such an accident is greatest. This includes the Runway Protection Zone (RPZ). Civilian airport Aircraft Over-flight Zones include the primary surface, approach surface (limited to the inner 10,000 feet) and the adjoining transitional surface as described in the latest airport layout plan.
 - C. Incompatible land uses would generally comprise those uses, activities or construction within runway clear zones, which are incompatible with normal airport operations or endanger public health, safety, and welfare that result in congregations of people, emissions of light or smoke, attractions of birds. Such regulations shall prohibit the construction of an educational facility of a public or private school at either end of a runway within an area which extends five miles in a direct line along the centerline of the runway and which has a width measuring one-half the length of the runway.
 - D. The following uses of land shall be prohibited within the accident potential zone area: high-density residential use, schools, hospitals, storage of explosive material, assemblage of large groups of people, or any other use that could produce a major catastrophe as a result of an aircraft crash.

- E. No non-conforming land use shall be allowed within the designated Runway Protection Zones for all runways at the Fernandina Beach Municipal Airport. The FAA considers the following to be non-conforming uses: residences and places of public gathering such as churches, schools, hospitals, office buildings and shopping centers. Additionally, fuel storage facilities are also prohibited. This list shall be updated as necessary based on guidance given in the current version of the Federal Aviation Administration's Advisory Circular 150/5300-13 as amended or other state or federal regulations.
 - F. No person shall sell, lease, or offer to sell or lease any land within the airport approach surface or horizontal surface, unless the prospective buyer or lessee has been given the following notice in writing: "Noise warning--This land lies beneath the aircraft approach and departure routes for Fernandina Beach Municipal Airport and is subject to noise that may be objectionable."
 - G. Waste disposal and other facilities are prohibited which store, handle, or process organic material or any other material that fosters or harbors the growth of insects, rodents, amphibians, or other organisms that will result in significant bird population increases above the normal background. These types of facility operations increase the potential for aircraft bird strike resulting in damage to aircraft and injury to occupants. These uses are incompatible if located within the vicinity of any airport described in this section through the application of the following criteria:
 - 1. Facilities located within 10,000 feet of any runway used or planned to be used by turbine powered aircraft
 - 2. Facilities located within 5,000 feet of any runway used only by conventional piston engine powered aircraft
 - 3. Any facility located so that it places the runways and/or approach and departure patterns of an airport between bird feeding, water, or roosting areas.
 - 4. Facilities outside the above perimeters described but still within the lateral limits of any of the surfaces as described in Sections 4.03.03 (A) through (E) will be reviewed on a case-by-case basis.
4. Permits:
- A. Height Zone Permits
 - 1. No building or structure, located within the lateral boundaries of the Airport Height and Safety Zones shown in the most recent airport layout plan, may be constructed, erected, moved to or repaired, altered or modified resulting in an increase in height, unless a building permit has been reviewed by the City's Community Development Department and issued by the Building Official. No permit shall be issued unless the FAA has reviewed the proposed construction or alteration and issued a written Determination of the proposal's affect on navigable airspace where prior notification under CFR 14, Part 77 is required.
 - 2. Notification is required for any temporary or permanent building or structure, whose height is proposed to exceed (i.) 200 feet above ground level at its site; or (ii.) a slope increasing one (1) foot vertically for every one hundred (100) feet horizontally for a distance of 20,000 feet from the nearest point of the nearest runway covered by this section.
 - B. Noise Zone Permit: not required at this time
 - C. Aircraft Over-flight and Accident Potential Zones: Within the lateral boundaries of any Aircraft Over-flight or Accident Potential Zone shown in the latest Airport Layout Plan, no building, structure, vehicle or vessel may be moved to, parked,

- moored, constructed, repaired, altered or modified, either permanently or temporarily, unless a building permit has been issued by the Building Official.
- D. The owner of any structure over 200 feet above ground level shall install lighting in accordance with *Federal Aviation Administration Advisory Circular 70-7460*, and amendments thereto, on that structure. Additionally, high intensity white obstruction lights shall be installed on a structure which exceeds 749 feet above mean sea level. The high intensity white obstruction lights must be in accordance with *Federal Aviation Administration Advisory Circular 70-7460* and amendments. Any permit or variance granted under this LDC for structures exceeding 749 feet in height shall require the owner to mark and light the structure in accordance with *FAA Advisory Circular 70-7460* or subsequent revisions. The permit may be conditioned to allow the City, at its own expense, to install, operate, and maintain those markers and lights as may be necessary to indicate to pilots the presence of an airspace hazard if special conditions so warrant.
5. Independent Justification: The purpose of the overlay surfaces adopted through this section is to provide airspace protection and land use compatible with continuation of normal and routine operation of Fernandina Beach Municipal Airport without endangering the public health, safety and welfare. Each of the three zoning aspects requires independent justification in order to promote the public interest in health, safety and general welfare. No structure or use may be permitted in any surface unless it conforms to the specific height, noise impact sensitivity and public safety limitations at its site as set forth in paragraphs 1, 2, and 3 of this section.
6. Future Uses: No change shall be made in the use of land, and no structure shall be altered or otherwise established in any surface created by this section except in conformance with the requirements of this section.

4.03.03 8th Street Small Area Design Standards

General Principles. The 8th Street standards are intended to encourage flexibility and variety in development through creative site and building design. All development shall contribute to making 8th Street a distinct and memorable part of the city, unique in spaces, buildings, and street character. Development shall be oriented and designed to contribute to the street environment and shall place priority on pedestrian comfort, convenience, safety, and access. Pedestrian scale elements refer to buildings and spaces whose dimensions, properties, and components correspond to human occupation and use. Access to all development shall be sited and designed to have a positive visual impact on the street with primary pedestrian access from 8th Street. Driveways and parking shall not take priority over pedestrian areas. Variety in design elements, transparency, color, texture, signs, and materials creates a visually interesting environment and contributes to the establishment of an architectural character for the corridor. Architectural compatibility is not limited to any particular style. The design standards for the 8th Street Small Area are as follows:

1. On the portion of the property fronting 8th Street, there is a required six (6) foot pedestrian/landscaping access area to provide a continuous, unobstructed clear walkway. This is to be measured from the property line going back six (6) feet. Buildings or building components may encroach into this space starting at the second story, with necessary structural components on the first story as long as the 6 foot pedestrian access area is unobstructed, provided an open pedestrian/landscape space is maintained. Required bicycle parking is not permissible within this area.
2. The setbacks for the remaining sides of the property are zero (0) feet.
3. Building Orientation.

- a. Primary entrances shall face 8th Street. At least one public entrance of each principal structure shall be oriented toward the front lot line or side lot line. Developments are encouraged to provide as many pedestrian connections to the street as feasible.
 - b. Commercial and Mixed Use structures that extend across the full block width from S. 8th Street to S. 9th Street and S. 7th Street shall contain a secondary façade which is designed with an architectural style, detail, trim features, and roof treatments as consistent with that of the primary façade.
 - c. On corner lots, new buildings shall be oriented toward the streets and shall consider and complement the pattern of existing adjoining development, with the primary façade(s) of the principal building facing the 8th Street facing lot line. Corner locations shall be considered opportunities for distinctive architecture.
 - d. Accessory structures, if any, shall be located at the rear of the principal buildings. All detached garages or carports shall be set back from the front façade of the principal building by at least 10 feet, openings shall not face 8th Street. Where feasible, detached garage and carport access shall be from the side streets.
 - e. All outdoor mechanical equipment shall be located at the rear of the principal buildings and screened. Screening may be structural or vegetative. They shall not be visible from any street. Mechanical equipment placed on the roof shall be screened from abutting streets with parapets or other types of visual screening.
 - f. Solid waste, recycling, and yard trash containers; grease containers, and loading docks shall be screened and located in parking areas or other locations remote from the sidewalk.
4. Site and Building Access. The City shall encourage shared access to reduce driveway cuts on 8th Street as redevelopment occurs and require cross access design for internal traffic. New driveway cuts which do not serve to reduce the overall number of cuts onto 8th Street shall be located on 7th, 9th Streets, east-west side streets.
- a. Whenever feasible, driveway access to a site shall be shared with adjacent properties and parking shall be located internally to the block or at the rear of the site.
 - b. Service areas associated with multi-family dwellings shall be accessed from the rear of the site, where feasible.
 - c. Building design or landscaping shall be required at a 3.5 foot tall minimum to obscure the view of vehicles from the ground level.
5. Building Design Standards. Individual building design shall defer to ensemble of buildings on the street rather than call undue attention to itself. New buildings shall contribute to the life of the street.
- a. Building Heights. Properties abutting residentially (R-1/R-2/ R-3) zoned properties shall be limited to thirty-five (35) feet, including the parapet for flat roofed structures.
 - i. Facades up to thirty-five (35) feet in height shall be recessed from the first thirty (30) feet of façade a minimum of five (5) feet. Awnings, pergolas, or covered balconies may encroach into this setback.
 - ii. Flat roofs are permitted but must provide a parapet up to 42 inches high in order to hide mechanical equipment.
 - b. Architectural articulation. A building's exterior walls shall be articulated using material, architectural elements, arrangement of openings, design of horizontal and vertical planes, and changes in height to provide substantial massing variations. Long, monotonous roof planes and uninterrupted expanses of blank wall

- are not allowed along street frontages. Articulated roof forms and wall opening shall be used to add visual interest and contribute to a pedestrian scale.
- i. Where solid walls are required by building code, the wall shall be articulated and divided into distinct modules, through the use of projections and recesses (i.e. setbacks, reveals, belt courses, awnings, arcades, porches, etc.) within the building envelope or projecting from upper floors.
 - ii. Commercial buildings and buildings with ground floor commercial uses shall have a ceiling height minimum of twelve (12) feet for the ground floor.
 - c. Entryways. Doorways, windows, storefronts, and other openings in the facades of buildings shall be placed and proportioned to reflect pedestrian scale and movement and to encourage visual interest at the street level. The use of functional and decorative elements, including weather protection features (i.e. colonnades, arcades, canopies, etc.), signage, and architectural detailing, shall be used to create human scale on a buildings principal façade. Elements shall be integral to the architecture of the building, designed so as not to appear to be “tacked on” to the building façade.
 - d. Internal passageways are encouraged.
6. Fences. Up to 8 foot tall fences are permissible
 - a. Fence Material: Black Wrought Iron or black anodized (SP) Aluminum
 - b. Where any portion of the fence is visible from 8th Street landscape screening shall be required.
 7. Improvement of bicycle and pedestrian paths is required in keeping with the approved streetscape plan.
 8. Signs within the MU-8 zoning district shall follow the allowable sign standards set forth in Section 5.03.09.

4.04.00 STANDARDS FOR SUBDIVISIONS

4.04.01 Purpose: Subdivisions shall consider the compatibility of the proposed development with the surrounding neighborhood.

- A. Section 4.04.00 regulates the subdivision or re-subdivision of land in order to protect and promote the health, safety, and general welfare of the citizens of Fernandina Beach. The regulations are intended to assure the harmonious, orderly, and progressive development of land by providing for proper legal description, identification, monumentation, and recording of real estate boundaries when parcels are subdivided.
- B. This section applies to the subdivision of parcels into three (3) or more lots.

4.04.02 General Requirements

- A. All development shall be on a recorded, platted lot that meets all standards set forth in this LDC.
- B. A preliminary plat is required for all subdivisions, except as set forth in Section 4.04.02(F). A preliminary plat graphically depicts the proposed development or the location of individual lots. An approved preliminary plat is a necessary prerequisite for final plat approval.
- C. A plan of proposed public improvements shall be submitted with the preliminary plat. Requirements regarding infrastructure are set forth in Chapter 7.
- D. Submittal and procedural requirements regarding preliminary plats, public improvements plans, and final plats are set forth in Chapter 11.

- E. A subdivision shall have at least two (2) vehicular access points to an improved right-of-way.
- F. Lot line adjustments are exempt from the requirement to submit a preliminary plat and improvements plan if the proposed lot line adjustment complies with Section 4.02.02 regarding combining lots and if one (1) of following conditions are met:
 - 1. The division of land into two (2) parcels consists solely of the conveyance of land or granting of easements or rights-of-way to a governmental or public agency; and
 - 2. The division is a re-plat of two (2) existing lots and is solely for the purpose of re-facing a lot or lot line adjustments without an increase in the number of lots or units otherwise allowed.

4.04.03 Standards for Lots and Blocks

The lengths, widths, and shapes of blocks shall be designed to consider the following:

- A. Lot area, width, shape, and orientation shall be suitable to the special needs of the type of use contemplated.
 - 1. Side lot lines shall be substantially at right angles or radial to the right-of-way line.
 - 2. Flag lots are prohibited.
 - 3. Block length shall be consistent with the established street system, but shall not exceed 1,200 feet between intersecting streets.
 - 4. Lot area shall be consistent with the density requirements set forth in Table 4.01.01.
 - 5. Lot dimensions shall be consistent with the requirements set forth in Table 4.02.01(J).
 - 6. Lots for nonresidential purposes shall have sufficient lot area to accommodate all required site features on the lot.
- B. Layout of lots and blocks shall be appropriate for the topography.
- C. No lot shall be divided by a City boundary line.
- D. Lot and block layout shall ensure safe and convenient pedestrian and vehicle access.
 - 1. Each lot shall have frontage on and access to an existing or proposed public street.
 - 2. Each lot shall have access to sidewalks and/or pedestrian paths as set forth in Chapter

4.04.04 Requirements for Infrastructure

The following basic utilities shall be provided to each lot within a subdivision:

- A. A source of electric power.
- B. A telephone service cable.
- C. Central potable water. Each lot shall have and maintain central water service meeting City standards and provided at the developer's or property owner's expense. If central potable water is not available, the property owner shall install water lines in compliance with City standards.
- D. Central sanitary sewer. Each lot shall have and maintain central sanitary sewer service meeting City standards and provided at the developer's or property owner's expense. If central sanitary sewer is not available, the property owner shall install sewer lines in compliance with City standards.
- E. Lines for delivery of reclaimed water to each lot, in compliance with City standards.
- F. Fire hydrants or fire protection shall be provided as required by the National Fire Prevention Code. Fire hydrant systems shall be installed and made usable prior to any combustibles being brought onto the construction site.

- G. Streets and sidewalks designed and constructed for public use according to the standards and requirements of Chapter 7. Street signs, markers, and traffic signs and signals to control and circulate traffic within the street pattern shall comply with the *Florida Uniform Manual of Traffic Control Devices*, published by the FDOT.
- H. Street and common area lighting meeting City standards and provided at the developer's or property owner's expense. Decorative lighting is preferred. Lighting required for safety shall be located to avoid obstruction between the light fixtures and the area to be illuminated.
 - 1. All street lights installed shall be in accordance with the Illuminating Engineer Society of North America recommended values based on the pavement classification.
- I. Drainage and stormwater management facilities designed and constructed according to the standards and requirements of Chapter 7.
- J. Subdivision utility placement
All lines for electricity, telephone, cable television, streetlights, and gas distribution (exclusive of transformers or enclosures containing electrical equipment, including, but not limited to, switches, meters, or capacitors) shall be placed underground within easements or dedicated public rights-of-way.
- K. Utility apparatus, such as pumps, valve boxes, switching boxes, and back-flow devices, placed above ground shall be screened according to the standards set forth in Section 4.05.00.
- L. Parks and recreation dedication, as specified below:
 - 1. Land dedicated for parks and recreation facilities shall be of suitable size, dimension, topography, and general character and shall have adequate road or other appropriate access for the proposed use.
 - 2. The area shall be shown and marked on the plat, "Dedicated for Park and/or Recreational Purposes." The area to be dedicated shall be dedicated either to a neighborhood association, approved by the City Commission, or to the City, in order to ensure maintenance of the area. The area to be dedicated shall be calculated based on the adopted level of service standard in the Comprehensive Plan.
 - 3. The land area to be dedicated should be at least two (2) acres. When the calculation of land area results in less than two (2) acres, the City may require that the recreational area be located at a suitable place on the perimeter of the subdivision so that additional land may be added at such time as the adjacent land may be subdivided or otherwise utilized.
 - 4. In those instances where a subdivision will provide recreational facilities or dedicate land for use by the public for recreational purposes, the City Commission shall grant the developer a credit against recreation impact fees in an amount equal to the appraised value of the reserved land or improvements, but the credit shall not exceed fifty (50) percent of the recreation impact fee which would otherwise be required.
 - 5. Land dedicated for recreation purposes shall be of a character and location suitable for use as a playground, playing field, or for other recreation purposes and shall be relatively level and dry.
 - 6. Developers of projects along navigable waterways will be required to provide easements for boat launching ramps and parking.
Where appropriate, recreation sites should be established with multiple purposes to provide both recreation facilities and preservation of environmentally sensitive

lands. Sidewalks, bicycle paths, or multipurpose trails shall be provided for pedestrian access to recreation sites.

4.05.00 LANDSCAPING, BUFFERS, AND TREE PROTECTION

4.05.01 GENERALLY

- A. It is the intent of the City to provide standards and regulations which: protect and preserve native tree species and the natural landscape; foster and encourage maintenance of natural vegetation; minimize loss of trees to development; reduce disturbance of native soil, improve ground and surface water quality; and promote energy and water conservation through use of native and Florida-Friendly landscaping principles.
- B. The intent of Section 4.05.00 is to provide minimum standards for landscaping, buffers, and tree protection within the City. These standards are provided to meet the following specific purposes:
 - 1. Improving the appearance of the City;
 - 2. Providing shade for the ground surfaces and reducing heat island effects;
 - 3. Buffering and protection from wind and storm damage;
 - 4. Buffering adjacent potentially incompatible land uses;
 - 5. Screening vehicular movement from pedestrian and public view;
 - 6. Providing for the protection and preservation of trees and native vegetation;
 - 7. Ensuring the local stock of native trees and vegetation is replenished;
 - 8. Improving ground and surface water quality through reduced run-off and decreased use of fertilizers and pesticides; and
 - 9. Encouraging Florida-Friendly landscaping principles into landscape design.

4.05.02 APPLICABILITY

- A. The types of development listed below shall provide a landscaped buffer between uses, provide landscaping for parking lots, submit a tree survey prepared by a licensed Florida surveyor or a tree inventory prepared by a certified arborist with an application for site plan approval, obtain a tree permit prior to receipt of a building permit, and submit a landscape plan with any application for a development order for the situations listed below. The required landscape plan shall demonstrate compliance with the standards of Section 4.05.00.
 - 1. All new construction;
 - 2. All development of regional impact;
 - 3. Any change of use which results in any increase in the required off-street parking, as determined by the standards in Section 7.01.04;
 - 4. All commercial redevelopment which results in an increased building footprint, reconfiguration of existing parking, parking lot expansions, or development of outparcels within an existing shopping center.
 - A. Clearing of any site, including root-rake clearing, shall be subject to the requirements for tree protection, submittal of a tree survey or a tree inventory prepared by a certified arborist, and obtaining a tree removal permit.
 - B. An application for a building permit for a single-family or two-family dwelling proposed on an existing platted lot shall include a tree survey or a tree inventory prepared by a certified arborist. The tree survey or a tree inventory prepared by a certified arborist shall comply with the requirements of Section 4.05.04 regarding landscaping, but shall not be required to provide a buffer or landscaping for a parking area.

- C. The following situations are exempt from the requirements of Section 4.05.00:
1. Any interior construction, renovation, or remodeling which does not increase the footprint of the building.
 2. Licensed plant or tree nurseries or botanical gardens with respect to those plants and trees grown for sale to the general public in the ordinary course of the licensed business or for public purposes.
 3. The removal of underbrush and removal of trees which are less than four (4) inches Diameter at Breast Height (DBH).
 4. The removal of prohibited invasive trees identified on the most recent Florida Exotic Pest Plant Council Invasive Plant list.
 5. Heavy Industrial (I-2) zoning district is exempt from the requirements of Section 4.05.00, provided that the new construction, renovation, alteration or remodeling occurs more than 75 feet from an adjoining residentially zoned and/or used property. Within the exemption area, LDC Section 4.05.00 applies only within the project's extent occurring in the 75-foot area. The exemption exists with the intent that Heavy Industrial (I-2) zoned properties would seek to minimize an overall impact on the existing tree canopy.

4.05.03 LANDSCAPE MATERIALS STANDARDS

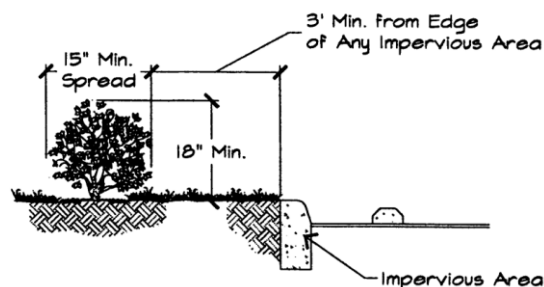
A. Plant materials

1. Trees, Shrubs, and groundcovers shall be selected by using the Florida-friendly Plant Database.
2. Plants identified as "prohibited" or "noxious weeds" species on the most recent Florida Exotic Pest Plant Council Invasive Plant list shall be removed as part of the site development process. Plants identified as "invasive" may be retained on a development site but shall not count toward meeting landscaping and buffering requirements.

B. Minimum specifications for plant materials

1. All plants used as part of any landscape plan shall be healthy, well proportioned, disease-free, pest-free, and hardy for the North Florida Region. Plant materials shall meet the standards for Florida No. 1 or better, as set out in *Grades and Standards for Nursery Plants*, Department of Agriculture, State of Florida.
2. Shrubs shall be at least eighteen (18) inches in height and have a minimum spread of at least fifteen (15) inches at the time of installation. Shrubs shall be installed at least thirty-six (36) inches apart, measured on center and may not be placed closer than three feet from the edge of any impervious area.

Example:

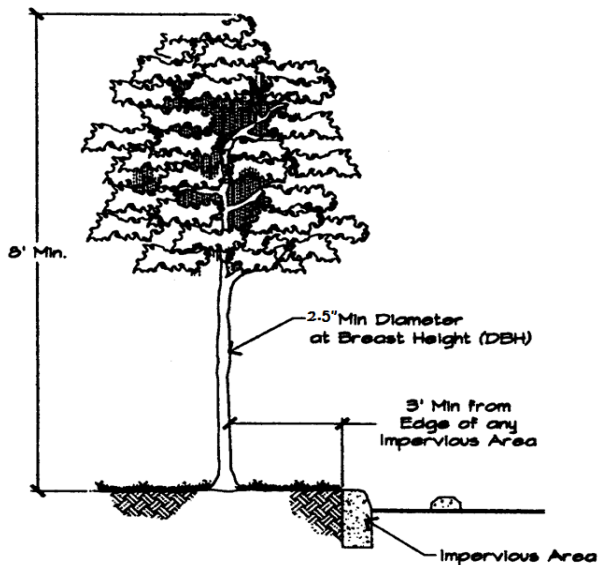


3. Hedges shall be planted to create a continuous, unbroken, solid visual screen within one (1) year of planting allowing for full mature height and spread.
4. All landscaped areas shall be sodded or covered with ground cover. Grassed areas shall be consolidated and limited to those areas on the site which receive

pedestrian traffic, provide for recreational use, provide cover for required drain fields or retention areas, or provide soil erosion control such as on slopes or in swales; and where grass is used as a design unifier or other similar practical use. Grassed areas shall be planted with warm_season grass species normally grown on permanent lawns in Nassau County. Special care should be taken when selecting turf grasses for shaded sites. A soil sample should be tested specifically for pH to determine which grass species is most suitable for the site. Grassed areas may be sodded, plugged, sprigged, or seeded to provide full coverage shall be achieved within one (1) year after planting. Solid sod shall be used in swales or areas subject to erosion. Grass sod shall be clean and reasonably free of weeds and noxious pests or diseases. Grass seed shall be delivered to the job site in bags with Florida Department of Agriculture tags attached indicating the quality control program.

5. Ground cover used in lieu of grass shall be planted so as to present a finished appearance and reasonably complete coverage within three (3) months of installation.
6. Vines shall be a minimum of thirty (30) inches in height at planting and may be used in conjunction with fences, screens, or walls.
7. Natural mulch shall be designed and installed in all planting areas to a depth of three (3) inches. The type of mulch shall be specified on the landscape plan. Use of artificial mulch shall not be permissible within required planting areas. Cypress mulch is strongly discouraged. Mulches are typically wood bark chips, wood grindings, pine straw, nut shells, small gravel, and shredded landscape clippings. Mulch is not required in identified annual beds. Mulch rings should extend to at least three (3) feet around freestanding trees and shrubs. All mulch should be renewed periodically. Mulches should be kept six (6) inches away from any portion of a building or structure, or trunks of trees. Plastic sheeting and other impervious materials shall not be used under mulched areas.
8. Retention of native and drought tolerant species is preferred. At least fifty (50) percent of the required plants installed in landscaped buffers, landscaped parking areas, and for replacement shall be native species.
9. At least fifty (50) percent of the required trees installed in landscaped buffers, landscaped parking areas, and to meet tree planting requirements shall be shade trees. Existing trees, other than invasive or prohibited species, which are five (5) inches DBH or larger, and shrubs may be counted toward meeting the requirements for landscaped buffers, landscaped parking areas, and tree retention.
10. Trees shall be a minimum of two and a half (2.5) inches DBH and no less than eight (8) feet tall at the time of installation. Trees shall not be planted closer than three (3) feet from the edge of any impervious area. Planted trees must be a species with an average mature spread of at least twenty (20) feet, or they must be grouped so as to create a crown spread of at least twenty (20) feet.

Example:



11. When palm trees are used to satisfy minimum landscape requirements, three (3) palm trees shall count as one (1) shade tree. Palm trees must be a minimum of 8 feet tall at time of installation.
 12. Shade trees shall not be installed under any overhead utility line, over any buried utilities, or within a utility easement.
 13. Where utilities conflict with proposed plantings, trees shall be selected from a list provided by the City. Where underground utilities conflict with proposed plantings, tree placement shall be a minimum of ten feet from the underground utility and a root barrier of two (2) feet deep shall be installed.
- C. Specific requirements for drought tolerant or xeriscape landscape materials
1. All development for which landscaping is required by Section 4.05.00 shall comply with the xeriscape requirements set forth in Table 4.05.03(C). The selected design options listed below and the accompanying points necessary to meet the following xeriscape requirements shall be clearly tabulated on the landscape plan.
 2. A minimum of fifty (50) points shall be accumulated by choosing from the following table of design options. As used in Table 4.05.03(C), "list" means the list of drought tolerant species set forth in the SJRWMD edition of the *Xeriscape Plant Guide*.

Table 4.05.03(C). Design Options for Xeriscape Landscaping

Design Feature	Standard	Points
Irrigation	Moisture sensing controller other than rain switch	5
	Landscape plan depicts low, moderate, and high water usage zones and grouping of plants into hydrozones	5
Grass	25% to 50% of the grass areas use drought tolerant species	5
	51% or more of the grass areas use drought tolerant species	10
	Less than 75% of the landscaped area contains sod	10
	Compacted mulched planting beds at least 3" deep are used in all planting areas except ground cover	10
Shrubs	25% to 50% of the required shrubs are drought tolerant species	5
	51% or more of the required shrubs are drought tolerant species	10
Trees	25% to 50% of the required trees are drought tolerant species	5
	51% or more of the required trees are drought tolerant species	10
	25% increase over the required number of shade trees in vehicular use areas, provided the planting area is large enough to ensure that the additional trees will thrive	5
	50% increase over the required number of shade trees in vehicular use areas, provided the planting area is large enough to ensure that the additional trees will thrive	10

D. Installation

1. All required landscaping installed pursuant to this section shall be installed according to accepted horticultural practice.
2. Trees may not need to be staked if appropriate canopy to root ratio is achieved. However, trees shall be guyed, braced, and/or staked at the time of planting to ensure establishment of the tree and erect growth, as specified by the landscape designer or architect and compliant with the ISA staking and guying guidelines. Nail staking or other methods that cause cosmetic or biological damage to the tree are prohibited. Trees shall be re-staked within twenty-four (24) hours in the event of a failure in the staking or guying. Stakes shall be removed not later than twelve (12) months after installation. All areas where trees are to be planted shall be excavated to the width and depth of the root ball with the upper twelve (12) inches excavated to at least three (3) times the width of the root ball prior to being backfilled with the required topsoil mix.
3. Shade trees shall be provided with at least 250 square feet of planting area per tree.
4. Understory trees shall be provided with at least 100 square feet of planting area.
5. Landscaped areas shall be protected from vehicular encroachment by car stops, curbs, or other appropriate means.
6. Trees shall be installed a minimum of three (3) feet from a paved area. A root barrier shall be required prior to installation of replacement trees.
7. Landscaped areas shall be provided with an irrigation system of sufficient capacity to maintain the landscaping in a healthy growing condition. All irrigation systems shall be designed, installed, and maintained in such a manner as not to be a nuisance to adjacent properties and uses and to the general public. Irrigation systems shall include moisture sensors.

8. Irrigation systems shall be designed to “*Standards and Specifications for Turf and Landscape Irrigation Systems*”, *Fifth Edition, 2005, Florida Irrigation Society, Inc* and as subsequently amended.
 9. Xeriscape areas must have a readily available water supply to provide temporary irrigation until plantings are established.
 10. Natural areas and native vegetation left undisturbed by development may be excluded from the irrigation system.
- E. Maintenance requirements
1. All plantings must be continually maintained in an attractive and healthy condition. Maintenance must include, but not be limited to, watering, tilling, fertilizing and spraying, mowing, weeding, removal of litter and dead plant material, and necessary pruning and trimming.
 2. Required plants that become diseased or die must be replaced not later than three (3) months following the loss of the plant.
 3. Replacement trees shall be maintained and warranted to survive for a period of three (3) years from installation. Trees which do not survive three (3) year must be replaced with new trees of the same size. Replacement trees must comply with the same maintenance and replacement warranty as the original replacement tree(s) and the warranty period will restart at the date of planting.
 4. All trees may be pruned to maintain shape and promote their shade-giving qualities and to remove diseased or dying portions in areas where falling limbs could be a hazard. The property owner is responsible for the maintenance of all required landscaping in a healthy, thriving condition. Trees shall be pruned only as necessary to promote healthy growth or to avoid power lines. Trees shall not be severely pruned or "hatracked," "lionstailed," or "topped" in order to permanently maintain growth at a reduced height. Pruning shall comply with current International Society of Arboriculture (ISA) standards. No more than 20% of the crown shall be removed within a one (1)-year period.
 5. Fertilizers: It shall be the goal of each landscape plan to select plant materials capable of thriving without regular fertilizer application, with exception of palms which need quarterly fertilizer to avoid nutrient deficiencies.
 6. Pesticides: It shall be the goal of each landscape plan to establish an Integrated Pest Management approach and reduce or eliminate the need for pesticide application.

4.05.04 REQUIREMENTS FOR LANDSCAPE PLANS

- A. A landscaping plan shall be provided to demonstrate compliance with the standards of this section and prepared in accordance with all applicable Florida Statutes. Landscaping plans shall utilize the principles for creating a Florida Friendly landscape, utilize native drought tolerant plant materials to conserve water, avoid invasive exotic species, reduce need for fertilizers, and establish integrated pest management to reduce or eliminate pesticide use. The use of plant material, site design techniques, and planting design techniques which enhance wildlife habitat benefits is strongly encouraged. The publication “Planting a Refuge for Wildlife,” available from the Florida Fish and Wildlife Conservation Commission, may be used as a guide.
- B. The landscape plan shall include the following elements:
1. The name, address, and telephone number of the applicant, as well as the registered landscape architect or landscape designer.
 2. A plan showing the location, size, description, and specifications of landscaping, grade of plantings, mulch specifications, landscape area protection structures (e.g.,

curbs and planters), number of interior parking spaces, perimeter and interior landscape area plantings, existing trees and planting areas. The plan shall illustrate the proposed irrigation hydrozones. The plan shall also include property boundaries and dimensions, existing and proposed structures, pools, walks, patios, vehicular use areas, lot orientation, utility services, light poles, pad-mounted transformers, fire hydrants, existing and proposed elevations, and any other factors affecting the proposed use of the property (including the land use and zoning of adjacent properties).

3. New landscape plans shall account for plant watering needs and group plants into "hydrozones." Hydrozones and their corresponding irrigation category shall be identified on the landscape plan.

4.05.05 MINIMUM REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT

It is the intent of this section to provide minimum landscaping requirements for residential development. Existing plant materials, other than invasive species, may be counted toward meeting the landscaping requirements set forth in this section.

A. Single-family Detached and Two-family Duplex Residential Development

Single-family and two-family development must include, at a minimum, two (2) native, shade trees for every 2,500 square feet of lot area or fraction thereof. At least four (4) native trees may be located in the front, side, or rear yard. Relocation of existing healthy trees on the project site measuring at least 2.5" DBH and at least 8 feet tall may be relocated on the site and utilized as a credit to satisfy minimum landscape requirements. Tree identification and placement must be shown on a site plan but may not be required to meet the requirements of 4.05.04(A) above.

B. Tri-plex and Multi-family Residential Development

Multi-family residential development sites must meet the following standards, in addition to the requirements set forth in Section 4.05.04(A) above:

1. There must be at least two (2) native, shade trees for each 1,500 square feet, or fraction thereof, of development site. Relocation of existing healthy trees on the project site measuring at least 2.5" DBH and at least 8 feet tall may be relocated on the site and utilized as a credit to satisfy minimum landscape requirements. There must be a planting area not less than ten (10) feet in width between the building walls and parking areas. Landscape materials must be provided as follows:
 - a. One (1) tree for every 200 square feet of planting area or fraction thereof;
 - b. At least fifty (50) percent of the trees must be shade trees; and
 - c. A continuous hedge must be placed along the building walls.
2. There must be a planting area not less than ten (10) feet in width between an abutting right-of-way and parking areas. Landscape materials must meet the following standards:
 - a. One (1) tree must be provided for every 250 square feet of planting area or fraction thereof;
 - b. At least seventy-five (75) percent of the trees must be shade trees;
 - c. A continuous hedge or a berm with native plantings, at least three (3) feet in height, must be provided; and
 - d. The entire site, outside of the planting areas immediately surrounding the trees and shrubs, must contain grass or ground cover.

4.05.06 MINIMUM REQUIREMENTS FOR NON-RESIDENTIAL AND MIXED USE DEVELOPMENT

A. Minimum Landscaped Area

At least twenty (20) percent of the total gross land area of a development site shall be landscaped except within the Central Business District/ C-3 zoned and the 8th street Mixed Use (MU8)/MU-8 zoning properties where a minimum of 10% of the total gross land area shall be landscaped. New construction and landscaped areas shall be located on the site in such manner as to maximize preservation of existing trees with priority given to specimen trees. Minimum landscaped area requirements may be achieved through use planters and rooftop gardens. Planting areas which fulfill landscape design strategies located within public rights-of-way shall count towards the minimum planting area, if installed and paid for by the developer or property owner.

B. Minimum Tree Planting

Nonresidential development shall provide one (1) shade tree for each 1,500 square feet of gross site area, or fraction thereof.

4.05.07 PARKING LOT LANDSCAPING

A. Intent: It is the intent of this section to promote vehicular and pedestrian safety; limit physical site access to established points of ingress and egress; delineate and buffer the bounds of abutting vehicular use areas so that distractions of movement, noise and glare from one area do not adversely affect the activity in another area; break up large expanses of pavement; and to reduce heat island effect within the vehicular use areas of a site.

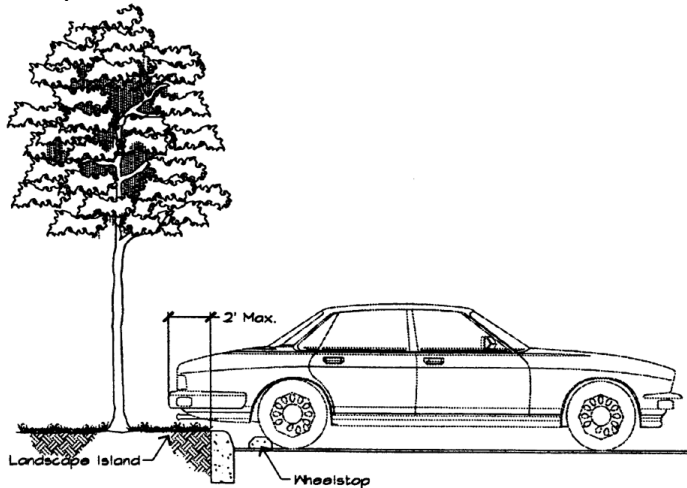
B. Off-Street Parking: All off-street parking lots with six (6) or more required parking spaces and vehicular use areas (access driveways, service drives, and loading areas) are required to include landscaping. Required parking lot landscaping shall be in addition to requirements for protection of existing trees.

C. Perimeter Landscaping:

1. A landscaped area not less than ten (10) feet in width, exclusive of impervious area, using vertical layering of landscape materials shall be located around the perimeter of the parking lot in order to provide visual screening from the right-of-way. Perimeter landscape area requirements shall not apply to shared vehicular access areas or to the portion of the perimeter areas where physical interconnections exist.
2. When perimeter landscape areas are required on adjacent properties, the owners of such adjacent properties may agree to the installation of only one such landscape area on the adjacent boundary, as long as such agreement is binding on both property owners and their successors in the interest and is approved as part of the site plan review process.
3. Where the parking lot is in a side or rear yard and a buffer "C" or "D" is provided pursuant to Section 4.05.05, the buffer shall satisfy the requirement for providing landscaping between the parking lot and the abutting street.
4. Where a buffer "A" or "B" is required pursuant to Section 4.05.05, the landscaped area shall also include a continuous unbroken hedge, planted in a double-staggered row to form a solid visual screen within one (1) year of planting.
5. An access, not exceeding four (4) feet in width, may be provided through the buffer to an adjacent sidewalk public street or sidewalk.
6. Trees within the perimeter landscaped area shall be determined using a ratio of one (1) tree for each 20 linear feet of required landscape perimeter area, or

- major portion thereof, with no less than 75% of said trees being shade trees.
Creative design and spacing is encouraged
7. A visual screen is required within perimeter landscape areas, running the entire length of such areas excluding areas of ingress and egress. The visual screen may be provided using:
 - a. Shrubs or Ornamental Grasses. Shrubs or Ornamental Grasses shall be spaced a minimum of three feet to a maximum of six feet on center dependent on the inherent growth of the species. Creative design and spacing is encouraged.
 - b. Contoured berms or embankments. Contoured berms or embankments shall be a minimum of twenty-four (24) inches in height, measured from the adjacent parking surface level, at the time of planting and landscaped appropriately.
 - c. Plant material must be non-deciduous for full year-round screening.
- D. Interior Parking Lot Landscaping:
1. Planting areas within parking lots and vehicular use areas shall equal not less than ten (10) percent of the gross area devoted to vehicular use. The perimeter landscaping shall not count toward meeting the required interior landscaping.
 2. Interior planting areas shall be located in tree islands, at the end of parking bays, and between rows of parking spaces. There shall be not more than ten (10) contiguous parking spaces (or twenty (20) parking spaces in a double row) between planting areas.
 - a. Planting areas may also be located within driveway medians, provided the median is a minimum of twelve (12) feet wide.
 - b. One (1) shade tree shall be installed for each 400 square feet of required planting area. Alternatively, a minimum of two, three-inch or three, two-inch, caliper shade trees together with other landscape material shall be planted within each required planting area. Spacing shall be no closer than fifteen (15) feet on center and no greater than eighteen (18) feet on center.
 3. Interior planting areas shall be located to effectively accommodate stormwater runoff, as well as to provide shade in large expanses of paved areas. Use of swales, vegetated filter strips, and bioretention areas (rain gardens) shall be incorporated into the overall stormwater plan, grading plan, and landscape strategy for the entire parking area. Plant species should be selected based on their ability to tolerate urban stresses such as expected pollutant loadings, highly variable soil moisture conditions, ponding water fluctuations, and Soil pH and texture.
 4. If stabilized grass parking is utilized, the parking spaces shall be delineated with parking stops and the required landscape islands with trees and stubs installed to break up rows of ten (10) consecutive parking spaces.
 5. The design of interior landscaped areas shall comply with the specifications set forth in Section 4.05.03 and 7.01.04(C).
 6. A continuous curb or other means of protection shall be provided to prevent injury to vegetation within the planting areas.
 - a. Curbs shall be designed to allow percolation of water to the root systems of the plants. Where existing trees are preserved, tree wells, tree islands, or a continuous curb shall be installed to protect the trunk and root system from damage. A drainage system shall be provided within the area defined by the drip line of the tree(s).
 - b. Vehicle stops or other design features shall be used to prevent parked vehicles from overhanging more than two (2) feet into any landscape area.

Example:



- E. In order to allow for flexibility and creativity in design standards, hedges may be replaced or interrupted in areas which provide for a decorative wall and berms and other creative landscape features, and landscape materials may be clustered so long as the parking area remains screened from the public right-of-way and adjacent private property, as set forth in Section 4.05.12.

4.05.08 FREESTANDING SIGN LANDSCAPING

- A. All monument signs shall have shrubbery or flowers planted around the perimeter of the sign. Signs shall be located so as to provide both adequate visibility from the public rights-of-way and to preserve protected trees.
- B. If a freestanding sign cannot be shifted to allow the required room for perimeter plantings between the sign and the parking area without obscuring visibility to the sign, then the City shall allow a five (5) foot radius from the base of the freestanding sign in which lower accent plantings are allowed in lieu of perimeter plantings.

4.05.09 MECHANICAL EQUIPMENT SCREENING PLANTINGS

Structures such as dumpster enclosures, mechanical equipment, backflow preventers, wells, pumps, tanks, buffer walls, HVAC units, transformers, lift stations, utility cabinets, electrical panels, or cable television equipment shall be fully screened with planting beds in areas visible from the public rights-of-way.

- A. The height of such screening shall be a minimum of 30 inches at the time of installation.
- B. Required access ways to these utilities are exempt from the screening provisions. Other uses which require high visibility and easy access, such as fire hydrants, public and emergency telephones, mailboxes, and school bus shelters/benches, are exempt from these provisions.

4.05.10. RETENTION AND DETENTION PONDS

Stormwater retention/detention ponds are required be naturally shaped (without geometric straight sides) and must meet the following minimum requirements:

- A. All wet detention ponds must incorporate a combination of aquatic and non-aquatic native plants to completely surround the perimeter to filter runoff of fertilizers, herbicides, and pesticides.
- B. Wet detention ponds must incorporate, at a minimum, a littoral zone or a littoral zone alternative Per Chapter 40C-42, Florida Administrative Code.

- C. At a minimum, one water-tolerant native tree per 50 linear feet of pond frontage is required. Trees may be grouped to create clusters to meet minimum requirements. A five (5) foot natural barrier is required around each tree or cluster of trees.

4.05.11. REQUIREMENTS FOR STREET TREES

- A. Trees planted near the street curb line or within swales near the curb line of streets are called street trees. Trees planted in a median between traffic lanes are also called street trees. Street trees are intended to provide:
 - 1. Security to pedestrians crossing wide streets;
 - 2. A screen for drivers from headlight glare of oncoming traffic;
 - 3. Blockage of direct sun into the eyes of drivers, especially commuters traveling east and west;
 - 4. An indication of the course of the roadway in the distance; and
 - 5. A protective barricade to head-on collisions with out-of-control vehicles which cross into the median.
- B. In all subdivisions and any other developments involving the creation of new streets, street trees shall be planted in the rights-of-way or a median, unless it is determined that a conflict exists between trees and utilities located in the rights-of-way or site distances are not in compliance with sound and generally accepted engineering practices and principles. In such cases, the street trees shall be planted outside of the rights-of-way.
- C. If street trees are located to be outside of the rights-of-way, trees shall be planted no farther than five feet outside the right-of-way line, and shall be perpetually maintained. Street plantings shall be in accordance with minimum planting standards.
- D. Buffer plantings consistent with LDC Section 4.05.12 (E) – (G) shall be established to surround new residential subdivisions.
- E. Street trees planted to meet requirements of this section must be shade trees, and shall be planted at a rate of one (1) tree for every 50 feet of site/lot frontage along the right-of-way or every 30 feet on center in medians. If planted medians and/or cul-de-sac islands are provided with trees, street trees along the outside of the roadway are not required. Use of understory trees are permitted in lieu of shade trees as determined to be practical because of overhead utility lines or other infrastructure conflicts, may be permitted at a rate of one (1) tree for every 25 feet of site/lot frontage along the right-of-way. Preserved or retained trees on-site shall count towards satisfying this requirement in newly established residential subdivisions.
- F. A root barrier shall be installed for all street trees to avoid future root conflicts.
- G. A majority of the property owners abutting any street may request the establishment of an arbor street. An arbor street is one determined by the City to be suitable for extensive planting of street trees. Requests shall be in writing and submitted to the City. Required information includes:
 - 1. Designation of the areas proposed for street trees on a planting plan;
 - 2. Agreement from property owners for trees to be planted adjacent to or on their properties; and
 - 3. Commitment from property owners to provide care and maintenance of the street trees.
- H. Trimming of street trees by adjacent property owners is permitted, provided that all work adheres to International Society of Arboriculture (ISA) standards and no more than 20% of the tree canopy is removed within a one (1) - year period. No trees authorized pursuant to the arbor street agreement shall be removed without obtaining a tree removal permit, according to the requirements of Chapter 11.

4.05.12. BUFFER REQUIREMENTS

- A. The use of properly landscaped and maintained buffer areas can reduce the potential incompatibility of adjacent land uses, maintain open space, protect established residential neighborhoods, and enhance community identity. In order to minimize negative effects between adjacent zoning districts, this section requires a landscaped buffer area to be provided. The separation of land uses and the provision of landscaping along public rights-of-way through a buffer are designed to minimize potential nuisances, and to enhance community beautification.
- B. Four (4) types of buffers are provided, as set forth in Table 4.05.12(B).

Table 4.05.12 (B). Types and Plant Requirements for Buffers

Buffer Type	Minimum Width (ft.)	Required Plants per 100 Linear Feet of Property Line
A	10	Two (2) understory trees
B	15	Four (4) understory trees
C	15	Two (2) shade trees Four (4) understory trees Continuous unbroken hedge, planted in a double-staggered row to form a solid visual screen within one (1) year of planting
D	20	Four (4) shade trees Four (4) understory trees A continuous unbroken hedge, planted in a double-staggered row to form a solid visual screen within one (1) year of planting. Retention of native trees and vegetation which meet this requirement shall be considered as part of the buffer.

- C. A buffer shall be required between zoning districts according to the standards set forth in Table 4.05.12 (C). The existence of a road along a property boundary shall not be construed as meeting any part of the buffer requirement, nor as relieving the applicant from providing the required buffer.

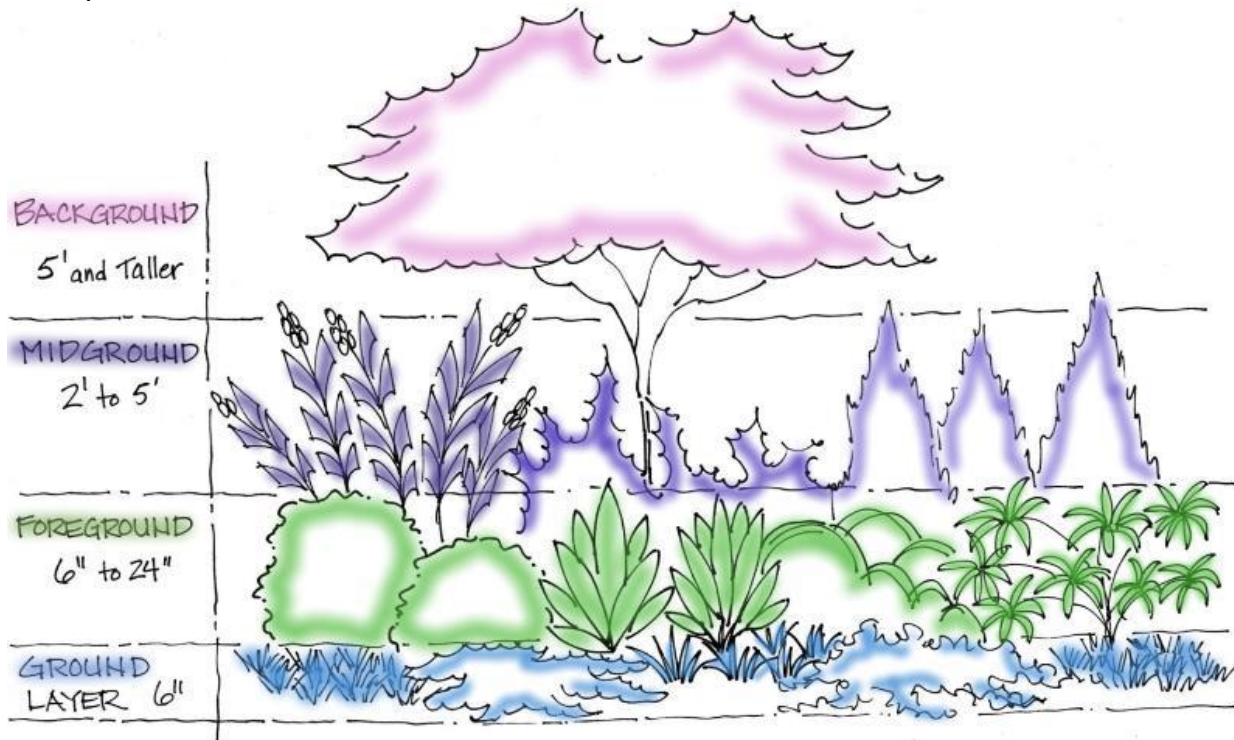
Table 4.05.12. (C). Buffer Requirements between Zoning Districts.

Zoning District of Proposed Development	ADJACENT ZONING DISTRICT																
	R-E	R1-G	R-1	R-2	R-3	OT-1	OT-2	MU-1	C-1	C-2	C-3	I-1	IA	I-W	W-1	PI-1	CON
R-E	No Buffer Required																
R1-G	No Buffer Required																
R-1	No Buffer Required																
RLM	No Buffer Required																
R-2	No Buffer Required																
R-3	A	A	A	A	N	N	N	A	N	N	N	B	B	B	B	N	N
OT-1	N	N	N	N	N	N	N	A	N	N	N	B	B	B	B	N	N
OT-2	N	N	N	N	N	N	N	A	N	N	N	B	B	B	B	N	N
MU-1	B	B	B	B	A	A	N	N	N	A	A	B	B	C	C	A	N
C-1	C	C	C	C	B	B	B	A	N	N	N	B	B	B	B	N	N
C-2	C	C	C	C	B	B	B	B	N	N	N	B	B	B	B	N	N
C-3	C	C	C	C	B	B	B	B	N	N	N	A	A	A	A	N	N
I-1 Downtown	N	N	N	A	N	N	N	A	N	A	A	N	N	N	N	N	N
I-A Airport	D	D	D	D	D	D	D	D	D	D	D	D	N	D	D	D	N
I-1 Mills	D	D	D	D	D	D	D	D	D	D	D	N	N	N	N	N	N
I-W	D	D	D	D	D	D	D	D	D	C	C	N	N	N	N	C	N
W-1	See Specific Standards in Section 8.01.02																
PI-1	C	C	C	C	B	B	B	A	N	N	N	B	B	B	B	N	N
CON	No Buffer Required																
REC	No Buffer Required																

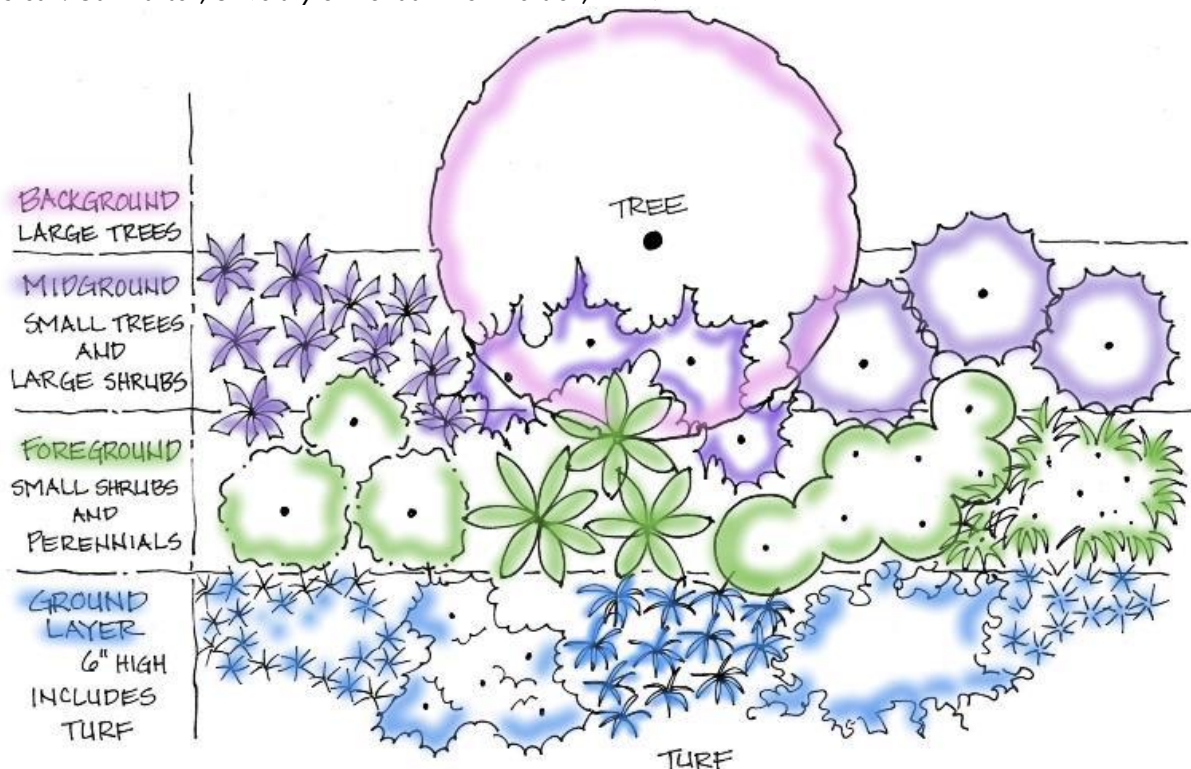
N = No buffer required

- D. Properties abutting the Amelia Island Parkway are required to maintain a 15-foot landscaped buffer. The area between preserved and planted trees can be supplemented with native or naturalized shrubs to provide screening adjacent to any parking areas.
- E. As subject to Comprehensive plan policy 5P.03.02, the Ocean Highway and Port Authority is required to maintain a 30-foot landscaped buffer between port property lines and the adjoining Downtown Historic District properties.
- F. Buffer plantings are required to create vertical layers of plant material in repeating patterns. The examples provided describe vertical layering of plants in the landscape through staggered heights, with low plants in the front interconnecting plant massing layers with taller plants in the back.

Examples:



Credit: Gail Hansen, University of Florida IFAS Extension, EP449



Credit: Gail Hansen, University of Florida IFAS Extension, EP449

- G. A fence or wall included in a buffer screen shall be constructed with the side of the fence or wall with the finished appearance facing the use of lesser intensity or rights-of-way.

- H. An opening through a buffer area may be provided to facilitate pedestrian or vehicular traffic between developments.
- I. Permitted use of buffer area
 - 1. A buffer may be used for passive recreation and picnic facilities. It may contain pedestrian paths or bike trails, provided that the path or trail is not paved. These paths may cross a required continuous hedge provided that openings to allow such crossing points shall be a maximum of six (6) feet in width and shall be spaced not less than 100 feet apart.
 - 2. Except along the Amelia Island Parkway, a buffer may incorporate water resources including stormwater detention/retention facilities. However, a minimum of ten (10) feet width of the buffer shall be preserved as a planting area without stormwater facilities.
 - 3. Ingress and egress to the proposed development and utilities may cross the buffer provided they minimize the amount of buffer devoted to this use. Ingress and egress shall not be subtracted from the linear dimensions used to determine the minimum amount of landscaping required.
 - 4. The buffer area may be included as part of the calculation of any required open space or as part of the required front, side, or rear yard.
 - 5. Identification signs as specifically allowable pursuant to Section 5.03.00.
 - 6. Except along the Amelia Island Parkway, street lighting may be incorporated in to the buffer area.
- J. Prohibited use of buffer area.

A buffer area shall not be used for any building, parking, storage, or loading area.

4.05.13 HARDSHIP RELIEF

- A. Where a landowner is unduly burdened by the strict application of this chapter, said landowner may apply in writing to the community development department director for hardship relief.

4.05.14 TREE PROTECTION REQUIREMENTS

- A. Intent:

The intent of this section is to provide standards and regulations to ensure a minimum number of trees on any lot or parcel, protect and preserve native tree species, protect and preserve the natural landscape, foster and encourage maintenance of natural vegetation, and minimize loss of trees to development. It is the intent of the City that:

 - 1. There shall be no net loss of canopy within the City;
 - 2. Preservation of the City's existing canopy is achieved by managing the impact of development and preventing unreasonable or unnecessary damage to the community's existing native tree canopy and vegetative understory;
 - 3. The diversity of tree species indigenous to Amelia Island shall be maintained;
 - 4. Existing mature growth native trees important to the City's tree canopy are protected and maintained to the fullest extent possible;
 - 5. Structures and all impervious surfaces will be placed in such a way as to protect the survivability and substantial growth of the healthiest shade trees on the property;
 - 6. The natural environment is preserved, enhanced, and restored through the protection and establishment of native trees and existing natural systems for the enjoyment of present and future populations;
 - 7. Achieving greater energy conservation by maximizing the shading and cooling effects of existing native, healthy trees and native replacement trees;

8. The health and well-being of Fernandina Beach residents and visitors is protected by providing shade and otherwise moderating potential dangerous summer temperatures; and
 9. The unique aesthetic character of the City is preserved, enhanced, or restored.
- B. Permitting Requirements:
- Protected Trees are any existing, healthy tree having a five (5) inch DBH, or greater and not identified on the most recent Florida Exotic Pest Plant Council Invasive Plant list (Category I or II). Tree removal permits are required for the removal of any protected tree, except as set forth below. There shall be three categories of exemptions or partial exemptions, as follows:
1. *Exemption from permit, permit fee and replacement requirements:*
 - a. Trees and landscaping specifically grown as landscape material for resale by duly approved and licensed plant nurseries and botanical gardens.
 - b. Damaged or hazardous trees during and for a one (1) month period following a declared disaster.
 - c. Minor maintenance activities such as removal of sucker growth, water sprouts, and overhanging branches on mature trees. All work shall be performed in compliance with the current ISA Arborist standards and best practices.
 2. *Exemption from fee and replacement requirements.*

A permit shall be required for removal of the following trees, however, removal of these shall be exempt from the permit fee and replacement and replacement plan requirements of this article as follows unless the removal of such tree results in the property not achieving the City's minimum landscape standards as specified in LDC Sections 4.05.05:

 - a. Any tree other than a protected or heritage tree;
 - b. Trees damaged by disease, fire, windstorm, lightning, insect infestation or other acts of nature, which pose an imminent danger to life, property or other protected trees; The administrative official may require a written certification of the need to remove such a tree or trees, at the property owner's expense, from an ISA certified Arborist prior to authorizing such a removal.
 - c. Removal of trees (thinning) within a forested area in order to reduce overcrowding and competition and to promote the health, growth, and resistance to stress may be permitted only when accompanied by written certification of the need to remove such tree(s) at the property owner's expense, from an ISA certified Arborist prior to authorizing such removal.
 - d. Major and minor maintenance of trees located adjacent to utility lines; and
 - e. Removal of trees by the City on City rights of way.
 - f. The tree prevents access to a lot and no feasible alternative access points exist.
 3. *Partial Exemptions from replacement requirements for site development.*

A permit and permit fee shall be required for removal of protected trees for purposes of site development provided that mitigation requirements have been met through either on-site retention of existing healthy native trees or through the planting of replacement trees required as follows:

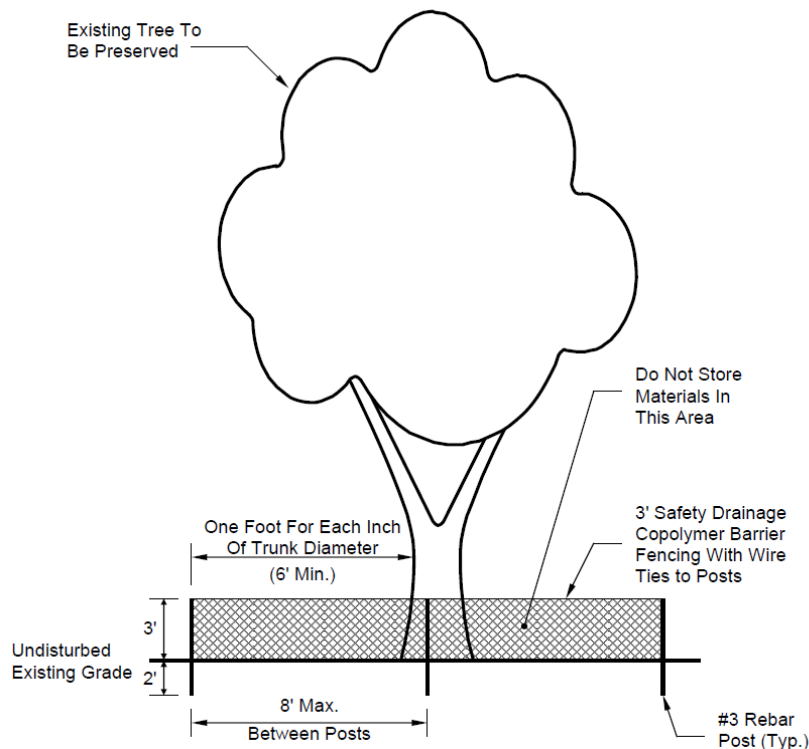
 - a. For one- and two-family residential properties:

Fifty percent (50%) of the total DBH of the protected trees shall be exempt from replacement. Replacement of fifty percent (50%) of the total DBH of the protected trees located within the area of the building footprint, or within five (5) feet thereof, to be constructed on the property, when such improvements have been authorized by a duly approved and issued building permit shall be required.

- b. For affordable housing units, the City Manager or designee is authorized to issue an administrative waiver pursuant to the procedures set forth in Chapter 10.
 - c. For non-residential and mixed use or multi-family residential properties:
Fifty percent (50%) of the total DBH of the protected trees shall be exempt from replacement. Replacement of fifty percent (50%) of the total DBH of protected trees located within the area of the impervious improvements, or within five (5) feet thereof, to be constructed on the property, when such improvements have been authorized by a duly approved and issued building permit shall be required.
- C. Tree Survey or Inventory:
All protected trees shall be shown on a tree survey or a tree inventory prepared by a certified arborist, submitted with an application for a tree removal permit or with an application for development approval as set forth in Chapter 11.
- D. Replacement trees Requirements:
 - 1. When authorization has been granted to remove protected trees, replacement trees shall be planted. The combined DBH of replacement trees shall equal or exceed the combined DBH of trees authorized for removal subject to any preservation credits available from the retention of protected trees on the site. Preservation credits are set forth in Section 4.05.14 (E)(5).
 - 2. Replacement trees shall meet the standards set forth in Section 4.05.03, and shall be balled and burlapped or container-grown.
 - 3. Protected trees authorized for removal may be relocated to locations compliant with the specifications set forth in Section 4.05.03 and approved by the City Manager or designee.
 - 4. An applicant shall be permitted to pay a fee to the City Tree Replacement Fund for up to fifty (50) percent of the cumulative DBH of protected trees removed, less the credits accumulated from preservation of trees on the site. The fee will be set by resolution of the City Commission and will be based on the average cost for the City to replace the tree with the same species, excluding invasive species, the fiscal year in which the permit is issued.
- E. Protection of Trees During Development Activities:
 - 1. Protective measures are required during site development in order to assure the health and survival of protected trees. Storage of construction materials or fill dirt is expressly prohibited within the tree protection area.
Protective measures are required to avoid:
 - a. Mechanical injuries to roots, trunk, and branches;
 - b. Injuries by chemical poisoning;
 - c. Injuries by grade changes;
 - d. Injuries by excavations; and
 - e. Injuries by paving.
 - 2. A tree protection zone shall be established around each protected tree(s) as follows:
 - a. If the drip line is less than six (6) feet from the trunk of the tree, the zone shall be that area within a radius of six (6) feet around the tree.
 - b. If the drip line is more than six (6) feet from the trunk of the tree, but less than twenty (20) feet, the zone shall be that area within a radius of the full drip line around the tree.
 - c. If the drip line is twenty (20) feet or more from the trunk of the tree, the zone shall be that area within a radius of twenty (20) feet around the tree.

- d. Prior to commencement of construction, the tree protection area shall be enclosed and installed as required in the detail provided and described herein. An approved inspection of the tree protection area by a Certified Arborist, contracted to and selected and managed by the City, must be completed prior to all site clearing activity. For all subdivision projects and non-residential projects, a Certified Arborist is required to be present for clearing activities and must provide an affidavit attesting to compliance of tree removal permits and installation of protective fencing once clearing activities are complete. The tree protection barricade shall be at least three (3) feet tall. The barrier shall consist of either a wood fence with 2x4 posts placed at a maximum of eight (8) feet apart, with a 2x4 minimum top rail, or a temporary wire mesh fence, chain link or other similar barrier which limits access to the protected area. The fence must remain in place through the duration of construction activities. Beyond the dripline of the canopy, a 3" mulch bed shall be established to avoid compaction from heavy machinery. Trenching close to a preserved tree on-site must be done by hand or air spading only. Preserved trees that may have root impacts resulting from the surrounding development shall be handled through hand cut root pruning practices only. Root ripping equipment is not permitted.
- e. An exception shall be granted if the required protection zone prohibits access to the site. Consultation with a certified arborist is required to determine a proper access plan and provide measures to ensure protection of the tree during construction activities.

Example:



3. All development activities, except those specifically permitted by Section 4.05.14(F)(4), shall be prohibited within the tree protection zone, including any construction of buildings, structures, paving surfaces, stormwater retention or

detention ponds, and temporary construction activities, including all digging, storage of construction material, and parking of construction vehicles.

4. Permitted activities within the tree protection zone:
 - a. Excavating or trenching by utilities service providers for installation of underground utilities. Underground utilities shall be no closer to the tree than ten (10) feet.
 - b. Placement of sod or other ground covers, and the preparation of the ground surface for such covers.
5. The root systems of protected trees shall be preserved when installing fences and walls. Postholes and trenches located close to trees shall be dug and adjusted as necessary to avoid damage to major roots. Continuous footers for masonry walls shall be ended at the point larger roots are encountered and the roots bridged.
6. In order to control air and water pollution from dust from traveling across the landscape, a detailed and site specific plan for dust control measures is required. Control measures may include, but are not limited to: sprinkling or irrigation, vegetative cover, mulch, wind breaks, or soil treatments.

G. Abused Trees:

Abused trees shall not be counted toward fulfilling tree replacement or preservation requirements. The City may require the abused trees to be replaced and are subject to penalties provided for in LDC section 11.08.04. A tree shall be considered abused if one (1) or more the following actions have taken place:

1. Significant damage has been inflicted upon any part of a tree, including the root system by machinery, storage of materials, soil compaction, excavation, vehicle accidents, chemical application, or change to the natural grade;
2. Damage inflicted to or cutting upon a tree which causes infection or pest infestation;
3. Pruning any tree to permanently reduce the function of the tree or cause it to go into shock;
4. Pruning a tree to destroy its natural shape;
5. Hatracking;
6. Removal of bark which is detrimental to the tree;
7. Tears and splitting of limb ends or peeling and stripping of bark;
8. Use of climbing spikes, or cutting into the tree for the purposes of climbing on any species of tree for any purpose other than total removal, except as the same may be required to comply with federal, state or local laws and regulations, including, but not limited to, the Occupational Safety and Health Act; and
9. Girdling a tree with the use of wires (e.g., use of weed eater, mower damage, or improper cabling around branches).

4.05.15 HERITAGE TREES

A heritage tree is a tree designated by the City as irreplaceable due to its size, age, and its historic, aesthetic, or cultural significance.

1. Designation Criteria

To be designated a heritage tree; the following criteria must be met:

- A. The tree must be indigenous to the region.
- B. The tree must be in apparently healthy growing condition
- C. The tree must have a DBH of at least 36" and;
- D. The tree must possess significance by meeting one or more of the following criteria:
 1. The tree has a documented association with a historical figure, property, or significant historical event.
 2. The tree is associated with a historic landmark or site as defined in this LDC.
 3. The tree was planted as a commemorative, memorial or tribute;
 4. The tree was planted during a particularly significant historical era.
 5. The tree is distinctive due to a functional or aesthetic relationship to a natural resource, such as trees located along stream banks or trees located along dune or ridge lines
 6. The tree is of exceptional or unique architecture.
 7. The tree is identified by the city as having significant arboricultural or horticultural value to the citizens of the city.
 8. The tree is identified as playing a significant role in the landscape or architecture of a specific location.

2. Categories

There shall be 2 categories of heritage trees: Designated Heritage Tree and Protected Heritage Tree

- A. *Designated Heritage Tree (Private Property)*: The City shall provide the following incentives to encourage private property owners (Owner) to preserve and protect Designated Heritage Trees.
 1. The City may provide to the Owner recommendations regarding the proper care and maintenance of a Designated Heritage Tree.
 2. The City shall provide aid in the evaluation of a Designated Heritage Tree every four years. The evaluation shall be conducted by City staff and an International Society of Arboriculture (ISA) Standards certified arborist for the purposes of determining health and wellness of the tree, evaluating and diagnosing potential biotic or abiotic disorders and recommending appropriate treatments. The City shall pay 25% of the reasonable costs of this evaluation and findings shall be provided to both parties.
 3. A Designated Heritage Tree may be pruned by the Owner. The Owner is encouraged to trim a Designated Heritage Tree in accordance with ISA standards so the pruning does not reduce the tree's height or crown diameter, such that it alters the tree's general appearance, increase the tree's susceptibility to insects or disease, or otherwise increase its risk of mortality. Upon request, the City or a qualified designee will consult with the Owner regarding acceptable pruning methods and techniques.
 4. If considering removal or actions which result in damage of a Designated Heritage Tree, the City will, upon request, consult with the Owner regarding possible alternatives to address the condition(s) necessitating remove or potential damage to the tree.
- B. *Protected Heritage Tree*: A Protected Heritage Tree is any Designated Heritage Tree located on public property or one located on private property where the

property owner (Owner) has encumbered his/her property with an instrument provided by the City and recorded by the Owner with the County of Nassau. The purpose of the instrument is to inform future Owners that the property contains a Designated Heritage Tree. The recorded instrument shall reference the City of Fernandina Beach Heritage Tree Program and include a statement that prior approval is required by the Owner from the City of Fernandina Beach for any act that may result in potential damage or removal of the Protected Heritage Tree. Such tree shall be classified as a Protected Heritage Tree. Said instrument cannot be revoked without consent of the Fernandina Beach City Commission. In cases where the proposed Protected Heritage Tree is located on or near the property line, the Owners of both properties must be in agreement as to the designation of the tree as a Protected Heritage Tree.

3. Incentives or Benefits

The following are incentives or benefits, in addition to those listed under Designated Heritage Tree (Private Property), above, bestowed upon the Owners of those trees designated as Protected Heritage Trees. The owner of a Protected Heritage Tree is eligible for percent matching funds from the City of Fernandina Beach Tree Trust Fund relating to proper care and maintenance of a Protected Heritage Tree. Matching funds may be applied for the following:

- A. Removing diseased or insect-infested wood, removing broken or damaged limbs and by engaging in regular maintenance pruning to promote continued vigor of the tree under advisement by an ISA certified Arborist. Pruning of a Protected Heritage Tree every five years to ISA standards. The City shall pay 25% of the reasonable costs for pruning of a Protected Heritage Tree, as determined by the City Manager or designee.
- B. Evaluation of a Protected Heritage Tree every 3-4 years or in emergency situations as deemed by the City Manager. The City shall pay 100% of the reasonable costs for an evaluation by an ISA certified Arborist for the purposes of determining health and wellness of the tree, evaluating and diagnosing potential biotic or abiotic disorders and recommending appropriate treatments.
 1. Treatment of a Protected Heritage Tree as necessary. The City shall pay 25% of the reasonable costs of applying treatments or other remedial actions necessary to maintain the health of a Protected Heritage tree, manage pests or complete other Plant Health Care (PHC) relating to the Protected Heritage Tree.
 2. A heritage tree shall not be removed except by specific authorization from the City Commission.
 3. Any person, who owns, controls, has custody or possession of any real property within the city shall maintain and preserve all heritage trees located thereon in a state of good. Failure to do so shall constitute a violation of this section.
 4. No person shall willfully damage, injure, destroy, move or remove a heritage tree except pursuant to the terms and conditions of a permit granted pursuant to this article.

4. Construction/grading activity

Any owner or person who conducts any grading or construction activity on property shall do so in such a manner as to not threaten the health or viability or cause the removal of any heritage tree. The City Manager or designee may impose conditions on any development permit to require construction fencing and/or the use of protective grading methods to assure compliance with this section. In addition to said conditions, the following shall apply:

- A. Except as otherwise provided in this section, excavation adjacent to any heritage tree shall not be permitted where material damage to the root system may result. When proposed developments encroach into the drip line of any heritage tree, special construction techniques to allow the roots to breathe and obtain water may be required as a condition(s) to the approval of any application for a building, zoning permit or removal permit.
- B. The existing ground surface within the drip line of any heritage tree shall not be cut, filled, compacted or pared except for existing, permitted encroachments such as sidewalks or as otherwise expressly approved by the City Manager or designee pursuant to an approved arborist's report. Tree wells may be used where advisable.

5. Nominations

Any citizen, property owner, or City official may nominate a tree to be designated as a heritage tree. Nominations must be accompanied with permission from the property owner where the tree stands. Consideration of the nomination shall follow the procedures set forth in Chapter 11.

6. Recognition

Every designated heritage tree may be permanently marked identifying it as such and advising that unauthorized removal will result in a fine as stated in Section 11.08.04. The requirement to permanently mark each designated heritage tree is advisory only and not a legislated mandate. Failure of the City to mark such tree shall not adversely impact the City in enforcing the provisions of this section.

4.05.16 TREE FUND

In support of the City's commitment to tree protection, the continued health of its mature canopy, and to grow the urban forest, the City Manager must establish within the operating budget of the City a special account that includes all funds derived from donations, Tree Removal penalties or fines, and all fees collected from the issuance of tree removal permits into the special fund. The special account may also include funds derived from violations of landscape requirements. Funds in the special account must only be spent for the following activities:

- Heritage Tree nomination, inspection, and protection measures;
- Relocation of protected trees;
- Monitoring and special treatment (such as cabling or root injections) of protected trees within City Rights-of-way and public lands;
- Up to 1/3 of the salary of a City Employee serving as the Urban Forester/City Arborist;
- The salary of a seasonal intern;
- Purchase of replacement trees and supplies including irrigation to support newly installed trees within the City;
- Education and outreach materials about trees;
- Equipment required to support new or replacement trees; and
- Staff and volunteer training activities.

The special fund will not be used to defer costs of routine maintenance activities (such as pruning or pesticide application) supporting City trees beyond two (2) years following their initial installation.

Submitted by Vice Mayor Kreger

**Recommended Text Changes to LDC Chapter 4 Site Design Requirements
(8 May 2022)**

The purpose of these recommended changes is to recommend limited text changes to intended to establish the International Society of Arboriculture current services of Best Management Practices as the governing guidance for Tree Protection.

These are as noted limited and are submitted with a goal of fast tracking approval and implementation. They are not intended to preclude future more comprehensive rewrite of the LDC.

It is my opining that Managing Trees During Construction is the paramount concern and thee recommended changes are basically directed to this area.

Changes Recommended.

4.05.01 Generally, paragraph . After intend of the City add “to utilize the current International Society of Arboriculture Best Management Practices as the guiding documents” to protect and preserve native tree species and natural Landscape. Etc. (Note this includes: Managing Tree During Construction, Root Management, Tree Pruning and Tree Risk BMPs)

4.05.14 Tree Protection Requirements:

Paragraph E., Protection of Trees Development Activities

Paragraph 1 Replace protective measure outlined by IAS BMP Managing Trees During Construction is the guiding standards to be utilized.

Paragraph 2 Change to Tree Protection Zone to be established as defined by ISA BMP Managing Trees During Construction criteria to include Diagrams 1and 2 along with table 1 (Guidelines for deterring tree protection zones.

Add Soil and Root Protection within the TPZ as recommend by the BMP if traffic cannot be out of the area; These may include 1. Applying 6 to 12 inches of wood chip mulch to the area, 2. Laying 3/4 inch thick plywood or 4x4 inch wood beams over a 4+ inch thick layer of wood chip mulch. 3. Apply 4 to 6 inches of gravel over a taut staked geotextile fabric or 4. Lacing commercial logging or road mas on top of a mulch layer. Include 3 from the BMP.

Include the retirement to post TPZ signage “Tree Preservation Area”

Root pruning criteria and limitations should be accomplished in as outlined by the IAS BMP.

Paragrah G, Abused Trees; Need to review LDC 11.08.04 relative to abused trees penalties.

As noted these recommended changes are recommended for immediate consideration. Future more comprehensive changes may be desired or required.

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

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Objective 5.02.

Beach and Dune Preservation

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Objective 5.03.

Hazard Mitigation, Disaster Preparedness, + Post-Disaster Redevelopment

Page 5-3

Objective 5.04.

Coastal High Hazard Areas (CHHA)

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Objective 5.05.

Waterfront Planning

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Objective 5.06.

Coastal Protection

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Objective 5.07.

Water Quality and Conservation

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Objective 5.08

Wetlands Protection

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Objective 5.09

Dredge, Fill, and Excavation Activities

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Objective 5.10.

Wildlife Planning

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Objective 5.11

Tree Preservation and Urban Forestry

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Objective 5.12

Air Quality

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Objective 5.13

Energy Conservation

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Objective 5.14

Land Acquisition and Preservation

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Objective 5.15

Intergovernmental Coordination

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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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