



# GOAL 1: FUTURE LAND USE ELEMENT

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## GOAL 1 | FUTURE LAND USE ELEMENT

THE GOAL OF THE CITY IS TO EFFECTIVELY MANAGE GROWTH AND DEVELOPMENT BY DESIGNATING AREAS FOR ANTICIPATED FUTURE DEVELOPMENT WHICH SATISFIES MARKET DEMAND IN A COST-EFFICIENT AND ENVIRONMENTALLY ACCEPTABLE MANNER AND TO ENCOURAGE DEVELOPMENT THAT MEETS THE NEEDS OF THE PRESENT WITHOUT COMPROMISING THE ABILITY OF FUTURE GENERATIONS TO MEET THEIR OWN NEEDS.

THE CITY SHALL ENCOURAGE AND ACCOMMODATE LAND USES WHICH MAINTAIN THE CITY AS A VIABLE COMMUNITY, ENHANCE THE CITY'S ECONOMIC BASE, AND OFFER DIVERSE OPPORTUNITIES FOR A WIDE VARIETY OF LIVING, WORKING, SHOPPING, AND LEISURE ACTIVITIES, WHILE MINIMIZING ANY THREATS TO HEALTH, SAFETY AND WELFARE POSED BY HAZARDS, NUISANCES, INCOMPATIBLE LAND USES AND WITHOUT ADVERSE IMPACT ON ITS NATURAL ENVIRONMENT AND CULTURAL RESOURCES..

### OBJECTIVE 1.01.

#### ENERGY EFFICIENT DEVELOPMENT

The City shall promote compact, mixed use, and energy efficient development arranged to encourage walkability, bicycle and transit use, which leads to a more sustainable community and a reduction in greenhouse gases (GHGs).

##### POLICY 1.01.01.

The City shall explore various funding opportunities to assist in developing City GHGs emissions baseline data, which will support setting GHG emission goals, developing strategies to reduce climate change and mitigating and adapting to its impacts throughout the City.

##### POLICY 1.01.02.

The City shall, through its land development code, encourage strategies that support change out and adaptation of heating, cooling, insulation, ventilation and lighting systems for all structures to achieve greater energy efficiency.

##### POLICY 1.01.03.

The City shall encourage the maintenance, restoration and adaptive reuse of existing urban areas, including buildings, infrastructure and other assets, to reduce energy use and Vehicle Miles Traveled (VMTs).

##### POLICY 1.01.04.

The City shall encourage the production and use of energy generated from renewable resources.

##### POLICY 1.01.05.

The City shall encourage, through its land development code, urban design strategies that integrate and maximize the use of renewable, sustainable, active and passive sources of energy design in architecture.

**POLICY 1.01.06.**

By December 2013, the City shall develop solar, wind and alternative energy technology design guidelines for new development and redevelopment that address such items as energy efficiency, urban forestry, street and passageway alignments, landscaping, setbacks, building orientation, and relationship to water bodies. Guidelines shall be utilized in all site plan reviews by the City's planning, building, engineering, utilities, police, and streets maintenance departments.

**POLICY 1.01.07.**

City-owned facilities shall be constructed or renovated to meet sustainable construction rating system criteria such as the Florida Green Building Coalition standard, US Green Building Council Leadership in Energy and Environmental Design (LEED) or other recognized green rating systems.

**POLICY 1.01.08.**

The City shall promote energy conservation by encouraging builders, remodelers, homeowners and homebuyers to implement Florida Green Building Coalition Green Home standards or other acceptable environmental standards, and by encouraging site planners and land developers to implement Florida Green Building Coalition development standards.

**POLICY 1.01.09.**

The City shall investigate and develop incentive options for developers and building owners to incorporate energy efficiency and other conservation measures that meet recognized green building standards into the design, construction or rehabilitation of structures.

**OBJECTIVE 1.02.**

**GROWTH MANAGEMENT**

The City of Fernandina Beach shall implement growth management techniques to ensure that land use decisions are consistent with the Fernandina Beach Comprehensive Plan, to provide land development regulations consistent with accepted planning principles and practices, to ensure that public services and facilities are provided when needed by development, to control instances of sprawl, to support sustainability and to encourage creativity in land use and design.

**POLICY 1.02.01.**

The City shall ensure that new development which is not contiguous to City services occurs in an orderly and economical manner. New development shall be staged for urbanization in a manner that minimizes additional public investments in City services.

**POLICY 1.02.02.**

The approval of all development shall be subject to the availability of adequate levels of service for all facilities and services that are subject to concurrency management requirements.

**POLICY 1.02.03.**

The City shall ensure that the location, scale, timing, and design of development are coordinated with the availability of public facilities and services. The City seeks to ensure compact development patterns that integrate neighborhood and commercial activities and promote connectivity through the use of sidewalks, bike lanes and

alternative low-speed shared-use vehicle paths in order to achieve a reduction in vehicular trips on arterial roadways. The purpose of this policy is to prevent the proliferation of urban sprawl and to achieve cost effective and energy efficient land development patterns and avoid or eliminate existing patterns that may be described as:

- a. Areas of urban development or uses, which are not functionally related to land uses which predominate the adjacent area;
- b. Areas of urban development or uses which fail to maximize the use of existing public facilities;
- c. Areas of urban development or uses which fail to use areas within which public services are currently provided; and
- d. Leapfrog/scattered development or ribbon/strip commercial development patterns.

#### **POLICY 1.02.04.**

Decisions on amendments to the FLUM must be based on an analysis of the suitability and compatibility of the proposed use, based on the following factors:

- a. Type and density or intensity of surrounding uses;
- b. Zoning districts in the surrounding area;
- c. Demonstration of adequate water supply and water supply facilities;
- d. Appropriateness of the size of the parcel compared to the proposed use;
- e. Physical condition of the site, and the suitability of soils and topography for the proposed use;
- f. Suitability of the site based on the presence or absence of natural resources, environmentally sensitive lands, flood zones, or historic resources;
- g. Compatibility factors;
- h. Impact on adopted levels of service standards and quality of service standards; and
- i. Location in a Coastal Upland Protection Zone (CUPZ);
- j. The community vision; and
- k. Allowing for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business. This analysis must analyze at least three aspects of seasonal population: hotel/motel occupants, short-term rentals, and occupancy of second homes. The City must track the best available data on three aspects of seasonal population, if available. If data is unavailable then the City will compile data internally.

#### **POLICY 1.02.05.**

The City's land development code shall include the following:

- a. Stormwater management and drainage standards: Site design standards shall ensure the management of stormwater is in compliance with the adopted level of service standards for drainage, and is consistent with accepted engineering principles and practices for the design of stormwater and drainage systems.
- b. Safe and convenient on-site traffic flow and vehicle parking: Site design standards shall address the quantity, through maximum parking space ratios, the design of on-site and off-site parking, the amount of impervious surface area, the use of pervious paving materials and the location and design of driveways and other traffic circulation features.
- c. Signs: Standards shall provide for the number, location, type and size of signs.

- d. Subdivision of land: Land development regulations shall provide for the division of land and the design of platted development projects.
- e. Buffering/Screening: Site design and compatibility standards shall require that land uses which are potentially incompatible, either due to type of use or intensity of use, be buffered from one another through the provision of open space, landscaping, berms, site design techniques, or other suitable means.
- f. Regulation of the development of flood-prone areas: Standards shall limit the use and development of land in flood-prone areas and shall be incorporated as part of the Municipal Code.
- g. Coastal Upland Protection Zone (CUPZ): Standards shall limit the type, location, and intensity of use in order to protect the integrity of the coastal upland area.
- h. Building Height: The height of new structures shall be consistent with the heights of existing development. In all zoning districts, the maximum height of any building located within 800 feet of the mean high water line of the Atlantic Ocean shall not exceed thirty-five (35) feet.
- i. Maximum Building Size: Standards shall limit the gross square feet of a single building in order to ensure compatibility with development throughout the City.
- j. Maximum Impervious Surface Area: Standards shall limit and mitigate the amount of impervious surface area on any lot in order to protect environmentally sensitive lands, preserve the existing topography, and reduce strain on the stormwater management system.
- k. Parking Standards and Design: Maximum parking spaces requirements shall be incorporated in the code in order to reduce unnecessary use of land for parking requirements, to reduce the amount of impervious surface area on any lot and to minimize the amount of stormwater drainage required. Parking shall be designed utilizing Low Impact Development (LID) strategies and reduce the amount of impervious surface area necessary for parking.
- l. Historic Preservation: The City shall continue to preserve and enhance its existing Historic District areas through regulations which promote on-going maintenance of public infrastructure and civic, governmental, commercial and residential structures.
- m. Landscaping Requirements: The City shall direct minimum landscaping percentages and promote use of native, drought- tolerant, Florida-friendly plant materials.
- n. Tree Preservation Requirements: In an effort to maintain and enhance its existing tree canopy, the City shall adopt a no-net loss policy for tree removal. All trees removed should be replaced or mitigated in order to prevent loss of the City's existing canopy. The City shall replace street trees and parks/open space trees that may need to be removed due to their deteriorating or hazardous condition.

**POLICY 1.02.06.**

The City shall assure that specific density assigned to new development and redevelopment is compatible and consistent with established residential development patterns and provides equitable use of the land. Criteria to be considered in allocating density shall include, but not be limited to, the following:

- a. Protecting the integrity and stability of established residential areas;
- b. Assuring smooth transition in residential densities;

- c. Encouraging commercial and residential mixed use development patterns;
- d. Recognizing and being sensitive to the character and form of the surrounding neighborhoods; and
- e. Requiring application of low impact development (LID) principles, native and drought tolerant landscaping and urban design principles and practices; and
- f. Encouraging connectivity of pedestrian walkways and bicycle paths on and off site.

#### **POLICY 1.02.07.**

The City shall implement the Fernandina Beach Comprehensive Plan in a manner that acknowledges private property rights.

#### **POLICY 1.02.08.**

Stable or established residential areas shall be protected from encroachment by incompatible development by establishing and increasing the amount of mixed use transitional areas. This policy does not preclude necessary community facilities from locating within residential areas when such activities satisfy the criteria established in the City's comprehensive plan and land development regulations.

#### **POLICY 1.02.09.**

The City shall provide for the orderly transition of incompatible uses. Where infeasible to separate incompatible uses then, buffering and mixed use transition areas shall be required to promote a smooth land use transition. Any potential adverse impacts caused by incompatible land uses located adjacent to each other shall be minimized by drought tolerant and native landscaping, low impact development strategies and buffer requirements.

#### **POLICY 1.02.10.**

The City shall protect privacy and access to light, air, and open space. The City shall consider regulations such as building placement on a site, building design, and building orientation as one means to achieve this policy.

#### **POLICY 1.02.11.**

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

The purpose of a PUD overlay zoning district shall be to:

- a. Improve the use of land where topography does not permit the application of the standard grid pattern subdivision of land; or
- b. Introduce more than one (1) land use within a mixed use development, for example, recreation and commercial activities within a residential development; or
- c. Allow more than one (1) housing type within a residential PUD; or
- d. Allow innovative arrangements of uses and buildings that are not permissible in the underlying zoning district; or
- e. Cluster homes, businesses, and other uses within a development to improve the efficiency of supporting infrastructure; and
- f. Incorporate energy efficiency and other conservation measures that meet recognized green building standards into the design and construction or rehabilitation of structures.
- g. A PUD overlay zoning district shall be allowable in the following FLUM categories: LDR, MDR, HDR, ORMU, and GC. The land uses within any

portion of the PUD shall be limited to the land uses allowable in the underlying FLUM category.

- h. A mixed-use PUD shall conform to all of the following guidelines:
- i. Allowable commercial and office land uses shall not exceed the FAR of the underlying land use categories comprising the PUD;
- j. Residential density for the total project shall not exceed the residential density of the underlying land use category on the FLUM;
- k. Civic and recreation uses shall be required in a residential PUD, and shall be a minimum of five (5) percent of the land area of the site; and
- l. Site design and other techniques shall be used to ensure the compatibility of the project with adjacent land uses.

**POLICY 1.02.12.**

The City shall ensure that the image, function, architecture, and ambiance of the historic downtown further the use and development of downtown as the ceremonial, civic, and cultural center of the City. Toward this end, the City shall preserve and enhance the identity, design, and vitality of the downtown, including the designated Downtown Historic District, Old Town Historic District and the surrounding downtown core.

**POLICY 1.02.13.**

The FLUM shall depict the historic districts as overlay districts. Areas delineated as being within the historic district shall be planned and managed using a regulatory framework designed to preserve the form, function, image, residential balance, and ambiance of the historic Centre Street, Old Town and surrounding area.

**OBJECTIVE 1.03.**

**NATURAL RESOURCE PROTECTION**

The City shall ensure consistency between the land development process and the natural environment by directing development densities and intensities to those areas having the greatest capacity for absorbing development while protecting those environmentally sensitive areas which have lower tolerance for urbanization.”

**POLICY 1.03.01.**

The City shall protect environmental resources. The City’s land development regulations shall address development in floodplains, shoreline protection, wetlands protection, air quality, water quality, energy conservation, urban forestry and habitats for listed protected or endangered species.

**POLICY 1.03.02.**

The City shall ensure that future public supply well fields, which are located within the City, will be located in areas where they will be least impacted by development and contamination. The siting of new public supply facilities will be coordinated with the SJRWMD. The siting of new public supply systems outside of the City, but serving areas of the City, shall be protected through coordinating with the SJRWMD and the County.

**POLICY 1.03.03.**

Existing and future public supply well fields within the City shall be protected from possible contamination by limiting the type of development or uses within 500 feet of the wellheads (or greater where possible).

**POLICY 1.03.04.**

Any land uses currently found within 500 feet of an existing well field that are prohibited as provided in Policy 1.03.05 shall be considered nonconforming land uses, which, upon closure or resale, must be granted permission from the City through a land use amendment and zoning change to continue the prohibited land use.

**POLICY 1.03.05.**

Within 500 feet of a public supply well field, the following land uses are prohibited:

- a. All regulated industries by the DEP as defined in Rule 62-521, F.A.C.;
- b. Facilities for the bulk storage, handling or processing of material on the Florida Substance List (Rule 38-1-30, F.A.C.);
- c. Activities that require the storage, use, or transportation of restricted substances, agricultural chemicals, hazardous toxic waste, medical waste, and petroleum products;
- d. Commercial animal facilities, including veterinary clinics;
- e. Mines;
- f. Industrial land uses;
- g. Wastewater treatment plants;
- h. Commercial activities that involve the use of hazardous chemicals such as, but not limited to, dry cleaning operations, auto repair and servicing, pool supply, gas stations, junkyards, and machine shops;
- i. Injection wells, irrigation wells, and domestic and commercial wells less than six (6) inches in diameter;
- j. Stormwater facilities, including the use of drainage wells or sinkholes for stormwater disposal; and
- k. Human or animal cemeteries.

**POLICY 1.03.06.**

The City shall continually coordinate with the DEP and other relevant agencies to protect, maintain, and/or improve the quality of the Nassau River- St. Johns River Marshes and Fort Clinch State Park aquatic preserve and portions of the St. Mary's estuary, the Intercostal Waterway and Amelia River. Further, (former policy 1.02.07) the City shall not allow any development adjacent to or within the aquatic preserves which are not permitted by, and consistent with the DEP's report entitled "Nassau River-St. Johns River Marshes and Fort Clinch State Park Aquatic Preserves Management Plan.

**POLICY 1.03.07.**

The City shall provide for the preservation of open space for scenic vistas, especially along Egans Creek, the Atlantic Ocean, and the Amelia River. Such enhancement shall include application of community appearance criteria which reinforce good planning principles.

**POLICY 1.03.08.**

The City shall seek and support designation of A1A/ S. Fletcher Avenue as a National Scenic Byway and Florida Scenic Highway.

**OBJECTIVE 1.04.****REDEVELOPMENT AND INFILL DEVELOPMENT**

The City shall reduce blight and encourage redevelopment of underutilized areas and inefficient land use patterns through redevelopment, reuse, and/or removal and



replacement of blighted structures and uses. The City will focus its redevelopment and infill efforts to encourage development in its already urbanized areas that provide housing near job centers, preserve open space, capitalize on existing community assets such as parks, create new community assets such as child-care centers, arts districts and shopping centers and removes the crime associated with vacant, underutilized or abandoned properties.

**POLICY 1.04.01.**

The City shall encourage needed redevelopment and infill development through incentives such as the following:

- a. Density or intensity bonuses;
- b. Provision of alternative site design requirements in designated redevelopment areas;
- c. Provision of overlay districts;
- d. Provision of development guidelines in designated historic districts and the community redevelopment area; and
- e. Expedited review processes.

**POLICY 1.04.02.**

The City shall seek funding to assist in the reduction and elimination of blight. Funding programs, such as the federal Community Development Block Grant, may be used for housing rehabilitation, demolition and replacement of substandard housing, infrastructure improvements, or commercial redevelopment. The City shall explore funding options to support and supplement redevelopment efforts in the Community Redevelopment Area.

**POLICY 1.04.03.**

The City shall promote redevelopment of general commercial activities, which fulfill market demands of the City’s residents for retail sales and services. The City shall coordinate with private sector interest groups concerned with enhancing the Central Business District, waterfront corridors, and commercial corridors on South 8th Street, Sadler Road, and 14th Street, in order to direct efforts to achieve a public and private partnership in improving the image and function of these districts and corridors. The City shall develop and implement density and/or intensity bonus incentives for properties that demonstrate compliance with the desired form and function of the area. Design strategies shall provide physical themes for development and redevelopment opportunities that are consistent with and reinforce the historic character of architecture, where historic structures are present, as well as the ambiance and urban design amenities in each location.

**POLICY 1.04.04.**

The City shall establish commercial overlay districts, known as “destination activity centers” at the Main Beach Area, Seaside Beach Area, along the Sadler Road corridor and along South 8th Street within the City. The City shall develop and implement density and/or intensity bonus incentives for properties that demonstrate compliance with the desired form and function of the area and are not contained within an established Coastal High Hazard Area (CHHA). The “destination activity centers,” as commercial overlay districts, shall be created with the intent to promote compact, energy efficient, mixed use commercial and residential development that promotes pedestrian level activity through maximum setbacks reduced parking requirements, low-impact development strategies and enhanced landscaping and provisions for connectivity to the neighboring residential areas and other off site areas through pedestrian walkways and bicycle paths.

**POLICY 1.04.05.**

The City shall require primary building entrances to be physically and visually oriented toward streets, parks, and plazas, rather than interior squares or parking areas.

**POLICY 1.04.06.**

Terminating certain streets with a prominent vista such as a government building, park, public art, fountain, splash area or clock tower should be encouraged when a prominent civic building is to be constructed.

**POLICY 1.04.07.**

Crime Prevention through Environmental Design (CPTED) principles shall be incorporated, where feasible and appropriate in all new and infill development projects. There are three (3) overlapping principles in the CPTED concept these include:

- a. Natural Surveillance: Creating environments where there is plenty of opportunity for people engaged in normal behavior to observe space around them. This is accomplished by designing the placement of physical features, activities and people in such a way to maximize visibility.
- b. Natural Access Control: By selectively placing entrances and exits, fencing, lighting and landscape to control the flow or limit access, natural access control occurs and increased natural surveillance quickly deters most criminal intruders.
- c. Natural Territorial Reinforcement: Creating an environment that clearly delineates private space. It creates a sense of ownership where owners have a vested interest and are more likely to challenge intruders or report them to police; and creates a sense of owned space by forming an environment where “strangers” stand out and are more easily identified. By using buildings, fences, pavement, signs, lighting and landscape to express ownership and define public, semi-public and private spaces then natural territorial reinforcement occurs.

**OBJECTIVE 1.05.****NONCONFORMING STRUCTURES, USES AND LOTS**

To promote re-use of structures that contribute to the character, diversity and sustainability of a neighborhood and to promote economic redevelopment by regulating structures and uses that do not conform to the current Plan or Land Development Code, but were lawfully established and in compliance with all applicable ordinances and laws at the time the structure was constructed and/or the use began, the City shall permit the continuation of the structure until such time that it becomes hazardous or dangerous and shall seek to eliminate nonconforming land uses.

**POLICY 1.05.01.**

The City may utilize overlays or neighborhood conservation districts to establish Land Development Code regulations which support this objective.

**POLICY 1.05.02.**

Existing non-conforming structures shall be permitted to expand when the addition complies with current site design requirements contained in the Land Development Code.

**POLICY 1.05.03.**

The City shall establish land development regulations to address the cessation, repair and maintenance, and amortization of nonconforming uses.

**POLICY 1.05.04.**

Existing platted lots of record located in Central Business District, Mixed Use, and Low, Medium, or High Density Residential land use districts shall not be prohibited from the construction of one (1) residential unit due to a non-conforming lot size.

**OBJECTIVE 1.06.**

**COMMUNITY CHARACTER**

Community character is reflected in lot sizes, house sizes, site placement, height, architectural features and existing vegetation. The City shall strive to stabilize and preserve neighborhoods and establish urban design standards which protect and promote quality of life, in order to prevent teardowns, encourage re-use, infill and new development.

**POLICY 1.06.01.**

The City shall initiate neighborhood planning services in order to stabilize and enhance its existing residential neighborhoods. The neighborhood planning program shall work in partnership with residents, citizen groups, and other interested parties in the neighborhoods in order to improve planning and the physical appearance of the neighborhood, including identification and implementation of appearance-related improvements. These improvements shall include street resurfacing, where appropriate and feasible, stormwater drainage improvements, sidewalks, enhancements to street shoulder areas and rights-of-way, when needed and appropriate, beautification of public and open spaces and provision of features that strengthen neighborhood identity.

**POLICY 1.06.02.**

The City shall support neighborhood stabilization through effective code enforcement.

**POLICY 1.06.03.**

The City shall explore the creation of neighborhood planning areas, heritage, conservation or other appropriate overlay districts as needed and desired for neighborhood stabilization.

**POLICY 1.06.04.**

The City shall, through appropriate land development regulations, allow and encourage a range of housing patterns.

**POLICY 1.06.05.**

The City shall develop land development codes that support and enable its aging population to remain independent and in their own home or in a non-health care environment for as long as their health allows. Development and design strategies that enable older residents to remain in their community as their housing needs change allowing accessory dwelling units, such as garage apartments and “in law” suites in all residential areas and connecting residential neighborhoods to daily commercial needs by allowing mixed-income and mixed housing types to be located close to neighborhood or commercial shopping areas, civic or cultural institutions, and parks and open space areas.

**POLICY 1.06.06.**

While providing other housing forms and types at appropriate locations in order to diversify housing choice, the City shall maintain and enhance its existing conventional, single-family neighborhoods as essential and valuable to providing stable housing in the city and in their support of nearby mixed-use, commercial, office and retail activity centers.

**POLICY 1.06.07.**

The City shall review its existing suburban design standards and establish urban design standards or overlays in select areas of the city, as appropriate, in order to better reflect the particular character of an identified neighborhood. Changes to the suburban design standards may include changes in setback requirements, building coverage, floor area ratio, height, building volume ratio, landscape volume ratio, site volume ratio, parking requirements and policies that support the continued use single and double- family residences, requiring maintenance of yard vegetation, and allowing accessory dwelling units such as garage apartments or “in law” suites. Urban design standards shall include transitions in character from urban to suburban development forms.

**POLICY 1.06.08.**

The City shall encourage context sensitive and reasonable home additions that allow for normal upgrades to retain vitality and discourage demolition of the existing structure. The intent of this policy is to develop regulations that discourage teardowns and provide for expansions of existing structures that are appropriate for the neighborhood.

**POLICY 1.06.09.**

The City should seek to establish traditional, pedestrian-oriented quality-of-life design features in areas of the City when the need is identified. Indicators of traditional, pedestrian-oriented, urban areas appropriate for urban design standards should include some or all of the following characteristics:

- A. Building facades pulled up close to the street, facing the street, and generally aligned with the street;
- B. Relatively high-density mixed use, compactly laid out to accommodate walking and bicycling that promotes street level activity;
- C. A mixture of housing types and prices;
- D. Multi-story buildings;
- E. Connected, narrow streets or streets with modest radii;
- F. A connected network of sidewalks, bike paths, or multi-use trails;
- G. Mature street trees lined up along the street;
- H. On-street parking;
- I. Off-street parking at side or rear of buildings;
- J. Narrow, smaller lots;
- K. Front porches;
- L. Garages subservient to the primary building with or without an accessory dwelling unit;
- M. Short block faces; and
- N. Terminated vistas.

**OBJECTIVE 1.07.**

**LAND USE CATEGORIES**

The City shall ensure that suitable land is available for residential, commercial, industrial, and public use. Suitability shall be based on the availability of services and facilities and the ability of the land to be developed, while respecting the integrity of the built and natural environment.

**POLICY 1.07.01.**

The following land use categories shall be shown on the FLUM:

Low Density Residential	(LDR)
Medium Density Residential	(MDR)
High Density Residential	(HDR)
Mixed -Use	(MU)
8 <sup>th</sup> Street Small Area Mixed Use	(MU8)
General Commercial	(GC)
Central Business District	(CBD)
Waterfront Mixed Use	(WMU)
Industrial	(IN)
Industrial - Waterfront	(IW)
Recreation	(REC)
Conservation	(CON)
Public & Institutional	(PI)

**POLICY 1.07.02.**

In all land use categories where residential dwelling units are allowable, density shall be defined as “net density”.

**POLICY 1.07.03.**

Prior to approving a density change in land use within the CHHA, the applicant must demonstrate compliance with Florida Statute §163.3178(9) (a) as follows:

- a. A 16-hour level of service for out-of-county hurricane evacuation is maintained for a category 5 storm event as measured on the Saffir-Simpson scale;
- b. A 12-hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of the development contemplated by a proposed comprehensive plan amendment is available; or
- c. Appropriate mitigation is provided that will satisfy the provisions of subparagraph 1, or subparagraph 2. Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities. Required mitigation shall not exceed the amount required for a developer to accommodate impacts reasonably attributable to development. A local government and a developer shall enter into a binding agreement to memorialize the mitigation plan.

**POLICY 1.07.04.**

**Low Density Residential (LDR)**

- a. Areas delineated on the FLUM for low density residential development shall accommodate permanent residential development and shall be comprised of single-family detached homes on individual lots. Single-family attached homes may be allowed only through the PUD process.

- b. The maximum density shall not exceed four (4) dwelling units per acre. Specific densities will be determined by such factors as natural features of the land, density and/or intensity of developed and/or undeveloped land surrounding development, level of accessibility, housing supply and demand, adequacy of public facilities, consumer preference, and other factors which may be identified in the City's land development regulations.
- c. Supportive community facilities and accessory land uses may be located within areas designated for single-family low density residential uses. The land development regulations shall provide regulatory procedures for considering such uses.
- d. The low density residential designation is established to:
  - 1. Protect the quality and character of existing low density single-family neighborhoods;
  - 2. Preserve open space;
  - 3. Prevent encroachment by commercial uses, including hotels, motels, bed and breakfast units, resort rentals, or other forms of transient accommodations, and incompatible non-residential uses.;
  - 4. Encourage densities that are compatible with existing and anticipated future developments;
  - 5. Promote compatibility with natural features of the land; and,
  - 6. Minimize the burden on existing and projected supportive public services and facilities within the area.

#### **POLICY 1.07.05.**

##### **Medium Density Residential (MDR)**

- a. Areas delineated on the FLUM for medium density residential development shall be developed, redeveloped, and/or maintained as stable medium density permanent residential neighborhoods.
- b. The density for medium density residential development ranges up to a maximum of eight (8) units per acre.
- c. The medium density residential designation is intended to provide sufficient land area for medium density residential development adequately supported by public services and facilities and compatible with existing and anticipated future land uses.
- d. The medium density residential designation includes a mixture of single and multi-family structure types.
- e. The medium density residential designation is intended to prevent commercial uses, including hotels, motels, bed and breakfast units, resort rentals, or other forms of transient accommodations and encroachment by incompatible non-residential uses.
- f. Supportive community facilities and accessory land uses may be located within areas designated MDR.

#### **POLICY 1.07.06.**

##### **High Density Residential (HDR)**

- a. High-density residential development allows single- and multi-family dwellings at a minimum of four (4) units per acre to a maximum of ten (10) units per acre.
- b. The high density residential designation is intended to provide sufficient acreage for high density permanent residential development.

- c. Limited neighborhood commercial activities, bed and breakfast and resort rental dwellings may be allowed, subject to additional design standards.
- d. A density bonus of one bonus market rate unit for every affordable unit up to 10 units, or a maximum of 10 units for developments that are dedicated entirely too affordable housing, shall be awarded if all of the following criteria are met:
  - 1. The unit/s remains affordable, as defined by Section 420.602(3), Florida Statutes, for a period of not less than 30 years from initial occupancy.
  - 2. The unit/s may differ from market-value units with regard to interior amenities provided that these differences are not apparent in the general exterior appearance, and these differences do not include insulation, windows, HVAC systems, or other improvements related to the energy efficiency of the units.
  - 3. The City shall identify methods to reduce or waive review or tap in fees for affordable units to encourage the construction of affordable housing

**POLICY 1.07.07.**

**Mixed Use (MU)**

- a. This land use category is designed to accommodate medical, business, and professional offices; personal service establishments with limited inventory of goods; neighborhood commercial uses; and customary accessory uses, which are subordinate and incidental to the principal office or limited commercial use.
- b. Single-family and multi-family residential units are allowed in this land category.
- c. This designation is not intended for manufacturing.
- d. Mixed uses, either “stand alone” or in mixed residential and business use structures, may occur throughout the area designated for MU on the FLUM through the assignment of zoning districts for residential uses, limited commercial uses, and office uses, as well as the use of the PUD overlay.
- e. The maximum density for residential development within the MU land use category is eight (8) units per acre. The intensity of non-residential development in the MU land use category shall not exceed a FAR of 1.0.
- f. In the application of zoning districts within the ORMU category, the City shall ensure that proposed zoning districts are compatible with each other and with adjacent zoning districts and land uses.

**POLICY 1.07.08.**

**8<sup>th</sup> Street Small Area Mixed Use (MU8)**

It is the purpose of the 8th Street Small Area Mixed Use land use category to provide flexible land use and design that promotes pedestrian-level activity. The MU8 land use is intended to promote the 8th Street corridor as a thriving gateway to the historic downtown of Fernandina. The only area where the 8th Street small area land use (MU8) is permissible are those properties located along the southern half (1/2) of the Ash Street Block extending to non-historic district properties on the fronting Beech Street and along the eastern half (1/2) block of 9th Street on the northern extent of the corridor. Then, extending along eastern half block of 8th Street to the western half block of 9th Street between Beech Street and properties just south of Cedar Street and continuing along the eastern half block of 8th Street to the western half block of 9th Street between Cedar Street and Fir Street. Finally,

extending south on Fir Street for the entire block width between 7th and the western half block of 9th Street, terminating at Lime Street.

- A. This district provides for integrated or stand-alone commercial retail, offices, housing, and civic uses. Convenient access to transit opportunities, innovative housing options, and pedestrian-oriented design are key considerations in the redevelopment of these areas.
- B. Warehouse storage and heavy industrial uses shall not be permissible within this land use category.
- C. Uses allowable within the MU8 land use category recognizes the desire to maintain commercial development while integrating residential allowances to fulfill market demand for housing needs and to provide commercial services easily accessible to residents within the area.
- D. The maximum density is up to 18 units per acre.
- E. The maximum intensity of non-residential development shall not exceed a FAR of 2.0.

### **POLICY 1.07.09.**

#### **General Commercial (GC)**

- a. The general commercial land use category is designed to accommodate offices; commercial retail; personal services establishments; restaurants; transient accommodations; uses that provide sales and services for one (1) neighborhood or several neighborhoods throughout Amelia Island; repair shops; green technologies, retail sales and services; and other similar commercial uses.
- b. The GC designation is not intended to accommodate manufacturing of goods or other production or assembly activities which may generate nuisance impacts, including glare, smoke, or other air pollutants, noise, vibration, major fire hazards, or other impacts generally associated with industrial uses.
- c. The intensity of development in the GC land use category shall not exceed a FAR of 1.50 in order to facilitate energy efficient and compact quality commercial development.

### **POLICY 1.07.10.**

#### **Central Business District (CBD)**

- a. The FLUM designation of central business district is applied to the City's downtown, as the center for residential, financial, commercial, governmental, professional, cultural, and related activities.
- b. The Central Business District category is designed to accommodate single-family or duplex residential uses, either "stand alone" or in mixed residential and business use structures; offices; commercial retail; personal services establishments; restaurants; transient accommodations; commercial parking facilities; civic uses; and cultural uses.
- c. Additional uses may be permissible subject to additional standards: indoor recreation facilities, multi-family dwellings, marinas, day-care centers, and educational facilities.
- d. The density of residential development in the Central Business District land use category shall not exceed thirty-four (34) units per acre.
- e. The intensity of non-residential development shall not exceed a FAR of 2.0.



- f. A proposed amendment to the FLUM to increase the land area within the Central Business District; land use category shall demonstrate the suitability of the proposed site based on:
  - 1. The need for additional land area within the Central Business District; land use category;
  - 2. Consistency of the land area with the characteristics of the Central Business District; and;
  - 3. Consistency of the land area with the characteristics of the downtown.

**POLICY 1.07.11.**

**Waterfront Mixed Use (WMU)**

- a. The Waterfront Mixed Use category is intended for the re-development of waterfront land fronting the Amelia River within the CRA only.
- b. Uses include: Residential, commercial, retail stores, professional offices, water related uses such as piers, docks, wharves, and marinas and uses related to the shrimping and fishing industry.
- c. Net Density is limited to 2 dwelling units per acre and is required to be located above a commercial or office use.
- d. Intensity is limited to 0.75 FAR.
- e. Prior to approving a change in land use to WMU in the CHHA, the applicant must demonstrate compliance with Florida Statute §163.3178(9) (a) (2006) as follows:
  - 1. A 16-hour level of service for out-of-county hurricane evacuation is maintained for a category 5 storm event as measured on the Saffir-Simpson scale;
  - 2. A 12-hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of the development contemplated by a proposed comprehensive plan amendment is available; or
  - 3. Appropriate mitigation is provided that will satisfy the provisions of subparagraph 1, or subparagraph 2. Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities. Required mitigation shall not exceed the amount required for a developer to accommodate impacts reasonably attributable to development. A local government and a developer shall enter into a binding agreement to memorialize the mitigation plan.
- f. Amendments to the FLUM that change the land use to WMU within the Community Redevelopment Area (CRA) may be awarded a 100% density bonus based on the following criteria:
  - 1. Dedication and acceptance of an easement to the City in order to build a public waterfront boardwalk along the river; and
  - 2. Dedication and acceptance of an easement for mid-lot or mid-block corridors in order to maintain view corridors to the river and to be used as pedestrian access.

**POLICY 1.07.12.**

**Industrial (IN)**

- a. The industrial land use category is intended to recognize existing industrial development appropriate open air recreation activities and the animal

shelter, and to ensure the availability of land for industrial and airport purposes.

- b. The intensity of industrial development shall not exceed a FAR of. 0.75.
- c. Industrial sites should have transportation access by air, rail, or highway.
- d. Industrial uses include: airport dependent uses, manufacturing, assembling and distribution activities; warehousing and storage activities; green technologies, general commercial activities; integral airport related support services such as rental car facilities, parking facilities; and other similar land uses.
- e. Residential uses shall not be permitted within the industrial land use category. This provision shall not prohibit residences for night watchmen or custodians whose presence on industrial sites is necessary for security purposes. Such a use may be permitted as an accessory use and shall be clearly subordinate to the primary use of the structure.
- f. Industrial sites shall be buffered from residential neighborhoods.
- g. Heavy metal fabrication, batch plants, salvage yards, chemical or petroleum manufacturing or refining, rubber or plastics manufacturing, or other uses generating potentially harmful environmental or nuisance impacts shall be prohibited.
- h. New industrial locations shall ensure protection of environmentally sensitive lands and protected natural resources. Where new industrial locations are adjacent to environmentally sensitive lands and protected natural resources, appropriate buffers and other techniques shall be used to ensure protection of such lands and resources from industrial development.
- i. All facilities adjoining or on an airport shall protect aerial approaches and not restrict or prevent aircraft operations.

### **POLICY 1.07.13.**

#### **Industrial Waterfront (IW)**

- a. The land use category of Industrial Waterfront provides for those industrial activities that require waterfront locations.
- b. Permissible uses include: water dependent uses such as piers, docks, and wharves; ship terminals and facilities for construction and maintenance; bulk storage facilities, limited to materials delivered by ship; military installations, excluding residential uses; heliports; and marinas.
- c. The intensity of development within the industrial waterfront land use category shall not exceed a FAR of 0.75.
- d. The following uses may be permissible, and shall be directly related to port activities: truck terminals; distribution centers; offices to support allowable uses; warehousing; manufacturing and processing; green technologies, and support services, which are an integral part of a port-related activity, such as parking facilities, restaurants, or clinics.
- e. New waterfront industrial locations shall ensure protection of shorelines, other environmentally sensitive lands, and protected natural resources. Appropriate buffers and other site design techniques shall be provided to ensure such protection.

**POLICY 1.07.14.**

**Recreation (REC)**

- a. Public and private parks and recreation, open space facilities and the City’s existing historic cemetery shall be allowable uses in the Recreation land use category.
- b. Outdoor recreation facilities may include fields, courts, playgrounds, pools, picnic areas, trails, paths, and active or passive open space. Recreation facilities may also include buildings to support outdoor recreation, such as restrooms, concessions, equipment storage, recreation-based retail sales, and offices related to the park and recreation uses.
- c. The maximum impervious surface ratio within the recreation land use category is 0.25. The maximum FAR is 0.50.
- d. Indoor pools, gymnasiums, and recreation centers with meeting rooms, administrative offices, or indoor recreation facilities are also permissible.
- e. Recreation uses shall be appropriately buffered and screened from adjacent uses.
- f. Recreational areas shall be developed using low impact development (LID) practices and sustainable building strategies.
- g. Recreational areas shall provide, as appropriate, safe linkages through sidewalks, bike paths, or multi-use trails.

**POLICY 1.07.15.**

**Conservation (CON)**

- a. Lands that are natural resources such as wetlands shall be included in the Conservation land use designation in order to provide for the maximum long-term protection and preservation of environmentally sensitive natural resource systems. All wetlands, as verified by jurisdictional field delineation, are designated as limited development overlays and shall be protected by policies contained within the Conservation and Coastal Management Element of this plan.
- b. Potentially allowable uses in the Conservation land use category may include: docks, boardwalks, hiking trails, and picnic areas or other passive recreation uses.
- c. Development within the conservation land use category is limited to buildings that are supportive of and accessory to the Conservation land use category, such as an interpretative center, rest rooms, or covered picnic pavilions.
- d. Potentially allowable uses are limited in location and extent, and shall avoid adverse impacts on the hydrologic functions of wetlands, natural systems, habitats, water quality, shorelines, marine life, and coastal resources. Allowable uses shall serve to protect the safety and welfare of the natural resource.
- e. Any improvement within Conservation areas shall be developed using low impact development (LID) practices and sustainable building strategies.

**POLICY 1.07.16.**

**Public & Institutional (PI)**

- a. This land use category is intended for any publicly owned lands and structures.
- b. All uses by government agencies are allowable.
- c. The maximum FAR for development within the Public and Institutional land use category is 0.50.

- d. New development and redevelopment in PI shall use low impact development (LID) practices and sustainable building strategies. All municipal projects must be constructed to meet minimum standards of an approved green rating system.

**POLICY 1.07.17.**

The maximum impervious surface ratio in all land use categories, except the Central Business District, shall be sixty percent (60%).

**POLICY 1.07.18.**

The City shall require use of pervious paving materials that are compliant with ADA standards for a minimum of seventy-five percent (75%) of required parking areas and all access ways.

**POLICY 1.07.19.**

Any new development and redevelopment projects on public property within the City shall be required to utilize low impact development practices and recognized sustainable building strategies.

**OBJECTIVE 1.08.**

**COMMERCIAL AND MIXED LAND USE CONVERSION**

The City shall require that commercial and mixed use land use designations meet criteria to ensure appropriate locations and patterns of commercial and mixed use are energy efficient and compact development schemes and serve to promote pedestrian activity and reduce vehicle miles traveled (VMT).

**POLICY 1.08.01.**

The location and distribution of commercial activities shall be based on the following considerations:

- a. Trip generation characteristics, including impact on transportation roadway facilities, off-street parking systems, sidewalks and bicycle access;
- b. Location and site requirements based on specific needs for respective commercial activities, their market area, anticipated employment generation, and floor area requirements;
- c. Compatibility with and impact on nearby residential and other surrounding commercial activities;
- d. Relationship to surrounding land uses and natural systems to avoid adverse impact; and
- e. Impact on existing and planned community services and utilities;
- f. Providing enhanced street connectivity and internal circulation through linkages with adjacent commercial and residential development and reduced curb cuts;
- g. Convert excess parking areas into commercial space; and
- h. Reduces the dominance of existing parking lots by providing enhanced landscaping and pedestrian oriented amenities.
- i. Provides on and off site sidewalks and bicycle lanes and/or alternative low speed vehicle shared-use paths.

**POLICY 1.08.02.**

Commercial development shall be concentrated in strategically located areas. These areas shall have location characteristics, which best accommodate specific land, site,

public facilities, and market location requirements of respective commercial uses. Strip commercial development shall not be extended into established or stable residential areas. The existence of commercial areas on one (1) corner of an intersection shall not dictate the development of all corners with the same or similar use; nor does the existence of commercial development on a major thoroughfare dictate that all frontages must be similarly used.

**POLICY 1.08.03.**

Commercial development decisions shall promote the historic downtown as a center for government and institutional function, as well as a focal point for tourism, retail trade, business and professional offices, and civic and cultural enrichment.

**POLICY 1.08.04.**

The City shall encourage the conversion of conventional suburban shopping centers into more traditional livable “destination activity centers” through redevelopment or addition of uses, features and structures as specified in policies 1.04.04 and 1.04.08. Design of such redevelopment shall be supportive of community transit facilities. The City should encourage new additional buildings relatively near the street where site planning allows adequate space, addition of residential units in existing activity centers, and design features that encourage a transformation of shopping centers into appealing, “destination activity centers.”

**POLICY 1.08.05.**

In order to encourage neighborhood-serving “destination activity centers” and to support the conversion of its existing conventional suburban shopping centers, the City shall require that commercial conversion must meet, at a minimum, the following standards:

- a. Commercial build- to lines that pull the building up to a wide street side sidewalk with a row of trees;
- b. Modest instead of abundant off-street parking, located at the rear or side of buildings, and away from pedestrian areas;
- c. Site design which creates a sense of arrival and departure;
- d. A connected sidewalk and path system promoting safety, comfort, and convenience by linking buildings within the development to adjacent properties;
- e. Building facades facing the street and aligned to form squares, streets, plazas, or other forms of a pleasant urban realm;
- f. A vertical mixed of residences above non-residential uses within the center, and a required percentage of floor area that is residential and retail;
- g. No free-standing retail establishment with the development exceeding 30,000 square feet of first floor area;
- h. First floor uses promoting entertainment and retail uses, and articulation and glazing for pedestrian interest; and
- i. Rules that restrict establishment of auto-oriented uses, or uses that generate significant noise, odor, or dust.

**POLICY 1.08.06.**

The City shall encourage conversion of surface parking lots to buildings that support the transformation of conventional suburban commercial development to “destination activity centers”. Parking requirements may be reduced within these areas as an incentive for the creation of a mixed-use “destination activity center” and thereby allowing the former parking area to be used for “border/liner” buildings.

**OBJECTIVE 1.09.****AIRPORT FACILITIES AND RELATED LAND USES**

The City shall ensure the continued viability of the Fernandina Beach Municipal Airport with appropriate actions to ensure safe and compatible aviation activities with its surrounding land uses.

**POLICY 1.09.01.**

The City shall regulate permitted uses and applicable restrictions within the airport property and adjacent lands area through zoning, land use, and the FAA Approved Airport Master Plan.

**POLICY 1.09.02.**

The City shall foster use of Fernandina Beach Municipal Airport lands in a manner that contributes to the development of the City's economic base through pursuit of light, clean industry and activities consistent with and supportive of the airport.

**POLICY 1.09.03.**

The City shall assure safe operation of aircraft through:

- a. Coordination with the FAA to provide effective use of air space in relation to the airport, surrounding airports, and airways;
- b. Maintenance and improvement of the airport operations area; and
- c. Developing a design plan at the airport that accommodates operationally compatible aircraft.

**POLICY 1.09.04.**

The City shall achieve airport and industrial development, which is compatible with the City Airport Master Plan and mutual environmental constraints through:

- a. Appropriate land use designations for land on and adjacent to the airport property which protects the operationally sensitive areas and reduces noise impact near the airport;
- b. Preserving the environmentally sensitive areas on the property; and
- c. Encouraging aviation activity compatible with community needs and characteristics.

**POLICY 1.09.05.**

The City shall promote financial independence of the Fernandina Beach Municipal Airport through:

- a. Preparing periodic updates to the airport development plan;
- b. Development of a long-range capital improvements program consistent with financial capacity; and
- c. Development of an operations and maintenance program compatible with financial resources.

**POLICY 1.09.06.**

The City shall coordinate with FDOT's Joint Airport Capital Improvements Plan (JACIP) for funding opportunities.

**POLICY 1.09.07.**

The City shall provide for adequate buffering between the airport uses and neighboring residential areas through conservation easements and landscaping.

**POLICY 1.09.08.**

The City shall coordinate with neighboring home owners associations and residences to provide community outreach materials which foster greater awareness of airport operations.

**OBJECTIVE 1.10.**

**AVAILABILITY OF LAND FOR PUBLIC SCHOOL FACILITIES**

The City shall implement policies to ensure that adequate land is available in the future to support components of infrastructure and public school facilities required for projected population growth.

**POLICY 1.10.01.**

An "Access" Land Development Regulation shall be adopted which establishes criteria for:

- a. Specific numbers of parking spaces and feet of buffering required supporting various commercial/industrial/recreational activities;
- b. Road right of way protection for major and minor arterials and collector roads (Right of Way Map);
- c. Rights of way protection around the entrances to highway and interstate exchanges; and
- d. On site circulation requirements to relieve congestion on major roadways.

**POLICY 1.10.02.**

Land suitable for utility facilities to support future development needs shall be identified by the City Manager and, by amendment, designated on the Future Land Use Map for private or public acquisition.

**POLICY 1.10.03.**

The City will ensure sufficient land is available for public school facilities approximate to residential development in order to meet the projected needs for such facilities.

**POLICY 1.10.04.**

Public schools shall be a permitted use in all land use categories except the Conservation and Industrial land use categories.

**POLICY 1.10.05.**

The City shall encourage that the school board consider sustainable building strategies and low impact development practices in all new construction, remodeling and additions.