



GOAL 5: CONSERVATION & COASTAL MANAGEMENT ELEMENT

5P: PORT SUBELEMENT

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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 must coordinate with DEP in evaluating the location of the Coastal Construction Control Line (CCCL) and must require that any construction activities seaward of the CCCL established pursuant to Chapter 161.058 be consistent with statutory provisions.

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. FLOOD RESILIENCY, HAZARD MITIGATION, DISASTER PREPAREDNESS, AND POST-DISASTER REDEVELOPMENT

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

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

POLICY 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.

POLICY 5.03.14.

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

POLICY 5.03.15.

The City has adopted and must maintain a floodplain management ordinance that establishes requirements to safeguard the public health, safety, and general welfare, and minimizes public and private losses due to flooding through regulation of development in flood hazard areas.

POLICY 5.03.16.

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

POLICY 5.03.17.

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

POLICY 5.03.18.

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

POLICY 5.03.19.

The City must consider purchasing properties in areas most vulnerable to destructive storm surge and flooding for recreational uses, conservation, and open space, based on availability of funding.

POLICY 5.03.20.

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

POLICY 5.03.21.

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

POLICY 5.03.22.

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

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 must designate Coastal High Hazard Areas (CHHA) on the Future Land Use Map (FLUM) series and ensure the criteria for mitigation found in a coastal high-hazard area 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.

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 must identify and assess all infrastructure located within the CHHA to determine its vulnerability. This vulnerability assessment will be based on data and analysis contained in the adopted Local Mitigation Strategy. Any decision to abandon or relocate infrastructure outside of the CHHA following a natural disaster will be based on a benefit-cost analysis of vulnerable infrastructure consistent with the methodology provided for in the Local Mitigation Strategy.

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.
PRESERVATION**

LAND ACQUISITION AND

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.

GOAL 5P | OCEAN HIGHWAY & PORT AUTHORITY, PORT OF FERNANDINA FACILITIES ELEMENT

THE PORT MUST MAINTAIN, PLAN, AND DEVELOP THE PORT OF FERNANDINA BEACH, IN ACCORDANCE WITH MARKET FORECASTS AND THE COMMUNITY'S COMMERCIAL AND INDUSTRIAL RESOURCES, TO CREATE JOBS AND STIMULATE LOCAL AND REGIONAL ECONOMIC DEVELOPMENT WHILE MAINTAINING AND ENHANCING THE UNIQUE CHARACTER OF THE CITY OF FERNANDINA BEACH, PROVIDING FOR THE HEALTH, SAFETY AND ECONOMIC WELFARE OF THE COMMUNITY, PROTECTING THE LOCAL MARINE ENVIRONMENT, AND THE SURROUNDING HISTORIC RESIDENTIAL NEIGHBORHOOD.

OBJECTIVE 5P.01. PORT OF FERNANDINA DEVELOPMENT

Within the City of Fernandina Beach, The Port must pursue phased planning and development, consistent with the goals of the City of Fernandina Beach Comprehensive Plan and the mandates of Florida Statutes.

POLICY 5P.01.01.

The Port Master Plan Map must include a land use and inventory map of existing coastal uses including all existing infrastructure including fuel storage tanks, storm water management, zoning, wetland and other vegetative communities, undeveloped areas, areas subject to coastal flooding, public evacuation routes, historic preservation areas and conservation areas.

POLICY 5P.01.02.

Within the City of Fernandina Beach, The Port will not expand port operations beyond industrially waterfront zoned or industrially zoned land (as depicted on the Future Land Use Map in effect on December 7th, 2021). The Port will not expand any ancillary operations including parking lots into the historic district or any other residentially or mixed-use zoned land (as depicted on the Future Land Use Map in effect on December 7th, 2021), with the exception of 501 North 3rd Street and the adjacent parking lot east of the property.

POLICY 5P.01.03.

Any application for proposed Port development or redevelopment, within the City of Fernandina Beach, must include an analysis of the environmental, socioeconomic, and fiscal impact on the City of Fernandina Beach. The analysis will delineate the required infrastructure to support this development or redevelopment and the plans and principles to be used to control development and redevelopment to eliminate or mitigate the adverse impacts on coastal wetlands, living marine resources, wildlife habitat, historical and archaeological sites, other fragile coastal resources and the adjacent historic district.

Prior to any future development or redevelopment to the Port, within the City of Fernandina Beach, all plans or proposals for development or redevelopment must be

reviewed by the City of Fernandina Beach for compliance with all applicable Comprehensive Plan policies, Land Development Code regulations, and City Ordinance requirements.

POLICY 5P.01.04.

Maintenance dredging of the Amelia River must be in coordination with the U.S. Army Corps of Engineers and the City of Fernandina Beach, regional, state, and federal regulatory agencies, as needed to accommodate waterborne commerce operations.

OBJECTIVE 5P.02.ECONOMIC DIVERSIFICATION

The Port may explore opportunities to develop synergies between its waterborne commerce operations and other economic resources in the area.

POLICY 5P.02.01.

The Port may explore complementary upland developmental opportunities, but not within the boundaries of the Fernandina Beach Historic District.

POLICY 5P.02.02.

To take better advantage of its proximity to the Intracoastal Waterway, The Port may support initiatives to improve Intracoastal connections. The Port may cooperate with entities seeking to improve conditions along the Intracoastal Waterway.

OBJECTIVE 5P.03. GOVERNMENTAL AND AGENCY COORDINATION

The City of Fernandina Beach and the Port must work together to ensure that port maintenance and development or redevelopment activities are compatible with and support the programs and policies contained in the City's Comprehensive Plan. The City of Fernandina Beach and the Port must coordinate

development efforts with local, state, and federal permitting agencies and other private entities to ensure that development and operations are carried out in accordance with the public interest and regulatory requirements.

POLICY 5P.03.01.

Port planning and development must be in coordination with the City of Fernandina Beach to ensure compliance with the City's Comprehensive Plan, including the Conservation and Coastal Management Element and Land Development Code.

POLICY 5.03.02.

The Port must continue to coordinate with the Fernandina Beach Historic District Council to ensure preservation and restoration of significant historical sites that fall within the jurisdiction of the Port facility. Where Port property is adjacent to the Historic District, a 30-foot landscaped buffer must be maintained.

POLICY 5.03.03.

The Port and the City must coordinate to ensure the provision of adequate infrastructure and utilities for Port operations.

POLICY 5P.03.04.

Public input must be obtained prior to implementation of any Port development program.

POLICY 5.03.05.

Development within the Port must comply with the provisions of the permits governing its in-water and upland development program.

POLICY 5P.03.06.

Development within the Port must support the economic development initiatives of the City of Fernandina Beach, by pursuing activities that expand economic opportunities.

POLICY 5.03.07.

The Port must review the economic development initiatives of Nassau County and support when consistent with the City of Fernandina Beach Comprehensive Plan.

POLICY 5.03.08.

The Port must develop a strategic plan with a 10-year horizon which must at a minimum include the elements listed in FS 311.14 – Seaport Planning and which adequately addresses the applicable requirements of FS 163.3178. To the extent feasible, the port master plan must be consistent with the City Comprehensive Plan.

The Port must submit the Master Plan to the City for consistency review with City of Fernandina Beach Comprehensive Plan. Any inconsistencies that cannot be resolved with The Port must be noted in the Port Master Plan and will not be adopted in the Comprehensive Plan by reference.

POLICY 5.03.09

The Port and the City of Fernandina Beach must work together to create a long term inter-local agreement between the two entities that will establish guiding principles and specific goals and objectives to ensure a positive, productive, and economically driven long term relationship. This inter-local agreement must include those items of critical interest and concern to both parties as well as the items identified in Objectives 5P4 – 5P7 of the current Comprehensive Port Sub-element. The inter-local agreement must be reviewed and updated every 5 years at a minimum. Either party may ask for the agreement to be opened for amendment.

OBJECTIVE 5P.04. MULTI-MODAL TRANSPORTATION

The City will work with the Port to facilitate improvements which will support the safe, efficient, sustainable, and economical, transportation of goods and services to and from the Port.

POLICY 5P.04.01.

The Port should cooperate with entities seeking to improve conditions along the Intracoastal Waterway.

POLICY 5P.04.02.

The Port should collaborate with local, regional, and state agencies to develop the intermodal connections needed for the efficient movement of goods to and from its facilities.

POLICY 5P.04.03.

The Port must schedule arriving truck traffic to eliminate the queuing of trucks outside the gates, and direct drivers to utilize designated truck routes.

POLICY 5P.04.04.

The Port must collaborate with Genesee & Wyoming and CSX, or their successors, to obtain the best possible service and interchanges. The Port may continue its use of the on-site rail line and must seek opportunities for safe and efficient use of the rail line.

POLICY 5P.04.05.

The Port must collaborate with railways, FDOT, and the City to improve the warning devices at the Dade and Front Street rail grade crossing to increase safety.

POLICY 5P.04.06.

The City of Fernandina Beach and the Port must collaborate with the TPO, the Florida Department of Transportation, the local community, and other entities to gain funding for any needed improvements to roads over which Port truck traffic must travel.

POLICY 5P.04.07.

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

OBJECTIVE 5P.05. NATURAL RESOURCE PRESERVATION AND PROTECTION

The Port must conserve and protect natural resources including forests, wetlands, fish, marine life, and wildlife, and must cooperate with federal, state, regional, and local agencies in developing sound environmental policies for Port development and operations.

POLICY 5P.05.01.

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

POLICY 5P.05.02.

The Port may not place or build structures including pier or pier extensions in wetlands, wetland transition areas, or conservation area and will not conduct activities which degrade any wetlands and/or wildlife habitat.

POLICY 5P.05.03.

The Port must continue to coordinate with state and federal agencies, the Cumberland Sound Pilots Association, and other interested organizations to protect manatee and right whale populations surrounding the Amelia River Basin.

POLICY 5P.05.04.

The Port must use best management practices governing construction, operation, and maintenance at the Port facility. All new development or redevelopment at the Port of Fernandina, within the City of Fernandina Beach, must comply with applicable Federal, State, and local regulations.

POLICY 5P.05.05.

The Port must coordinate and implement strategies with industry and the City of Fernandina Beach to meet the air quality standards established by the EPA and FDEP.

POLICY 5P.05.06.

The Port, the City of Fernandina Beach, and the electrical utility provider, should collaborate concerning the benefits and costs of installing and requiring ship to shore power at the Port of Fernandina.

POLICY 5P.05.07

The Port must continue to comply with the requirements of the permits from the Department of Environmental Protection in regard to maintaining and preserving the permanent conservation areas and the ten-foot-wide marshland mitigation area.

OBJECTIVE 5P.06. PROTECTION FROM NATURAL DISASTERS & MANMADE HAZARDS

The Port must implement measures to reduce exposure which may harm human life and property from natural disasters and manmade hazards by implementing sound safety and security programs.

POLICY 5P.06.01.

The Port Facility Security Plan must meet the requirements of Title 33 Code of Federal Regulations Part 105, and must be kept up to date, and must be consistent with City, County, and Federal emergency plans.

POLICY 5P.06.02.

To provide a safe operating environment, The Port must implement required Federal, State and Local safety and health measures and ensure that operations are conducted in accordance with those measures. The Port must prepare and implement the Facility Security Plan mandated and approved under State and Federal guidelines.

POLICY 5P.06.03.

All new development or redevelopment at the Port, must comply with the Florida Building Code as amended by the City, and the City's locally adopted floodplain ordinance.

POLICY 5P.06.04.

Port post-disaster redevelopment procedures to reduce or eliminate risk to human life and property due to natural disasters and manmade hazards must include the structural modification or removal of facilities that have experienced repeated storm damage.

POLICY 5P.06.05.

The Port in cooperation with all federal authorities must prohibit the handling of unauthorized hazardous materials and must be prepared to contain hazardous material spills that could occur at the Port facility site.

POLICY 5P.06.06.

At the Port, all emergency contingency materials and equipment necessary to mitigate petroleum spills in the water must be stored onsite. This must be verified by the Fernandina Beach Fire Chief or his designee annually.

POLICY 5P.06.07.

A waterfront facility, which is a facility of particular hazard as defined in 33CFR 126.3, will not be allowed in Waterfront Industrial or I-W zoned areas.

POLICY 5P.06.08.

The Port evacuation contingency and warning plan must include a detailed requirements to evacuate the adjacent area in the event of a toxic spill, toxic gas release, Port fire, or other manmade disaster. Its plan must be kept up to date, and must ensure that it is consistent with City, and County emergency plans. This plan must be filed annually with the City and County.

POLICY 5P.06.09.

The Port of Fernandina will not accept, transfer, load or store coal, coal ash, or Liquefied Natural Gas (LNG).



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