



Polling - Ideas to  
Keep or Delete

# FUTURE LAND USE ELEMENT

The primary purpose of the Future Land Use Element is to provide for an effective and efficient balance of the City's anticipated growth demands with its goals for protecting its natural and cultural resources. Further, the goal of the Future Land Use Element is to encourage land uses that promote economic viability for the community while reducing adverse impacts on the natural or cultural environment. The objectives and policies within the Future Land Use Element serve to facilitate its goal through provisions for energy efficient development, growth management, natural resource protection, redevelopment, nonconformities, community character, land use categories, commercial and mixed use land conversion, airport facilities, and availability of land for infrastructure and public school facilities. This element is arguably the most important element in the City's Comprehensive Plan as it lays the foundation upon which the rest of the Plan is built.

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## FUTURE LAND USE ELEMENT HIGHLIGHTS

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



**Legal Description of Property** (if in metes and bounds, please attach separate sheet):

Block	Lot	Subdivision	Key Name
Real Estate (RE) Number		Alternate Key Number	
Street Address		Approximate Mile Marker	

**Current Future Land Use Map Designation(s):** \_\_\_\_\_

**Proposed Future Land Use Map Designation(s):** \_\_\_\_\_

**Current Land Use District Designation(s):** \_\_\_\_\_

**Total Land Area Affected by Proposed FLUM (in acres):** \_\_\_\_\_

**Tier Designation(s):** \_\_\_\_\_

**Is the property located within the Military Installation Area of Impact (MIAD):**  Yes  No

**Existing Use of the Property** (If the property is developed, please describe the existing use of the property, including the number and type of any residential units and the amount and type of any nonresidential development):

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**Please describe the reason for the proposed FLUM amendment** (attach additional sheets if necessary):

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The Board of County Commissioners adopted Policy 101.5.26 (effective on November 20, 2012). Pursuant to Policy 101.5.26, any private application requesting a future land use map amendment after this effective date which proposes an increase in allocated residential density, must be designated as Tier III and have existing public facilities and services, including central wastewater facilities. Additionally, any private application requesting a future land use map amendment after this effective date which proposes an increase in allocated residential density shall be required to purchase and donate land to offset the proposed increase (includes the requirement to donate acreage or Improved Subdivision lots).

Provide the net change in density for the proposed FLUM amendment. Is there a proposed increase? What steps would be taken to comply with Policy 101.5.26? (attach additional sheets if necessary):

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Pursuant Chapters 163 and 380, Florida Statutes, an amendment to the Comprehensive Plan must be consistent with Florida Statute, with the Monroe County Comprehensive Plan, and with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statute. Please describe how the proposed text amendment is consistent with each of the following (attach additional sheets if necessary):

- 1) The proposed amendment is consistent with Part II of Chapter 163, Florida Statute. *(At a minimum, please review and address Sections 163.3177, 163.3178, 163.3180, and 163.3184, F.S.)* Specifically the amendment furthers:

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- 2) The proposed amendment implements and is consistent with the following Goals, Objectives and Policies of the Monroe County Year 2030 Comprehensive Plan:

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- 3) Does the proposed amendment meet adopted level of service standards of the Monroe County Year 2030 Comprehensive Plan (see Policy 101.1.1)? Provide an analysis of the availability of facilities and services corresponding to the proposed amendment. Please attach any Letters of Coordination from utility providers as well:

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- 4) The proposed amendment is consistent with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statute:

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The Board of County Commissioners may consider an ordinance to transmit to the State Land Planning Agency an amendment if the change is based on one or more of the following factors. Please describe how one or more of the following factors shall be met (attach additional sheets if necessary):

- 1) **Changed projections (e.g. regarding public service needs) from those on which the text was based**

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- 2) **Changed assumptions (e.g. regarding demographic trends):**

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- 3) **Data errors, including errors in mapping, vegetative types and natural features:**

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- 4) **New issues:**

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- 5) **Recognition of a need for additional detail or comprehensiveness:**

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6) Data updates:

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In no event shall an amendment be approved which will result in an adverse community change of the planning area in which the proposed development is located or to any area in accordance with a Livable CommuniKeys master plan. Please describe how the text amendment would not result in an adverse community change (attach additional sheets if necessary):

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Applicants submitting an application for a FLUM amendment shall participate in a concept meeting with the Planning and Environmental Resources Department, as indicated in Section 102-158(d)(3), to discuss the proposed amendment.

*Scheduling.* A concept meeting shall be scheduled by department staff once the application is determined to be complete.

As part of this concept meeting, department staff will identify whether or not the proposed text amendment will have a county-wide impact. If the proposal is determined to have a county-wide impact, a public meeting with the Board of County Commissioners (“**Impact Meeting**”) prior to the application proceeding to the DRC for review is required. The applicant shall coordinate with the Planning Director regarding the date and time of the Impact Meeting; however, all Impact Meetings shall be held in Marathon.

*Notice of Meeting.* The Impact Meeting shall be noticed at least 15 days prior to the meeting date by advertisement in a Monroe County newspaper of general circulation.

*Noticing and Advertising Costs.* The applicant shall pay the cost of the public notice and advertising for the Impact Meeting and provide proof of proper notice to the Planning Director.

**The Impact Meeting is not to be a public hearing (the BOCC will not vote on the proposal), but a public meeting during which the BOCC may offer their initial opinions and the public may have input on the proposed amendment.**

**PROOF OF PROPER NOTICING ON THE IMPACT MEETING WILL BE REQUIRED.**

**Applicants requesting a FLUM Amendment shall provide for public participation through a community meeting.**

*Scheduling.* The applicant will coordinate with the Planning Director regarding the date, time and location of the proposed community meeting; however, all meetings are to be held on a weekday evening at least three (3) months prior to any of the public hearings.

*Notice of Meeting.* The community meeting shall be noticed at least 15 days prior to the meeting date by advertisement in a Monroe County newspaper of general circulation, mailing of notice to surrounding property owners, and posting of the subject property.

*Noticing and Advertising Costs.* The applicant shall pay the cost of the public notice and advertising for the community meeting and provide proof of proper notice to the Planning Director.

The community meeting shall be facilitated by a representative from the Monroe County Planning & Environmental Resources Department and the applicant shall be present at the meeting.

**PROOF OF PROPER NOTICING ON THE COMMUNITY MEETING WILL BE REQUIRED.**

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**All of the following must be submitted in order to have a complete application submittal:**  
(Please check as you attach each required item to the application)

- Completed application form (unaltered and unbound)
- Correct fee (check or money order payable to *Monroe County Planning & Environmental Resources*)
- Proof of ownership (i.e., Warranty Deed)
- Ownership Disclosure Form
- Current Property Record Card(s) from the Monroe County Property Appraiser
- Location map
- Photograph(s) of site(s) from adjacent roadway(s)
- Signed and Sealed Boundary Survey(s), prepared by a Florida registered surveyor – eight (8) sets (at a minimum, survey should include elevations; location and dimensions of all existing structures, paved areas and utility structures; all bodies of water on the site and adjacent to the site; total acreage by land use district; total acreage by habitat; and total upland area)
- Typed name and address mailing labels of all property owners within a 600 foot radius of the property(s) – (three sets). This list should be compiled from the current tax rolls of the Monroe County Property Appraiser. In the event that a condominium development is within the 600 foot radius, each unit owner must be included
- Copy of current Future Land Use Map (request from the Planning & Environmental Resources Department prior to application submittal)



If applicable, the following must be submitted in order to have a complete application submittal:

- Notarized Agent Authorization Letter (note: authorization is needed from all owner(s) of the subject property)
- Traffic Study, prepared by a licensed traffic engineer (*required if application affects specific and defined area*)
- Transportation fee of \$5,000 to cover the cost of experts hired by the Department to review the traffic study – any unused funds deposited will be returned upon approval (*required if application affects specific and defined area*)

If deemed necessary to complete a full review of the application, within reason, the Planning & Environmental Resources Department reserves the right to request additional information.

Additional fees may apply pursuant to the approved fee schedule.

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Has a previous application been submitted for this site(s) within the past two years?  Yes  No

Is there a pending code enforcement proceeding involving all or a portion of the parcel(s) proposed for development?  Yes  No Code Case file # \_\_\_\_\_ Describe the enforcement proceedings and if this application is being submitted to correct the violation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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The applicant/owner hereby acknowledges and agrees that any staff discussions or negotiations about conditions of approval are preliminary only, and are not final, nor are they the specific conditions or demands required to gain approval of the application, unless the conditions or demands are actually included in writing in the final development order or the final denial determination or order.

By signing this application, the owner of the subject property authorizes the Monroe County Planning & Environmental Resources staff to conduct all necessary site visits and inspections on the subject property.

I, the Applicant, certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate.

Signature of Applicant: \_\_\_\_\_

Date:

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

by \_\_\_\_\_, who is personally known to me OR  
produced

(PRINT NAME OF PERSON MAKING STATEMENT)

\_\_\_\_\_ as identification.  
(TYPE OF ID PRODUCED)

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Print, Type or Stamp Commissioned Name of Notary Public  
My commission expires:

**Send complete application package to:**

**Monroe County Planning & Environmental Resources Department  
Marathon Government Center  
2798 Overseas Highway, Suite 400  
Marathon, FL 33050**

How about:

The City of Fernandina Beach will evaluate the concurrency of roadways, public schools, public transit facilities, potable water, sanitary sewer, solid waste, stormwater management facilities, parks/recreation, and open space when it considers future land use changes, rezoning, and subdivision and site plans for residential development to ensure adequate capacity is available and consistent with the adopted level of service standards required by the citizens of the City.

All development orders and permits for future development activities shall be issued only if infrastructure facilities necessary to meet level of service standards (which shall be adopted as part of the Capital Improvements Element of this plan) are available and concurrent with the impacts of the development.

Where appropriate, due consideration shall be given to the suitability of land, topography and soils prior to the issuance of any development order or permit. The City shall update its ordinances to ensure enforceability and that the ordinances cover and include all services that shall have an adopted level of service in the city's Comprehensive Plan.

A finding of concurrency made as part of the review of construction plans shall be based on the impact that the final buildout of the proposed development would have on the availability of public facilities.

Subtracting from the total capacity the sum of:

- (a) The demand for the services or facilities created by existing development;
- (b) The demand for the services or facilities created by the anticipated completion of other approved developments for which final development orders have been approved; and
- (c) The demand for the services or facilities created by the anticipated completion of the proposed development under consideration for concurrency determination.

Concurrency Data Base. The City shall develop and maintain an inventory of existing land uses and projected land uses, based upon development order approvals, in order to monitor the impact of development order approvals on the availability of public facilities.

Concurrency review criteria.

A. All development permit applications submitted to the City shall be subject to a review for concurrency with respect to the City's adopted level of service standards for drainage facilities.

The procedure for conducting this review shall be set forth under Sec.----

Requirements for any rezoning within the City Of Fernandina Beach must include:

(1) A written Narrative explaining the following:

(a) Whether the proposed change would be consistent with the future land use map and the goals, objectives and policies of the Comprehensive Plan (See Comprehensive Plan – Future Land Use Element).

(b) The relationship of the proposed change to the existing land use pattern.

(c) Whether the proposed change would lead to the creation of an isolated zoning unrelated to adjacent and nearby districts.

(d) The impact on the availability of adequate public facilities consistent with the level of service standards adopted in the Comprehensive Plan and as defined and implemented through the City's Concurrency Management System Regulations. CREATE CONCURRENCY MANAGEMENT SYSTEM REGULATIONS

(e) Whether changed or changing conditions make the passage of the proposed zoning necessary.

(f) Whether the proposed change will adversely influence living conditions in the neighborhood.

(g) Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

(h) Whether the proposed change will create a drainage problem.

(i) Whether the proposed change will seriously reduce light and air to adjacent areas.

(j) Whether the proposed change will adversely affect property values in the adjacent areas.

(k) Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

(l) Whether the proposed change will constitute a grant of special privilege to an individual

owner as contrasted with the public welfare.

m) Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

(n) Whether the change suggested is out of scale with the character of the neighborhood.

(o) Whether the use causes a decrease in level of service including concurrency in any area affecting levels of service (for roadways, solid waste, drainage, recreation and open space, potable water, sanitary sewer services, public schools), or causes adverse effects on the health, safety and welfare of the citizens of Fernandina Beach and it is impossible to find other adequate sites in the City for the proposed use in districts already permitting such use that would maintain the adopted levels of service (for roadways, solid waste, drainage, recreation and open space, potable water, sanitary sewer services, public schools), concurrency levels, or adequate services for the health, safety and welfare of the citizens of Fernandina Beach.

#### **Monroe County Comprehensive Plan and Code**

For Future Land Use Map (FLUM) Amendment Applications- An application must be deemed complete and in compliance with the Monroe County Comprehensive Plan and Code by the staff prior to the item being scheduled for review Application Fee: \$6,090.00 (plus \$850 for the BOCC adoption hearing). The only job the staff has to do is verify the evidence and the answers. (Can be sold as a time saving device, no compilation of a staff report.) If the application is inadequately completed or inaccurate, it is denied.

**Many of our issues come from staff preparing inadequate and inaccurate staff reports. Then they feel the need to defend them. We need the cost of development put back to the developer in providing an application that sets a criteria that meets a high bar.**

**The application process cannot be filled out by staff. Anyone wishing to develop our get a FLUM change fills out their own application. Put everything in the application that we want. Let's not financially support development by using City staff to do their work for them. Have them fill out their own application. Put together an application that does staff's work for them. We are tired of paying for development.**





**General Comprehensive Plan Themes**

**Goal 1: Future Land Use**

**General Comprehensive Plan Themes**

The following are general themes we believe should recur throughout the plan:

- **Long-term planning** for the **sustainability** of the island
- **A sustainable future includes environmental sustainability, social sustainability, and economic sustainability. These must balance each other.** All of these are essential to a sustainable future.

Examples:

- **Environmental sustainability:** temperature moderation, air and water purity, protection from storms and erosion; habitat quality; pollution control; controlling/preventing saltwater intrusion; preparing for sea level rise and warming; dune building
- **Social sustainability:** healthy environment; adequate and healthy food sources; sense of community; quality of life; sense of place; space; low crime; manageable traffic
- **Economic sustainability:** sense of place; businesses relevant to the place and times; decent pay
- **Development/update of sustainability goals in all areas. 1 year**
- **Goals, objectives and policies.** Specific, concrete objectives.
- **Controlled/managed development based on capacity research**
- **Enforcement**
- **Preparation for sea level rise & climate change**
- **Environmental impact statements**

**Goal 1: Future Land Use**

**Research/foundation**

We need a strong research foundation in order to make wise decisions for the future of the island.

- **Major analysis of land use needs**
  - **Assumption:**
    - There is no state mandate to accommodate growth
    - All development must be dependent on sustainability, capacity, facilities and services
  - **Capacity:** One of the areas we need critical data on is the capacity of the city. This is a complex topic made up of many elements:
    - **Roads & infrastructure: concurrency study**
      - Requirement of FDOT road capacity study for new construction involving 5 or more homes or commercial development.
    - Evacuation time & choke points
    - Housing & public facilities: Existing and needs
    - Green space/conservation land
    - Recreation facilities
    - Environmental factors



amelia tree conservancy

## General Comprehensive Plan Themes

### Goal 1: Future Land Use

- Quality of life
- Well capacity with sea level rise
- Salt water intrusion
- **Identification of wildlife corridors:** Another area we need data on is wildlife corridors. Along with a commitment to conserve them.
  - Conservation of wildlife corridors through acquisition or conservation easements
  - Prohibition of further development on major wildlife corridors
- **Canopy loss and needs:** We need more complete data on our urban forest, both on public and private property. In addition to inventories and GIS data, we need to monitor and measure canopy loss and additions in order to have a firm foundation for planning.
- **Based on data obtained from the studies above, we need to carry out the following:**
  - **Major review and update of FLUM:** We need to identify an appropriate process and methods to serve as a basis of this review.
  - **Update of environmental, social and economic sustainability goals.** This update should be informed by the studies and analyses above.
- **During the time this research and analysis is being conducted (one year), there should be a moratorium on development of vacant parcels.**

#### Implementation of findings

- Once the findings have been compiled, **specific measurable objectives must be established based on the results.**
- In order to maintain and improve sustainability and to avoid massive costs in the future, a major **shift needs to be made from an emphasis on development to emphasis on growth management.** We should **only permit the types and number of applications that fit in with the capacity of the island and our environmental, social and economic sustainability.** Objective 1.02 in our current Comprehensive plan focuses primarily on avoiding sprawl, but there are other areas of growth, such as density, that need to be managed as well.
- **Elements to be included** in implementation of research results:
  - **Major land conservation effort:**
    - We should **maximize our land conservation during the next five years**, acquiring at least 50 acres in each of the first three years and 20 acres in years four and 5.
    - **Conservation easements should guarantee the conservation status of all lands designated as conservation**
    - In the Comprehensive Plan, the concept of conservation land should be updated to focus on upland forested land as well as wetlands.
  - **Incentives for redevelopment, restoration of our environment and planting;** disincentives for developing vacant parcels
  - **Requirement of low-impact development practices and sustainable building practices** in all types of development and redevelopment. It is essential that structures be built within





## General Comprehensive Plan Themes

### Goal 1: Future Land Use

and around our environment rather than the environment being obliterated and replaced with buildings.

- **Optimize use of natural storm water management methods.**
- **Maximize pervious surfaces:** Reduce the maximum ratio for impervious surface to 50% or less, regardless of the zoning and function of the structure, to preserve more trees and native understory and optimize storm water management.
  - **Impact fees could be reduced for those building smaller homes.**
- **Requirement of real, in-depth environmental impact statements for all development.** Perhaps developers and builders should be charged a fee to cover this and the city should hire the professional to ensure objectivity.
- **Longer period of staff review of projects; pay for faster service.** This would provide staff to analyze the development/redevelopment more carefully.
- **Incentives for developers and builders to utilize conservation site design, low-impact development and green methodology, and penalties for the failure to adopt up-to-date practices appropriate for our sensitive environment.** Permits should only be issued for developers and builders following these approaches and protecting our environment.
- **LEED-qualified staff:** We need to set higher standards for the credentials of staff, of builders and developers and for their products. We need to identify higher standards in specific measurable goals.
- **During construction, we need a protection zoned for rights of way as well as for trees.**
- **Monitoring and enforcement need to be a priority.** We need to staff for the need. Protection zones need to be monitored to ensure that proper materials are used.
- **Greater protection and planting of shade trees. Stronger protection of heritage trees and canopy streets (as outlined in Goal 5 notes)**
- **Designation, protection and maintenance of wildlife corridors** based on the research outlined above.
- **Scenic vistas (Policy 1.03.07 and 1.03.08, p. 7) along A1A need to be protected because that is state law.**
- **We need to develop policies encouraging or requiring use of native landscaping to improve sustainability.**

