

Note: **HIGHLIGHTED TEXT** indicates changes made from Transmittal Draft of 5/10/2010 based upon the Objections, Recommendations, and Comments (ORC) Report issued by the Florida Dept. of Community Affairs (DCA) 7/13/2010

Water-Dependent Uses Sub-Element (WDU)

Goal 5.0

~~The County shall manage, use, conserve and protect the coastal resources along with protecting human life from natural disasters.~~ **Promote the responsible management of its coastal area, balancing the provision of water-dependant and water-related uses with the protection of life and property from natural disasters and the preservation of natural resources.**

OBJECTIVE 5.01-WDU.01

The County will maintain, improve, and increase public beach access through acquisition and other land use controls.

Policy 5.01.01 WDU.01.01

The County shall maintain inventory and analyze existing public beach access and demand to establish future beach access requirements based upon projected populations. ~~By 2005, a study of needs will be completed and the findings incorporated into the Recreation and Open Space and Coastal Management Elements through the Comprehensive Plan amendment process. In the interim, a LOS standard of the average of 1 beach access point per 10,000 persons shall be established.~~

Policy 5.01.02 WDU.01.02

~~Within an average of one-half mile increments~~ The County will require the dedication of public access to beaches or waterfront areas as a condition of development for Planned Unit Developments (PUDs) and Developments of Regional Impact (DRIs) located along the Atlantic Coast beaches or the Intracoastal Waterway ~~that are permitted after the date of adoption of the EAR-based plan amendment.~~

Policy 5.01.03 WDU.01.03

The County will not vacate **necessary** existing easements, rights-of-way, walkways and other properties necessary for public access points to beaches and shores.

Policy 5.01.04 WDU.01.04

The County will seek grant funds to acquire and develop beach access points that are convenient to the public and suitable based on the surrounding public roads, topography and ecology.

Policy 5.01.05 WDU.01.05

Private land owners adjacent to public beach access points, including easements, will not be allowed to restrict public access to the beaches through those access points.

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Policy **5.01.06** WDU.01.06

The County shall maintain and preserve current facilities which provide for vehicular accesses to the beach; including, but not limited to, driving to, driving on, and parking on and adjacent to the beach at locations which the County and the Florida Department of Environmental Protection (DEP) determine that such activities do not adversely impact upon the ecology of the beach or dune system.

Policy **5.01.07** WDU.01.07

By 2005, The County, in cooperation with DEP, will develop a beach access and parking plan that will assure maximum accessibility to public beaches while providing sufficient protection to maintain the current quality of the beach and dune system. The recommendations of this plan will be incorporated as part of the Parks and Recreation Master Plan.

OBJECTIVE **5.08** WDU.02

The County will give priority to compatible water dependent uses over other land uses to maximize the beneficial use of coastal natural resources.

Policy **5.08.01** WDU.02.01

The County shall permit the use and development of water dependant facilities such as marinas and docks consistent with the land uses shown on the Future Land Use Map so long as the proposed development meets the permitting requirements of applicable federal, state, regional and local agencies. Water dependant facilities must also meet adopted level of service standards.

Policy **5.08.02** WDU.02.02

The future land use plan and implementing land development regulations shall protect existing water dependent uses from intrusion by incompatible land uses.

Policy **5.08.03** WDU.02.03

The **public** need for additional public marinas will be evaluated ~~to best locate marinas in areas of high demand~~ with priority consideration given to sites that:

- a. are compatible with adjacent land use;
- b. have available upland support services;
- c. provide protection of water quality;
- d. have minimal hurricane vulnerability;
- e. will be available for public use;
- f. will cause least environmental disruption;

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- g. have existing access to the Intracoastal Waterway;
- h. have adequate water depth, with good flushing and circulation; and,
- i. will have minimal impacts to submerged aquatic vegetation and estuarine wetlands.

Policy **5.08.04** WDU.02.04

~~By 2002,~~ The Land Development Regulations Code shall specify performance standards for shoreline land uses. ~~The LDRs will address at a minimum which will address:~~

- a. Set backs based upon calculated levels of storm surge;
- b. Building height based upon potential wind loading and aesthetic considerations;
- c. Requirements for central potable water and sewer service;
- d. Area of permitted parcel coverage;
- e. Requirements for protecting dunes and beaches; and
- f. Landscaping and internal circulation.

Policy **5.08.05** WDU.02.05

The County shall inventory existing marinas and boat ramps and periodically evaluate the need for additional such facilities as needed. ~~every five years from the date of adoption of the EAR based plan amendment~~

Policy **5.08.06** WDU.02.06

The County shall ensure that adequate waterfront property that meets ing the Land Development Code site requirements for commercial and recreational waterfront dependent uses should be preserved through zoning and compatible land use planning.

Policy WDU.02.07

The County shall continue to support the Waterfronts Florida Partnership Program and the Fernandina Beach Waterfronts Partnership and assist in the protection and revitalization of local recreational and commercial working waterfronts.