



D. CONSERVATION AND COASTAL MANAGEMENT ELEMENT

Introduction

The Conservation Element focuses on the “conservation, use, and protection of natural resources” within the city along with “factors that affect energy conservation”, as specified in Section 163.3177(6)(d), Florida Statutes. Due to its coastal location, the City of Atlantic Beach is also required to include a Coastal Management Element within its comprehensive plan. The intent of the Coastal Management Element, per Section 163.3178(1), Florida Statutes, is to restrict development activities where such activities would damage or destroy coastal resources.

D. Conservation and Coastal Management Element Goals, Objectives and Policies

All conservation related activities and the management of coastal resources within the City of Atlantic Beach shall be in accordance with the following Goals, Objectives, and Policies.

Goal D.1

The City shall protect, enhance and preserve coastal wetlands and beach and dune systems, as well as other coastal resources of environmental value, through proper maintenance and management practices, the avoidance of inappropriate use and development, including publicly-financed improvements within the Coastal High Hazard Area, and shall continue an ongoing program of re-vegetation and installation of properly designed public access-ways in areas that are subject to erosion such as the dune system.

Objective D.1.1

Coastal High Hazard Area

The City shall limit public expenditures that subsidize development within the Coastal High Hazard Area except for the maintenance, restoration, or enhancement of natural resources, and the provision for appropriate public access to and use of natural resources.

Policy D.1.1.1 The City establishes, for regulatory purposes, the Coastal High Hazard Area as the area below the Category 1 storm surge line as established by the Sea, Lake and Overland Surges from Hurricane (SLOSH) computerized storm surge model pursuant to Chapter 163, Florida Statutes.

Policy D.1.1.2 The City shall limit new public construction in the Coastal High Hazard Area to improvements that do not increase residential density and to that which customarily supports recreation and open-space use of the beach and waterway related resources, and which achieves dune stabilization and prevention of erosion through environmentally sound practices.

Objective D.1.2

Storm and Flood Hazards

The City encourages the use of best practices for development and redevelopment, including principles, strategies, and engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency.

Policy D.1.2.1 The City shall rigorously enforce its floodplain management regulations to conform with or exceed the requirements of the Federal Emergency Management Agency.

Policy D.1.2.2 The City shall continue to partner in the Duval County Local Mitigation Strategy and participate in the Duval County emergency preparedness operations. The City shall review new Land Development Regulations for consistency with the Local Mitigation Strategy prior to adoption.

Policy D.1.2.3 The Stormwater Master Plan, as revised and adopted in 2018, shall be implemented based upon priority of need and in accordance with annual capital improvement planning and budget review and adoption. The plan shall be reviewed and updated by 2028.

Objective D.1.3

Protection of Dune Systems and Dune Vegetation

The City shall prevent damage and destruction of dunes and dune vegetation.

Policy D.1.3.1 The City shall rigorously enforce coastal construction code, and the Florida Building Code as these regulate construction within Coastal Areas.

Policy D.1.3.2 The City shall continue best management practices that are intended to reduce damage and erosion of dune systems and dune vegetation, which may result from construction activities and inappropriate pedestrian traffic.

Objective D.1.4

Public Beach and Waterways Access

The City shall ensure adequate and convenient public access to the beach and other public waterways through maintenance of all public waterway and beach access-ways at the twenty-one street end locations existing as of the adoption date of this Plan.

Policy D.1.4.1 The City shall maintain all existing accesses including barrier-free ramps and shall join with other beach communities, the North Florida Transportation Planning Organization (TPO), the City of Jacksonville and others in seeking means of accommodating beach visitors as a preferred alternative to the construction of parking facilities at beach access-ways.

Policy D.1.4.2 The City shall maintain all beach parking existing as of the date of this Plan, and reduction in the number of public parking spaces available at beach accesses shall not be permitted unless such eliminated spaces are replaced in equal numbers and within similar proximity to the beach.

Policy D.1.4.3 The City shall not permit, either through public or private action, public access ways to the beach, the Intracoastal Waterway, or other waterways, which are open to the public as of the date of adoption of this Plan, to be closed, vacated or restricted from public use in any manner.

Policy D.1.4.4 The City has determined that there are no appropriate locations for marinas within the City of Atlantic Beach.

Policy D.1.4.5 The City will cooperate and coordinate with the City of Jacksonville to provide information as necessary related to any County marina development or applicable plans.

Objective D.1.5

Environmental Conditions

The City shall limit new development of shoreline sites so as to conform to the objective of reducing environmental degradation, as well as to encourage visual and physical accessibility, open space conservation, wildlife preservation and compatibility between adjacent uses.

Policy D.1.5.1 In accordance with Section 163.3202, Florida Statutes, the City shall maintain within its Land Development Regulations establish the following:

- (a) Percentage of native vegetation to be protected, preserved or replaced within Environmentally Sensitive Areas during and following site development or construction activities.
- (b) A buffer zone of natural vegetation around wetland and deepwater habitats.
- (c) Stormwater retention and detention standards, which maintain rates and amounts equal to conditions existing prior to development.

Objective D.1.6

Marshes, Wetlands and Natural Flood Plain Features

The City shall conserve or improve marshes, wetlands, and aquatic resources and natural flood plain features to maintain their environmental and recreational value.

Policy D.1.6.1 The City shall require new development to preserve native vegetation on site when applicable. This should not be interpreted to allow development in wetlands or protected areas.

Policy D.1.6.2 The City shall take every effort to protect these resources as follows:

- (a) Development and redevelopment shall be compatible with the surrounding environment;
- (b) The clearing of trees and wetland vegetation shall be prohibited, unless a mitigation plan is submitted and approved by the City, the objective being no net loss of wetlands and trees; and

- (c) All applications for site development approval shall be subject to site plan review in accordance with the land development regulations.

Goal D.2

The City shall maximize, to the extent feasible, provisions and opportunities for the protection of life and property from the effects of hurricanes and other natural disasters.

Objective D.2.1

Hurricane Evacuation

The City shall maintain a comprehensive hurricane evacuation management plan and shall incorporate into that plan measures deemed necessary to maintain or reduce the City's evacuation clearance times.

Policy D.2.1.1 The City shall cooperate with and assist other communities in identifying adequate public upland shelter spaces and shall not approve new development that creates undue burdens on the number of spaces available for threatened populations.

Policy D.2.1.2 The City hereby adopts and shall maintain a Level of Service standard of a 12-hour evacuation time for a Category 5 storm for out-of-county hurricane evacuation.

Policy D.2.1.3 The City shall not approve Plan amendments that increase residential density within Coastal High Hazard Areas in that such increases to existing densities have the effect of concentrating populations in hazard prone areas and may result in an increase of hurricane evacuation times for the City and the County.

Policy D.2.1.4 The City shall coordinate hurricane preparedness activities with other local governments and affected agencies within the region; review its emergency preparedness plan each year; maintain a broad program of activities to increase public awareness; meet the evacuation needs of special populations, and through coordination with other local governments, strive to achieve an evacuation time within the "quick" response time frame for each storm category.

Policy D. 2.1.5 The City's evacuation plan shall be consistent with the Duval County Hurricane Evacuation Traffic Management Plan as amended and shall maximize efficiencies in traffic movement so as to reduce or maintain evacuation clearance times within the City of Atlantic Beach.

Objective D.2.2

Redevelopment after a Natural Event

Redevelopment activities shall be guided by the redevelopment provisions as set forth within the Land Development Regulations, which shall serve the purpose of reducing the vulnerability of people, property and natural resources to damage from coastal storms.

Policy D.2.2.1 The City shall coordinate with Duval County in reviewing and revising the City's Hurricane Plan and pertinent portions or regulatory codes as necessary to achieve the following policies.

Policy D.2.2.2 Implement a temporary moratorium on construction immediately following a hurricane occurrence until damage assessments and redevelopment policies have been determined.

Policy D.2.2.3 Prior to re-entry of the population into evacuated areas, complete all critical cleanup and repair activities required to assure public health and safety.

Policy D.2.2.4 Structures that are storm damaged over 50% of their most recent appraised value may be reconstructed only when the entire structure will then conform to all applicable regulations, including all Land Development Regulations, and Florida Building and coastal construction codes. Repairs made to structures damaged to a lesser degree shall comply with all applicable Land Development Regulations and Florida Building and coastal construction codes in effect at the time of such work.

Objective D.2.3

Hazard Mitigation

The City shall seek appropriate means of reducing the potential for loss of life and property through provisions within the Land Development Regulations, including implementation of hazard mitigation policies from the Local Mitigation Strategy.

Policy D.2.3.1 The City shall maintain provisions within its Land Development Regulations, which require that all new residential development within the Coastal High Hazard Area assess impacts to hurricane evacuation times and shelter provision.

Policy D.2.3.2 The City shall not approve Plan amendments, which increase residential density within the Coastal High Hazard Area, or where demands upon existing shelter space shall be increased.

Goal D.3

The City shall protect, preserve and maintain natural environmental resources so as to maintain or enhance air quality, water quality, vegetative communities, wildlife habitats and the natural functions of soils, fisheries, wetlands and estuarine marshes.

Objective D.3.1

Air Quality

The City shall cooperate with adjacent communities in regional air quality management programs so as to provide a high standard of air quality.

Policy D.3.1.1 The City shall implement policies of the Local Mitigation Strategy appropriate to protect air quality and shall require mitigation prior to permitting of projects that may adversely affect air quality.

Objective D.3.2

Conservation and Protection of Natural Coastal Resources

The City shall maintain or adopt provisions within its Land Development Regulations for private and public development, which conserve and enhance soils, native vegetation, living marine and water resources and wildlife habitats to the maximum extent possible.

Policy D.3.2.1 The City shall require applicants for development permits to submit appropriate environmental surveys and reports prior to the issuance of development permits. All applications for development permits and applications to rezone to Planned Unit Development and other zoning related applications shall be required to identify environmental features, including any wetlands, CCCL, natural water bodies, open space, buffers and vegetation preservation areas, and to sufficiently address any adverse impacts to Environmentally Sensitive Areas.

Policy D.3.2.2 The City shall cooperate with the St. John's River Water Management District (SJRWMD) in implementation of water conservation measures as set forth within the management plans and rules of the SJRWMD and the City's Consumptive Use Permit issued by the SJRWMD.

Policy D.3.2.3 The City shall protect potable water well cones of influence, shall maintain maps of such cones of influence and shall continue to implement the well-field protection regulations, as set forth within the Land Development Regulations so as to prohibit incompatible land uses. Such incompatible uses shall include all industrial uses, but shall also include uses, which have the potential to contaminate or degrade potable water supply wells, wetland functions or natural systems associated with Environmentally Sensitive Areas.

Policy D.3.2.4 The City shall appropriately restrict land use activities, which may threaten water sources from stormwater runoff into recharge areas by maintaining the Stormwater, Drainage, Storage and Treatment Requirements as set forth within the Land Development Regulations. Development permits shall be issued only in accordance with the City's National Pollutant Discharge Elimination Systems (NPDES) permit, in addition to the requirements of the Water Management District and the Florida Department of Environmental Protection. NPDES requirements shall include use of Best Management Practices (BMPs) prior to discharge into natural or artificial drainage systems. All construction projects of one acre or more shall require a NPDES permit.

Policy D.3.2.5 In accordance with Section 163.3202, Florida Statutes, the City shall establish and maintain within its Land Development Regulations, all necessary requirements and restrictions to ensure that land development, land disturbing activities, and land uses are managed in a manner which protects and conserves the natural functions of soils, fisheries, wildlife habitats, rivers, flood plains, wetlands (including estuarine marshes) and marine habitats including hatchling turtles.

Policy D.3.2.6 The City shall cooperate with adjacent local governments and regulatory agencies to conserve and protect, as may be appropriate, unique vegetative communities located within the City and within adjacent jurisdictions.

Policy D.3.2.7 The City shall designate Environmentally Sensitive Areas requiring protection as a means of implementing the Comprehensive Plan and shall include in its Land Development Regulations, prepared in accordance with Section 163.3202, Florida Statutes, means of ensuring protection of such lands from degradation.

Policy D.3.2.8 Environmentally Sensitive Areas shall include lands, waters or areas within the City of Atlantic Beach which meet any of the following criteria:

- (a) All wetlands, including those determined to be jurisdictional, and which are regulated by the Florida Department of Environmental Protection (FDEP) and the St. Johns River Water Management District (SJRWMD);
- (b) Estuaries, or estuarine systems;
- (c) Outstanding Florida Waters and natural water bodies;
- (d) Areas designated pursuant to the Federal Coastal Barrier Resource Act (PL97-348), and those beach and dune areas seaward of the Coastal Construction Control Line;
- (e) Areas designated as Conservation by the Future Land Use Map;
- (f) Essential Habitat to Listed Species as determined by approved methodologies of the Florida Fish and Wildlife Conservation Commission, the Florida Department of Agriculture and Consumer Services, and the U.S. Fish & Wildlife Service.

Policy D.3.2.9 The City shall ensure environmentally sound management of hazardous wastes and reduction of potential problems resulting there from, through a multi-faceted program incorporating public information, enforcement of regulations and monitoring of waste handling activities. The following components shall be included within the City's program:

- (a) Support the enforcement of current State and Federal regulations aimed at prohibiting discharge of wastewater containing hazardous and industrial waste into septic tanks or through stormwater runoff into aquifer recharge areas or surface water bodies.
- (b) Public education programs encouraging residents and business owners to avoid the dumping of used petroleum products, paint, hazardous materials and pesticides onto the ground or water bodies.
- (c) City coordination and monitoring of hazardous wastes by collection and transportation entities to ensure safe and responsible handling practices.

Policy D.3.2.10 The City shall seek to increase its conservation areas, through land acquisition, when possible, incentives for protective easements, and other appropriate protective mechanisms to ensure the preservation of natural resources and listed animal species habitat.

Policy D.3.2.11 The fragmentation of large wetland communities shall be avoided by encouraging density transfers, conservation easements, clustering of development, and other land development tools to enhance conservation.

Objective D.3.3

Regulatory Authority

The City shall continue to cooperate with other permitting and regulatory agencies to improve estuarine environmental quality to achieve the estuarine water quality standards established by FDEP.

Policy D.3.3.1 The City shall maintain, and amend as necessary, provisions within its Land Development Regulations to achieve consistency with the rules and regulatory authority of the SJRWMD.

Policy D.3.3.2 The City shall coordinate with other governmental agencies during the review, permitting and development of sites which, if improperly developed, could have adverse impacts upon estuarine water quality and related resources, and through such coordination, the City shall ensure adequate sites within the drainage basin for water-dependent uses; prevent estuarine pollution which could adversely affect another governmental jurisdiction and ensure public access and reduce exposure to flood hazards.

Policy D.3.3.3 The City shall coordinate its permitting activities with existing resource protection plans by notifying the administrators of such plans of any pending development activity or public improvement in a timely manner in order to ensure that such projects and activities can be reviewed and comments returned to the City prior to permitting.

Objective D.3.4

Shoreline Development

The City shall give priority consideration to shoreline land uses and site development improvements, which meet the following criteria:

- (a) Prevent adverse environmental effects;
- (b) Maintain or exceed the standards within this Plan for public access;
- (c) Avoid shoreline hardening structures; and
- (d) Enhance estuarine water quality.

Objective D.3.5

Natural Resource Based Recreation and Public Access

The City shall provide opportunities for appropriate recreational uses and access to public waterways, the beach and natural areas and shall restrict activities that harm or diminish the public's right to use such publicly owned natural resources.

Policy D.3.5.1 The City shall prohibit the closure or abandonment of public right-of-ways or public lands that would restrict access to any public water bodies.

Policy D.3.5.2 The City shall enforce the requirements for public access to beach areas as set forth in the Coastal Protection Act of 1985 in all permitting activities and through the course of coastal redevelopment programs.

Policy D.3.5.3 The City shall prohibit the closure of existing beach and waterway accesses and any presently unopened easements, except in the case of risk to public safety as determined by the City's public safety officials, or in the case of adverse environmental impact.

Policy D.3.5.4 The City shall adopt within its Land Development Regulations provisions to provide for the appropriate recreational use of surface waters within the City that under public control or City ownership including dock construction, mooring and anchoring and resource protection regulations to the extent that the City has regulatory control over such resources.

Policy D.3.5.5 The beach, River Branch Preserve, Dutton Island Preserve and Tide Views Preserve are the most significant natural resources within the City, and provision for the public's use, enjoyment and access to these natural resources shall be a priority of the City through the provision of activities and facilities that are appropriate to character and environment of each location.

Goal D.4

The City shall promote and encourage energy conservation and efficiency in an effort to reduce greenhouse gas emissions and protect the environment.

Objective D.4.1

Energy Efficiency and Energy Conservation

The City shall encourage the development and use of renewable energy resources in order to conserve and protect the value of land, buildings, and resources, and to promote the good health of the City's residents.

Policy D.4.1.1 The City shall maintain an energy efficient land use pattern and shall continue to promote the use of transit and alternative methods of transportation that decrease reliance on the automobile.

Policy D.4.1.2 The City shall continue to encourage and develop the “walk-ability and bike-ability” of the City as a means to promote the physical health of the City’s residents, increase access to recreational and natural resources, and as a means to reduce greenhouse gas emissions.

Policy D.4.1.3 No action of the City shall prohibit or have the effect of prohibiting solar collectors, or other energy devices based on renewable resources from being installed on a building and as further set forth within Section 163.04, Florida Statutes.

Policy D.4.1.4 The City shall continue to promote and enforce energy efficient design and construction standards as these become adopted as part of the Florida Building Code. The City shall also promote commercial and residential standards that are promulgated from time to time by the Florida Green Building Coalition, Inc.

Objective D.4.2

City Buildings and Equipment

The City shall improve energy conservation and efficiency in City buildings, facilities and equipment.

Policy D.4.2.1 The City shall develop and implement an energy management plan to minimize electric, fuel and water resources in City buildings, fleet vehicles and on public properties.

Policy D.4.2.2 The City shall conduct periodic energy audits of public buildings and facilities to identify methods to reduce energy consumption and improve energy efficiency.

Policy D.4.2.3 Public buildings and facilities shall be constructed, and adapted where reasonably feasible to incorporate energy efficient designs and appropriate “green” building standards. Green building standards that should be observed are contained in the Green Commercial Building Designation Standard, Version 2.0, published by the Florida Green Building Coalition, Inc.

Policy D.4.2.4 The City shall continue to 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.

Goal D.5

The City shall ensure the development and redevelopment of property requires principles, strategies, and engineering solutions that reduce flood risks which result from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise.

Objective D.5.1

Development and Redevelopment

The City shall implement development and redevelopment principles, strategies and engineering solutions to reduce or eliminate flood risk.

- Policy D.5.1.1** The City shall protect and restore floodplain areas when possible through land acquisition or conservation easement acquisition; regulation, including setbacks, buffer zones, designated wildlife corridors, low density zoning, performance standards and open space requirements.
- Policy D.5.1.2** The City shall designate a Floodplain Administrator whom, when possible will be Certified Floodplain Manager, to enforce the provisions of Chapter 8 of the Code of Ordinances and other applicable regulations.
- Policy D.5.1.3** No development or redevelopment, including but not limited to site improvements, and land disturbing activity involving fill or regrading, shall be authorized in the regulatory floodway, as amended from time to time by the Federal Emergency Management Agency (FEMA) to accommodate for changing external conditions, unless the floodway encroachment analysis required in the Floodplain Management Ordinance demonstrates that the proposed development or land disturbing activity will not result in any increase in the base flood elevation.
- Policy D.5.1.4** Development or redevelopment within flood hazard areas shall be constructed with a minimum finished floor elevation of eight and one-half (8.5) feet above mean sea level or with two and one-half (2.5) feet freeboard, whichever is greater, in order to reduce flood losses.
- Policy D.5.1.5** The City shall manage its planning, regulatory and utility services to steer future population concentrations away from the Coastal High Hazard Areas (CHHA) by prohibiting utility expansions that would allow greater populations in the CHHA and increasing utility availability outside of the CHHA to encourage development in those areas.
- Policy D.5.1.6** The City shall continue to upgrade its stormwater infrastructure through drainage improvements, while utilizing sustainable flood management actions such as the installation of bioswales, the use of pervious pavement and the maintenance of natural preserve areas.

Policy D.5.1.7 The City shall continue to work with the State of Florida Division of Emergency Management (DEM), the Federal Emergency Management Agency (FEMA) and the National Flood Insurance Program (NFIP) to mitigate flooding hazards through the acquisition, elevation or relocation of repetitive loss properties by utilizing such programs as the Flood Mitigation Assistance Program (FMAP), Repetitive Flood Claims (RFC).

Objective D.5.2

Flood Regulations

The City shall continue to require development and redevelopment to abide by the requirements of the Florida Building Code and State Statutes in regards to flooding.

Policy D.5.2.1 The City shall continue to require development and redevelopment be consistent with the flood resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R part 60.

Policy D.5.2.2 The City shall continue to require development and redevelopment seaward of the Coastal Construction Control Line (CCCL) established pursuant to F.S 161.053 be consistent with Chapter 161 of the Florida Statutes.

Objective D.5.3

National Flood Insurance Program

The City shall continue to implement ways to reduce flood insurance premiums for their residents.

Policy D.5.3.1 The City shall meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federally Regulations, Section 59.22 in order to reduce flood losses and achieve flood insurance premium discounts for residents.

Policy D.5.3.2 The City shall continue to participate in the National Flood Insurance Program's Community Rating System (CRS) administered by the Federal Emergency Management Agency to reduce flood losses and achieve flood insurance premium discounts for their residents.