

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Ordinance 2025-03
Comprehensive Plan Text Amendment - Water Supply Facilities Work Plan Update

ITEM TYPE: Ordinance (w/o fiscal impact)

REQUESTED ACTION: Consider Ordinance 2025-03 at First Reading.

SYNOPSIS: This ordinance proposes an update to the City of Fernandina Beach's 2030 Comprehensive Plan, specifically the Public Facilities Element, to incorporate the revised Water Supply Facilities Work Plan for 2025-2035. This action is in accordance with Florida Statute Section 373.709, ensuring regional water supply planning, and follows a unanimous recommendation for approval from the Planning Advisory Board.

FISCAL IMPACT:

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission approve proposed Ordinance 2025-03 at First Reading.

Kelly Gibson, Planning and Conservation Director	5/19/2025
Kim Briley, Deputy City Clerk	5/19/2025
Jeremiah Glisson, Deputy City Manager	5/20/2025
Sarah Campbell, City Manager	5/23/2025
Harrison Poole, City Attorney Pro Tem	5/23/2025
Katie Newton, Paralegal	5/27/2025

A handwritten signature in black ink that reads "Kelly Gibson". The signature is written in a cursive, flowing style.

Date: May 16, 2025

Submitted By: Kelly Gibson, Planning and Conservation Director

COMMISSION ACTION: Approve

ORDINANCE 2025-03

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, AMENDING THE 2030 COMPREHENSIVE PLAN PUBLIC FACILITIES ELEMENT TO UPDATE THE CITY'S WATER SUPPLY FACILITIES WORK PLAN IN ACCORDANCE WITH FLORIDA STATUTE SECTION 373.709 (REGIONAL WATER SUPPLY PLANNING); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature intends that local planning be a continuous and ongoing process; and

WHEREAS, the City's adopted 2030 Comprehensive Plan directs changes to the Land Development Code for consistency with State Laws and current planning methods for growth and economic development; and

WHEREAS, pursuant Florida Statute 373.709, the City Commission of the City of Fernandina Beach maintain and periodically update a Water Supply Facilities Work Plan in accordance with the recommendations contained therein; and

WHEREAS, the City's Utilities and Planning and Conservation Departments jointly prepared the updates to the City's 2025-2035 Water Supply Facilities Work Plan with guidance from the St. John's River Water Management District; and

WHEREAS, the Planning Advisory Board (PAB), acting as the City's Local Planning Agency, considered the application its regular meeting on Wednesday, May 14, 2025, and unanimously recommended approval of the proposed amendments; and

WHEREAS, notice of public hearing on such amendments was published in the News Leader, a newspaper of general circulation in Fernandina Beach, Nassau County, Florida, on April 30, 2025.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH AS FOLLOWS:

SECTION 1. PURPOSE AND INTENT. The City Commission finds that the Comprehensive Plan Text Amendments, attached hereto as Exhibit A, are necessary to address important updates to the City's Water Supply Facilities Work Plan.

SECTION 2. TRANSMITTAL OF PROPOSED AMENDMENTS. The City Commission hereby endorses the proposed Comprehensive Plan amendments for transmittal to the State Land Planning Agency for the purpose of a Coordinated State Review in accordance with Section 163.3191, Florida Statutes.

SECTION 3. SEVERABILITY. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, the holding shall must in no way affect the validity of the remaining portions of this Ordinance.

SECTION 4. COMPLIANCE. The proposed plan amendments adopted by this Ordinance are not effective until a final order is issued by the State Land Planning Agency finding the amendments to be "in compliance" in accordance with Section 163.3184, Florida Statutes. If the Agency issues a final order finding the amendments not "in compliance," the amendments may

nonetheless be made effective by adoption of a Resolution at a public hearing affirming the effective status of the amendments. No development orders or development permits dependent upon these amendments may be issued, and no development dependent upon these amendments may be undertaken before the amendments become effective.

SECTION 5. This Ordinance will become effective immediately upon enactment.

ENACTED this _____ day of _____, 2025.

CITY OF FERNANDINA BEACH

JAMES ANTUN
Mayor - Commissioner

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



CAROLINE BEST
City Clerk

HARRISON POOLE
City Attorney Pro Tem

Date of First Reading Advertisement (LPA Hearing):	April 30, 2025
Date of Local Planning Agency (LPA) Hearing:	May 14, 2025
Date of First Reading and Public Hearing:	June 3, 2025
<i>Anticipated transmittal proposed amendments to State Land Planning Agency:</i>	<i>June 5, 2025</i>
Date of Compliance Report Received from State Land Planning Agency:	
Date of Second Reading Advertisement:	
Date of Second Reading and Public Hearing:	
Date of transmittal adopted amendments to State Land Planning Agency:	

Ordinance 2025-03
Exhibit "A"

2030 Comprehensive Plan, Public Facilities Element

UPDATE to the referenced in the Water Supply Facilities Work Plan depicting through strikethrough/underline the changes made for Consistency with Section 163.3177(6)(c)4, Florida Statutes

Policy 4.03.05.

~~By December 2013, T~~he City must evaluate the feasibility of a reclaimed water program for uses, such as irrigation, that do not require potable water. When a reclaimed water program is determined to be feasible, the City must establish a reclaimed water program. The City will expand the availability of reclaimed water as the City determines it is economically feasible and practical to expand the program.

Policy 4.03.12.

The City must cooperate with SJRWMD during declared water shortage emergencies by conserving water resources and assisting with enforcement of water shortage emergency declaration, orders, and plans (Rule 40C-21, F.A.C., SJRWMD water shortage plan).

OBJECTIVE 4.12.

The City must maintain a Water Supply Facilities Work Plan as required by Florida Statutes.

Policy 4.12.01.

The City must maintain a Water Supply Facilities Work Plan (Work Plan) that is coordinated with SJRWMD's North Florida Regional Water Supply Plan (NFRWSP). The Work Plan and related comprehensive plan policies will be updated, as necessary, within 18 months of an update of the NFRWSP that affects the City.

Policy 4.12.02.

The City's Water Supply Facilities Work Plan (~~2020~~ 2025-2035) is incorporated into the comprehensive plan as Exhibit A of the Public Facilities Element.

Policy 4.12.03.

The Water Supply Facilities Work Plan must identify the water conservation and reuse practices, along with the traditional and alternative water supply projects, necessary to meet existing and future water demands.

Policy 4.12.04.

The Water Supply Facilities Work Plan will incorporate and identify the projects contained in the North Florida Regional Water Supply Plan and selected by the City for implementation (if any).

Policy 4.12.05.

The City will participate in the development of updates to the St. Johns River Water Management District (SJRWMD) Regional Water Supply Plan and other water supply development-related initiatives facilitated by the SJRWMD that affect the City.



APPLICATIONS FOR COMPREHENSIVE PLAN AMENDMENTS

SUMMARY BACKGROUND:

The City's current 2020-2035 Water Supply Facilities Work Plan is referenced in the 2030 Comprehensive Plan as Exhibit A. According to the Community Planning Act and the Water Resources Act, Sections 373.709 and 163.3177(6)(c)4, Florida Statutes (F.S.), each local government is required to amend its local government comprehensive plan every 5 years to include a minimum 10-year water supply facilities work plan following the approval of an updated regional water supply plan (2023 NFRWSP, December 2023). The mandated 10-year Water Supply Facilities Work Plan is specifically developed to address the following:

- Projects for water supply.
- Projects for water supply treatment, storage, and distribution facilities; and
- Water conservation and reuse.

The Fernandina Beach Water Supply Facilities Work Plan and related Comprehensive Plan amendment aims to identify the water sources and facilities needed to serve the community for the next 10 years. Attached is the updated water supply plan.

PROPOSED SOLUTION:

Amended the following sections of the 2030 Comprehensive Plan

GOAL 4 | Public Facilities ELEMENT

OBJECTIVE 4.03. POTABLE WATER SYSTEM AND GROUND WATER RESOURCES

Policy 4.03.05.

~~By December 2013, the City shall~~ must evaluate the feasibility of a reclaimed water program for uses, such as irrigation, that do not require potable water. When a reclaimed water program is determined to be feasible, the City must establish a reclaimed water program. The City will expand the availability of reclaimed water as the City determines it is economically feasible and practical to expand the program.

OBJECTIVE 4.12. WATER SUPPLY FACILITIES WORK PLAN

The City must maintain a Water Supply Facilities Work Plan as required by Florida Statutes.

Policy 4.12.02.

The City's Water Supply Facilities Work Plan (~~2020~~2025-2035) is incorporated into the comprehensive plan as Exhibit A of the Public Facilities Element.

RATIONALE:

To remain in compliance with the Community Planning Act and the Water Resources Act, Sections 373.709 and 163.3177(6)(c)4, Florida Statutes (F.S.).

Respectfully Submitted by:
Planning and Conservation Staff



City of Fernandina Beach Water Supply Facilities Work Plan

2025-2035 Exhibit A

Prepared by:

City of Fernandina Beach

Planning and Conservation Department

May 14, 2025



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Section 1: Introduction

According to the Community Planning Act and the Water Resources Act, Sections 373.709 and 163.3177(6)(c)4, Florida Statutes (F.S.), each local government is required to amend its local government comprehensive plan to update to include a minimum 10-year water supply facilities work plan following the approval of an updated regional water supply plan (2023 NFRWSP, December 2023). The mandated 10-year Water Supply Facilities Work Plan is specifically developed to address the following:

- Projects for water supply;
- Projects for water supply treatment, storage, and distribution facilities; and
- Water conservation and reuse.

The Fernandina Beach Water Supply Facilities Work Plan and related Comprehensive Plan amendment aims to identify the water sources and facilities needed to serve the community for the next 10 years. These plans require review from the Florida Department of Commerce and the St. Johns River Water Management District (SJRWMD). The Work Plan examines current and future growth, water needs, and whether existing production and treatment facilities can meet these demands over the 10-year planning period.

At a minimum, it will be necessary to update this document prior to the end of the planning period. In addition, in accordance with Section 163.3177(6)(c), and Section 163.3177(4)(a), F.S., the City must ensure coordination of its comprehensive plan with the plans of SJRWMD. Therefore, if SJRWMD updates its North Florida Regional Water Supply Plan (NFRWSP) and affects the City, it will be necessary to update the Work Plan during the planning period. Public Facilities Element Policy 4.12.01 and related policies contains enabling language to ensure coordination with SJRWMD's plans. The City shall continue to coordinate with the SJRWMD in preparing amendments to the Water Facilities Work Plan and the Consumptive Use Permit process.

Section 2: Potable Water Supplier(s) and Service Agreement(s)

2.1 Potable and Nonpotable Water Supplier(s) Information

Figure 1 contains a map of the City's potable water service area, with well station locations identified. Within the City's municipal limits, there are six active stations (#53, #54, #55, #56, #57, and #58) permitted for public supply use. The City of Fernandina Beach supplies its own potable water and does not have any agreements with outside water suppliers.

Figure 1: City of Fernandina Beach Water Supply Service Area



2.2 Water Supply Agreements

Nassau County

The City provides potable water and sanitary sewer services to a portion of unincorporated areas within Nassau County. However, the City does not currently have a written agreement with Nassau County regarding these services. The City plans on exploring options for establishing an agreement with Nassau County regarding its provision of utility services.

2.3 Voluntary Annexation Agreements

City of Fernandina Beach and Property Owners

In accordance with sections 82-44 and 82-403 of the Municipal Code, the City provides potable water and sanitary sewer services to properties located in unincorporated areas of Nassau County after a voluntary annexation agreement is signed. The other properties will continue to receive City services while incurring a 25% surcharge on their monthly bills until they become contiguous and qualify for annexation. The City shall continue to improve coordination with Nassau County planning activities planning where the city provides potable water and sanitary sewer services to properties located in unincorporated areas of the county.

Section 3: Potable Water Sources, Demand, Supply, and Facilities

3.1 Water Sources

The City's current Consumptive Use Permit (CUP #122-7) expires in 2029. The CUP authorizes the use of 1,489 million gallons per year (mgy) [4.08 million gallons per day (mgd), annual average] of groundwater from the Upper and Lower Floridan aquifers for public supply use (household, commercial, irrigation, and water utility).

3.2 Potable Water Demand, Supply, and Facility Capacity

Table 2 contains projected population and water demand for the City's potable water service area. The table shows the City's CUP allocation and Water Treatment Plant (WTP) facility data.

Table 2. City of Fernandina Beach Water Supply Service Area Projections

	2025	2030	2035
2023 NFRWSP Population ¹	20,476	20,476	20,476
2023 NFRWSP Water Demand (mgd) ²	3.46	3.46	3.46
CUP Allocation (mgd) ³	4.08	4.08	4.08
WTP Capacity (mgd) ⁴	18.2	18.2	18.2

*The current CUP is valid through 2029. Values are projections.

Table 2 demonstrates that the City has adequate potable water supply and facility capacity to accommodate the existing population and projected growth within its service area throughout the planning period.

Section 4: Non-potable Water Suppliers, Sources, Services, and Facilities

4.1 Non-Potable Water Services

The City of Fernandina Beach owns and operates a 3.5 MGD Wastewater Treatment Plant (WWTP). One hundred percent of the discharge of wastewater from the WWTP is sent into the Amelia River. In 2024, the average daily flow is 2.327 MGD. The wastewater facility is located at 1007 S. 5th Street in Fernandina Beach, Florida. Recognizing that this discharge is a potential source of nonpotable water, the City has future intentions to study this issue. Policy 4.03.05 addresses the timing and development of a reclaimed water program.

¹ City's Consumptive Use Permit.

² City's Consumptive Use Permit.

³ City's Consumptive Use Permit.

⁴ City of Fernandina Beach Utilities Department.

Section 5: Water Supply and Facility Concurrency

5.1 Potable Water Level of Service

The City is ultimately responsible for authorizing development within its municipal limits. All future development and redevelopment in the City must be compatible with the adopted LOS standards. Policy 4.01.01 contains enabling language that establishes the City's potable water facilities level of service.

5.2 Water Supply and Facility Concurrency

The current legislative requirements for concurrency [i.e., Section 163.3180(2)(a), F.S.] require that the City's comprehensive plan and land development regulations to ensure that adequate water supplies and facilities are available to serve new development no later than the date on which the City anticipates issuing a certificate of occupancy. In addition, the City must, prior to the approval of a building permit, determine whether adequate water supplies will be available to serve the development by the anticipated issuance date of the certificate of occupancy. Policy 4.03.02 contains language that addresses water supply concurrency statute provisions.

Section 6: Water Supply and Facility Capacity Projects – Alternative and Traditional; Potable and Nonpotable

6.1 Fernandina Beach Water Supply Projects

As part of the City's requirement to eliminate non-beneficial surface water discharge, as required by Senate Bill 64, the City is pursuing options to send reclaimed water to nearby projects, including golf courses, which would offset groundwater withdrawals at these locations. The City anticipates construction of the treatment and delivery system will begin in 2029, after engineering design planning and permitting is complete, and construction of the treatment and delivery system will be finished by 2031. It is anticipated that the reclaimed water system will be fully operational by January 2032.

Section 7: Water Conservation Practices

The City currently implements water conservation practices, including some that are enabled by comprehensive plan policies.

7.1 Water Source Protection Practices

Water conservation is important to reduce potable water demand. The City's water conservation practices include the following:

- Provide a safe and adequate supply of potable water to meet demands of residents (Policy 4.03.01) (Public Facilities)
- Establish water conservation programs and methods (Policy 4.03.06) (Public Facilities)
- Include standards in City's land development regulations that will assist in achieving a reduction in the current rates of water consumption (Policy 4.03.08) (Public Facilities)
- Promote Voluntary Water Conservation measures and enforce mandate of measures during water shortage emergencies (Policy 4.03.2) (Public Facilities)
- Implement water conservation practices as detailed in the City's CUP (Policy 4.03.15) (Public Facilities)

Section 8: Nonpotable Water (reuse) Practices

The City currently implements reuse practices, including some that are enabled by comprehensive plan policies.

8.1 Reuse Practices

Utilization of reuse water is important to reduce potable water demand. The City's reuse practices include the following:

- Encourage City facilities and other feasible uses in the reuse of reclaimed wastewater (Policy 4.03.07) (Public Facilities)
- Evaluate the feasibility of a reclaimed water program for uses, such as irrigation, that do not require potable water (Policy 4.03.05) (Public Facilities)
- Include standard in City's land development regulations allowing for installation of irrigation systems designed to accept non potable water and connection to a nonpotable water distribution system, when feasible, and available (Policy 4.03.08) (Public Facilities)
- Retrofit existing public irrigation systems to utilize reclaimed water or other non-potable water sources as soon as it becomes available (Policy 4.03.11) (Public Facilities)

Exhibit B

2030 Comprehensive Plan, Public Facilities Element

Referenced in the Water Supply Facilities Work Plan depicting through strikethrough/underline the changes made for Consistency with Section 163.3177(6)(c) ~~3~~ 4, Florida Statutes

Policy 4.03.05.

~~By December 2013, the City shall~~ must evaluate the feasibility of a reclaimed water program for uses, such as irrigation, that do not require potable water. When a reclaimed water program is determined to be feasible, the City must establish a reclaimed water program. The City will expand the availability of reclaimed water as the City determines it is economically feasible and practical to expand the program.

Policy 4.03.12.

The City must cooperate with SJRWMD during declared water shortage emergencies by conserving water resources and assisting with enforcement of water shortage emergency declaration, orders, and plans (Rule 40C-21, F.A.C., SJRWMD water shortage plan).

OBJECTIVE 4.12.

The City must maintain a Water Supply Facilities Work Plan as required by Florida Statutes.

Policy 4.12.01.

The City must maintain a Water Supply Facilities Work Plan (Work Plan) that is coordinated with SJRWMD's North Florida Regional Water Supply Plan (NFRWSP). The Work Plan and related comprehensive plan policies will be updated, as necessary, within 18 months of an update of the NFRWSP that affects the City.

Policy 4.12.02.

The City's Water Supply Facilities Work Plan (~~2020~~2025-2035) is incorporated into the comprehensive plan as Exhibit A of the Public Facilities Element.

Policy 4.12.03.

The Water Supply Facilities Work Plan must identify the water conservation and reuse practices, along with the traditional and alternative water supply projects, necessary to meet existing and future water demands.

Policy 4.12.04.

The Water Supply Facilities Work Plan will incorporate and identify the projects contained in the North Florida Regional Water Supply Plan and selected by the City for implementation (if any).

Policy 4.12.05.

The City will participate in the development of updates to the St. Johns River Water Management District (SJRWMD) Regional Water Supply Plan and other water supply development-related initiatives facilitated by the SJRWMD that affect the City.