

# Crane Island



# Crane Island ~ from the air



Crane Island is designated  
“**Conservation/Wetlands**”

Under the Comprehensive Plan -  
those areas that are not wetlands can be  
developed at the **Conservation** density of  
1 unit/5 acres

# Stipulated settlement between Nassau and State

## III. PROTECTION OF NATURAL RESOURCES

A. Inconsistent provisions. The inconsistent provisions of the plan grouped under this subject heading are as follows:

1. Policies 1.02.05, 1.04A.02, 1.04A.03 and 1.09.03 of the Future Land Use Element, 5.11.01 of the Coastal Element, 6.02.06 of the Conservation Element, and 7.03.01 of the Recreation and Open Space Element, are not adequate to protect wetlands. The policies and Future Land Use Map do not include adequate and consistent guidelines for the development and use of wetland areas, and fail to protect all wetland resources. Rules 9J-

B. Recommended remedial actions. These inconsistencies may be remedied by taking the following actions:

1. Include additional policies to protect wetlands.

Densities of 1 unit per 5 acres in wetlands should be permitted only in conjunction with adequate clustering requirements.

4. The Plan does not include specific policies to limit development in the Coastal High Hazard Area (CHHA) and relocate or replace infrastructure out of this area. Moreover, the Future Land Use Map has designated areas along the coast that would likely be included in the CHHA for medium and high density residential and commercial use. Rules 9J-5.003(68), 9J-5.005(1)1., 9J-5.012(3)(c)7., and 9J-5.006(4)(a), F.A.C.

### CONCLUSIONS

1. The plan is not consistent with the Northeast Florida Comprehensive Regional Policy Plan.
2. The plan is not consistent with the State Comprehensive Plan.
3. The plan is not consistent with Chapter 9J-5, F.A.C.
4. The plan is not consistent with the requirements of Section 163.3177 and 163.3178, Florida Statutes.
5. The plan is not "in compliance," as defined in Section 163.3184(1)(b), Florida Statutes.
6. In order to bring the plan into compliance, the County may complete the recommended remedial actions described above or adopted other remedial actions that eliminate the inconsistencies.

Executed this 21 day of March, 1991, at Tallahassee, Florida.

*Robert G. Nave*

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Robert G. Nave  
Division Director  
Division of Resource Planning  
and Management  
2740 Centerview Drive  
Tallahassee, Florida 32399

# Nassau agrees to changes

June 9, 1993

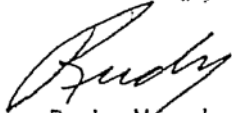
Mr. L. Douglas Jones, Director  
Nassau County Planning Department  
2290 South 8th Street  
Fernandina Beach, FL 32034

Re: Nassau County Stipulated Settlement Agreement

Dear Mr. Jones:

I received a call today from Kathy O. Kendall requesting five copies of the Nassau County Stipulated Settlement Agreement, Exhibit B. To ensure that Exhibit B correctly reflects the wishes of the Board of County Commissioners, I am forwarding six copies of the plan herewith for your review and approval. Upon satisfying yourself that the Exhibit B includes all the wording as approved by the BCC, please forward five copies on to Ms. Kendall at DCA.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rudy", written in dark ink.

Rudy Marchese  
Chief, Local Planning  
and Technical Assistance

# Nassau's response

## Response

1. Policy 1.02.05 only addresses wetlands as they are identified as conservation. Policies 1.02.05, 1.04A.02, 1.04A.03. and 1.09.03 of the Future Land Use Element shall be expanded as follows:



1.02.05 Where land uses on the Future Land Use Map (Figure A-8) overlay "Conservation" "Wetlands" or "Floodplains" areas shown on Figures F-1, F-2, and F-3, the limitations and controlling factors for development in these areas as described in Policies 1.01.07, 1.04A.02, 6.02.02, and 6.03.02 prevail.

1.04A.02 The County shall restrict development in conservation areas to the maximum extent possible short of a "taking". Development in conservation (Limited Development) will be permitted that must be permitted with proceed at a density no greater than 1 unit per 5 acres with permitted density clustered on the upland portion of the parcel or on that part of the parcel that will least environmentally be affected by construction/development. Where the Future Land Use Map identifies an unless underlying land use requires of less density, in such cases; density of conservation areas will satisfy underlying land use density the density of the underlying land use will prevail. Development will be prohibited in areas designated as Conservation - Preservation. (Policy 1.02.05.H, I.4).

VIII. CONSISTENCY WITH STATE COMPREHENSIVE PLAN

All of the revisions addressed above will make the County's Plan consistent with the State Comprehensive Plan.

IX. CONSISTENCY WITH REGIONAL POLICY PLAN

All of the revisions addressed above will make the County's Plan consistent with the Regional Policy Plan.

Agreement  
between Nassau and the State  
to limit development in  
conservation/wetland areas to no  
more than 1 house per 5 acres

To change this agreement there must be  
agreement between Nassau and the  
State.

# Policy 1.09.03

The intent was to clarify  
small areas *Wetland* boundaries

not allow more density on  
adjacent

Conservation Lands

The State DCA has not agreed.

# Purpose

- 1.09.03 was intended to allow ground-truthing for accuracy in delineating jurisdictional wetland areas.
- Was **not** intended to allow inconsistency with adjacent Conservation district policies:
  - Conservation Policies and Purpose of District
  - Conservation Density = **1 unit / 5 acres**

# Actual text -

- 1.09.03** Areas identified on the FLUM as wetlands are generally defined. A landowner may provide more detailed data to the County to clarify jurisdictional wetland areas. Those land areas determined by the Board of County Commissioners with the advice of the St. Johns River Water Management District that are determined not to be jurisdictional wetlands will be allowed to be developed at the least intense adjacent land use densities and intensities. Where the adjacent land use remains wetlands the county will allow the use to be the least intense use bordering on the surrounding wetland.

# Key words

“areas that are not jurisdictional wetlands ... will be allowed to be developed at the least intense **adjacent** land use densities and intensities. Where the adjacent land use remains wetlands the county will allow the use to be the **least intense use bordering on the surrounding wetland.**”



# Crane Island FLUM Conservation/Wetlands

- Closest adjacent district to Wetlands is Conservation (not low residential).
- Crane Island wetlands are surrounded by areas designated conservation
- Northern part of Crane Island is FIND land that is designated conservation
- The least dense use adjacent to Crane Island wetlands is conservation = 1 house per 5 acres!

# Crane Island Conservation/Wetlands



Conservation lands adjacent to wetlands

# Crane Island - salt flats next to adjacent upland conservation



# Crane Island FLUM Conservation Lands “1 unit per 5 acres or less”

**Conservation I:** This land use designation includes all jurisdictional wetlands. This category of land use is not an overlay district and is shown on the Future Land Use Map. Land uses allowed in this category include passive recreation uses, residential and agriculture uses that use BMPs and have received all required regional and state permits. The Future Land Use Map Setback distances for development shall be no less than 25 feet to the wetland boundary. Density shall be one unit per five acres or less. The only fill allowed in this type of wetland shall be the minimum necessary to allow for the construction of the proposed dwelling(s) clustered at the density allowed and for transportation access. The clearing of native vegetation shall not be allowed except for that which is required to construct the dwelling and accessory structures and to maintain transportation access.

# Reasons Why Crane Island is designated Conservation FLUM

- Low lying area
- Prone to flooding in even a Category 1 storm surge
- Water quality
- Shellfish and Fisheries
- Wildlife and Migratory Bird habitat
- Location too near Airport and Boating Channel
- Protection of human lives during storm and in post-disaster recovery

# Prone to flooding in even a Category 1 storm surge





# Crane Salt Flats underwater



Marina -  
too near the  
boating channel





# Turbidity – Crane Island developer's boat trip



# Water quality



# Shellfish and Fisheries





# Tremendous Ecological Values and Eco-tourism



# Wildlife and Migratory Bird habitat



# Small planes low flight paths





# Too Near the Airport - Runways, Noise and Flight Path



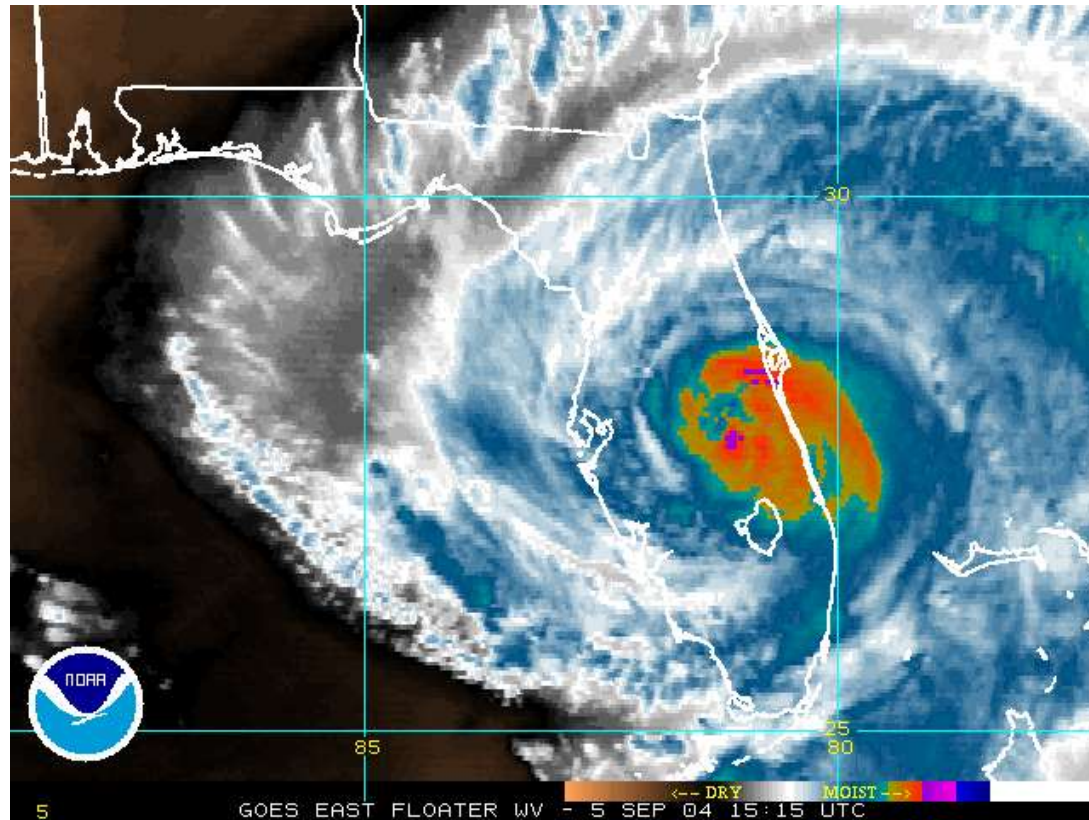
# Plan for post Hurricane recovery

## Minimize potential damages





# Hurricanes will make landfall in Fla



## storm surge, winds, and damage

# Hurricane Planning and Post Disaster Recover

- Don't add additional dwelling units to Crane Island
- Category 1 storm surge lands
- 6-8 ft. elevation puts Crane Island in **VE** *velocity* flood zone
- PLM West, Marsh Lakes, are 10ft + elevation in **AE** flood zones

# Increasing Crane Island Density

- Too low and inappropriate for additional density
- Endangers lives
- Increases costs and damages both during and after major hurricane events
- Affects and entire community – Community Rating System (CRS)
- Insurance Rates

# Prevent or minimize disasters, post-disaster recovery



Hurricane Charley – Charlotte County / Punta Gorda

# Captiva Island Hurricane Charley



- destroyed more than 200 homes
- opened new pass on the low lying island

## **Prevent or minimize disasters, and post-disaster recovery**

- By building on lands that are “high and dry.”
- Do not increase density and Single Family Homes in VE zone.



# Airport Dangers

- Oct. 16, 2001 – FAA/Orlando says road to Crane Island impacts the approach at runway 13 and “FAA would not approve any proposal that would adversely impact an RPZ.”
- April 12, 2002 – FDOT/Dist. 2 says will not approve access road

- May 29, 2002 – City sends FAA/Orlando “airspace study checklist” prepared by airport manager Jim B. Higgenbotham that states:
  - “the residential and commercial development of Crane Island would be a non-compatible land use in proximity to the airport.”
  - “The City agrees with the prior determinations” (of the FAA and FDOT)



- June 6, 2002 – FAA/Orlando disapproves access road:

FAA “concurs with the City” that the road “adversely impacts” the airport

# Document Changed

- June 6, 2002 – Crane Island lawyers demand Mearns retract Higgenbotham document. Meeting called “stormy.”
- A revised document prepared by lawyers that removes negative comments and other key information is signed by Mearns.
- Lawyers’ alternative document sent to FAA/Atlanta, FDOT/Tallahassee instead of airport manager’s document.

- August to October, 2002:
- FAA/Atlanta overrules FAA/Orlando based on substitute document
- FAA approval “conditioned” on environmental approvals
- Dec. 18, 2002 – FDOT Dist. 2 says:  
“The proposed development on Crane Island will cause the airport and the city major problems in the future...”

Follow the “Arrow”  
in this next slide >>>>



# RECOMMENDATION

1. Keep Conservation lands density of **1 unit per 5 acres** on Crane Island Conservation lands.
2. Do not increase the density and number of dwelling units on Crane Island's low lying intracoastal Conservation lands.