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County Manager

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Ex-Officio Clerk

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MEMORANDUM

DATE: September 11, 2023

TO: Hon. Klynt A. Farmer, Chairman

FROM: Taco E. Pope, AICP, County Manager

CC: Nassau County Board of County Commissioners
Denise C. May, Esq., County Attorney

SUBJECT: Northeast Florida Regional Council (NEFRC) 2024 Legislative Priorities

Annually, the NEFRC requests input from each of the Counties and Municipalities within the region to create and move forward legislative priorities for the Northeast Florida Region.

The NEFRC legislative priorities are intended to address regional scale issues. After reviewing the priorities of each County and Municipality in the region, the NEFRC Legislative Committee will determine the top "regional priorities" that represent the most critical concerns of the Northeast Florida Region. Once finalized, the Council's Legislative Priorities will be distributed to the NEFRC Board of Directors and member local governments. Additionally, the Priorities will be provided to the Regional Legislative Delegation for their consideration and action.

After conferring with our County Departments, the priorities provided below were compiled for the Board of County Commissioners' (BOCC) consideration. The priorities provided to the NEFRC from the BOCC are 100% at the discretion and desire of the BOCC.

(904) 530-6010 or (866)-474-1446

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Flood Mitigation/Resiliency

Background: Nassau County consists of 253.7 miles of streams and 35% of its jurisdiction is affected by high-risk flood zones A, AE, and VE. The Nassau County Master Storm Water Plan (April 2012) provided an engineering analysis of the existing storm water management system and identified problematic riverine areas which have indeed been impacted by subsequent storms. County code requires new and major improvements to be built to standards which reasonably protect from flood hazard and recent entry in the NFIP/CRS program has incentivized the community to protect property, persons, and natural floodplain functions from risk and hazard in flood prone areas, many of which are sensitive environmental sites. Older residences in Volume Sensitive Areas and problematic areas are acutely at risk for flood damage and personal danger. Although FEMA offers assistance to mitigate flood risk for these types of property, the national demand for flood mitigation has increased the competitiveness of these grants. To provide just one local example, Nassau County Completed a Planning Assistance to States (PAS) Grant through USACE executing a study of the Thomas Creek Watershed. The Thomas Creek Watershed includes numerous repetitive loss properties and routinely suffers property damage during named and unnamed storm events.

Requested action: Continue to prioritize funding and proactively assist local governments in their efforts to mitigate the impacts of flooding/sea level rise and create more resilient communities. This may come in the form of match assistance for grants received through the USACE and/or FEMA, funding for physical improvements such as living shore installations and erection of sea walls, funds to purchase and remove repetitive loss properties, or funds to raise repetitive loss structures above the base flood elevation. Local implications include implementation of the recommendations from the USACE to mitigate flooding and reduce repetitive loss of property within the Thomas Creek Watershed. All these options are outlined in the Board Approved Thomas Creek Implementation Plan. Support appropriations to assist local government for property acquisition, building elevation and relocation of buildings in area of high risk, thus reducing risk to persons and property, and to allow for conversion of those areas to open space or conservation areas.

Effect: Funds for flood mitigation and proactive actions that promote resiliency will help local communities to retrofit or remove properties from high-risk areas thereby reducing the risk to persons and property. Removal of persons and properties from high-risk areas can allow for the conversion of said areas to open space or conservation area which can provide recreation and can positively impact water quality, reduce future flooding potential and create more sustainable and resilient communities that, over time, require less monetary investment to maintain and protect.

Small, Rural and Transitioning Counties Infrastructure Program Support

Background: Like many counties in Florida, Nassau is a rapidly transitioning coastal county that is in a hyper-growth situation. The rapid expansion of the population and correlating urbanization of rural lands has placed a significant strain on existing infrastructure and the need for investment in new infrastructure. In addition to traditional infrastructure demands, the global pandemic shined a light on the critical nature of universal access to broadband/highspeed internet. There is broad consensus that we, as a collective society, view broadband/high-speed internet as essential infrastructure and bridge the 'digital divide'. Across Florida the demand generated by growth exceeds the ability of most local jurisdictions to unilaterally keep pace with infrastructure needs. Nassau, like most transitioning communities, is dependent on State and Federal support to accommodate growth in a responsible manner.

Requested Action: Respectfully request the Legislature to enhance funding for small county transportation infrastructure programs such as SCOP and SCRAP. These programs, and other similar programs, provide vital revenue for small counties to deliver critical transportation projects and keep pace with growth. Additionally, it is respectfully requested of the Legislature to continue to provide grant funding in both the Department of Environmental Protection and the Department of Commerce. Such funding will aid in the construction and expansion of centralized water and sewer to (1) eliminate septic systems and individual wells and (2) to promote economic development in rural and transitioning communities. It is requested that programs be designed to allow small, rural and/or transitioning counties to have an equitable opportunity to secure funding. To aid in accessibility of broadband/highspeed internet, it is respectfully requested of the Legislature to continue to pursue programs that make universal broadband realistic and assist local government in executing installation.

Effect: The allocation of additional funds and creation of more robust programs aimed at assisting small, rural and/or transitioning counties in the execution of infrastructure projects will result in more resilient, sustainable, and livable communities for the citizens and businesses of Florida. Continued allocation of funding to expand water and sewer will provide for the elimination of individual well and septic systems in environmentally sensitive areas and will have the direct positive effect of reducing environmental impacts to environmentally sensitive areas. Additionally, grant funding for system expansions and fast track permitting of water and sewer system expansion will also allow enhanced economic development in rural and transitioning communities. Having the ability to quickly get water and sewer to sites already approved for industrial development will increase Florida's economic competitiveness in attracting industry.

Likewise, as acknowledged by the NEFRC and made a part of the 2022 Regional Legislative Priorities, it has been recognized that broadband has evolved to be essential infrastructure in the current age as internet connectivity has become necessary to access job opportunities, educational content, healthcare options, government benefits and numerous other services. Therefore, Nassau County supports all efforts by the State of Florida and the

Department of Commerce for the provision of reliable and affordable high-speed internet access to every household and business throughout the State of Florida. These actions not only make Florida more competitive on the global scale for economic expansion and high wage jobs, but it also creates more equitable, resilient, and livable communities for the citizens of Florida.

Home Rule

Background: Home rule is an important and vital component of city and county government. It keeps state government from interfering on matters that should be regulated by local jurisdictions as officials should know what is best for the development of their areas and for their citizens. Recent actions by the state legislature have impaired local jurisdiction's ability to protect job creating land use from residential development, generate needed funding for infrastructure, reduced abilities to regulate certain aspects of our communities that citizens value, and placed unexpected financial strain on local ad valorem tax dollars.

Requested Action: While we acknowledge there are certain items that are of State interest that warrant preemption of local authority, we respectfully request the Legislature to more fully assess the impacts of enacting legislation that limits local jurisdictional control over urban planning and design, land-use policy, protection of job creating land uses from residential development, impact fees, short-term/vacation rental, and other related matters as these types of issues are not universal and are subject to the context of place - each jurisdiction is different.

Effect: Allowing local jurisdictions to apply regulations crafted in the unique context of each locality allows jurisdictions to leverage their uniqueness of place and capitalize on opportunities while at the same time creating more livable communities for our citizens.

Affordable Housing

Background: Housing affordability is a challenge across the US. In Florida, the challenge is magnified by the rapid in-migration from other states. The latest population estimates from the US Census Bureau revealed that Nassau's population expanded by 7.02% from 2020 to 2022. This extraordinary growth rate ranks Nassau as the 65th fastest growing County out of 3,145 counties in the United States. In addition, according to Lightcast's Talent Attraction Scorecard, from 2016-2020, Nassau County ranked as the #1 small county [under 100,000 persons] in the Country. From 2016-2022, the median single-family home price has increased from \$237,000 to \$446,500. This challenge is not unique to Nassau County or the Northeast Florida Region, housing affordability is a State-wide challenge. As such, the challenge of home affordability cannot be solved by local government alone nor can it be solved by local preemptions that inhibit the ability of local government to protect job creating land uses and set affordability standards suited to the local market.

Requested Action: Amend or repeal portions of the Live Local Act. Specifically:

- (1) Reduce the affordability standard from 120% to 80% AMI.
 - a. In the alternative, allow Counties to undertake a county specific housing affordability assessment and set the affordability standard based on the County specific data.
- (2) For properties with an industrial Future Land Use Map designation and/or industrial zoning classification, allow the construction of affordable housing to be an option available to local government.
 - a. In the alternative, create exemptions for:
 - i. planned industrial parks,
 - ii. working waterfronts,
 - iii. job centers/industrial areas where the local government has funded infrastructure for the purpose of creating jobs, e.g. installation of public water,
 - iv. job centers/industrial areas where the local government has accepted a grant with job creation criteria, e.g. State of Florida Job Growth Grant,
 - v. lands accessible by rail

Effect: (1) Protect job creating industrial lands that are critical to Florida's future economy, (2) maintain LLA mandates to allow affordable housing on commercial and mixed-use lands, and (3) set an affordability rental rate standard that is affordable to the workforce based on the local market conditions, (4) allow local governments to meet the job creation requirements of previously awarded grants.