Conservation Element 6

Policy 6.1.14.6 - All new development on lots less than five acres and not containing a Category I or II III wetland shall provide a minimum 25-foot buffer between the wetland jurisdictional line and the area of development. The buffer, as measured landward from the approved jurisdictional line, shall be maintained in a natural vegetative state and be free of exotic and nuisance species as defined by the Florida Pest Council. No development shall occur within the wetland buffer except as identified in 6.1.14.2.

Policy 6.1.5.7 - The County shall protect groundwater by prohibiting the use of any land within unincorporated County for "High-Intensity Petroleum Operations," (such as hydraulic fracturing, also known as fracking, and acid well stimulation treatments) and enhanced recovery wells (such as cyclic steam injection). High-Intensity Petroleum Operations include, well stimulation treatments and secondary and enhanced recovery operations such as hydraulic fracturing, cyclic steam injection, waterflood or steamflood injection and acid well stimulation treatments.
ORDINANCE

FILE NO.: TCP – 420154859

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING THE TEXT OF THE COMPREHENSIVE PLAN, PORT SUB-ELEMENT, POTABLE WATER SUB-ELEMENT, AND CONSERVATION ELEMENT; PROVIDING FINDINGS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

WHEREAS, the Board of County Commissioners of St. Lucie County, Florida, based on the testimony and evidence, including but not limited to the staff report, has made the following determinations:

1. The Board of County Commissioners of St. Lucie County adopted the Comprehensive Plan on January 9, 1990 through Ordinance 90-001, which was further updated on October 26, 2010 through Ordinance 10-020, consistent with Chapter 163, Florida Statutes; and

2. The Board of County Commissioners of St. Lucie County as the governing body of St. Lucie County having jurisdiction over this application pursuant to Chapter 163, Florida Statutes, is authorized and empowered to consider amendments to the adopted Comprehensive Plan of St. Lucie County; and

3. On September 24, 2015, the St. Lucie County Planning and Zoning Commission/Local Planning Agency held a public hearing, of which due notice was published in the St. Lucie News Tribune, and recommended to the Board of County Commissioners that the petition for an amendment to the text of the Comprehensive Plan be approved; and

4. On __________, 2015, the Board of County Commissioners of St. Lucie County, Florida held the first of two required public hearing, of which due notice was placed in the St. Lucie News Tribune and approved transmittal to the Department of Economic Opportunity division of Community Planning; and

5. On __________, 2015 the Board of County Commissioners of St. Lucie County, Florida held a public hearing, of which due notice was placed in the St. Lucie News Tribune, and deemed the adoption of the amendments to the Comprehensive Plan to be in the best interests of the citizens and residents of the County.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of St. Lucie County, Florida:

A. ADOPTION OF THE AMENDMENTS

The Board of County Commissioners does hereby adopt the text amendments to the St. Lucie County Comprehensive Plan, attached here as Exhibit A.
B. FINDING OF CONSISTENCY

The Board of County Commissioners of St. Lucie County, Florida, specifically determines that the approval of this amendment to the adopted Comprehensive Plan Future Land Use Element is internally consistent with the goals, objectives and policies contained in the St. Lucie County Comprehensive Plan and provides for the recognition that impacts of this approval on the public facilities of St. Lucie County will not occur until such time as a Final Development Order for development on this property is issued.

C. CHANGES TO THE COMPREHENSIVE PLAN

The St. Lucie County Planning and Development Services Director is hereby authorized and directed to cause this change to be made to the text of the St. Lucie County Comprehensive Plan and to make notation of reference to the date of adoption of this Ordinance.

D. CONFLICTING PROVISIONS

Special acts of the Florida Legislature applicable only to unincorporated areas of St. Lucie County, County Ordinances and County Resolutions, or parts thereof, in conflict with this Ordinance are hereby superseded by this Ordinance to the extent of such conflict.

E. SEVERABILITY

If any portion of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of this Ordinance. If this Ordinance or any provisions thereof shall be held to be inapplicable to any person, property, or circumstances, such holding shall not affect its applicability to any other person, property or circumstance.

F. APPLICABILITY OF ORDINANCE

This Ordinance shall be applicable as stated in Paragraphs A, B and C.

G. FILING WITH THE DEPARTMENT OF STATE

The Clerk is hereby directed forthwith to send a certified copy of this Ordinance to the Bureau of Laws, Department of State, The Capitol, Tallahassee, Florida, 32304.

H. FILING WITH THE DEPARTMENT OF ECONOMIC OPPORTUNITY

The Planning and Development Services Director shall send a certified copy of this Ordinance to the Department of Economic Opportunity Bureau of Community Planning Caldwell Building 107 East Madison Street, MSC 160 Tallahassee, FL 32399.

I. EFFECTIVE DATE

This Ordinance shall take effect thirty-one (31) days after adoption. If the Ordinance is challenged within thirty (30) days after adoption, the Ordinance shall not be effective until the State Land Planning Agency or Administration Commission respectively issues a final order.
finding the adopted amendment in compliance in accordance with Section 163.3184(10), Florida Statutes.

J. ADOPTION

After motion and second, the vote on this Ordinance was as follows:

Paula Lewis, Chair XXX
Kim Johnson, Vice-Chair XXX
Chris Dzadovsky, Commissioner XXX
Tod Mowery, Commissioner XXX
Frannie Hutchinson, Commissioner XXX

PASSED AND DULY ADOPTED this ___ day of ______________, 2015.

BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA

BY
Chair

ATTEST
APPROVED AS TO FORM
AND CORRECTNESS

Deputy Clerk
County Attorney
A revised vision for the Port of Fort Pierce was established in 1996 through a nonbinding public referendum and charrette process, which shifted the intended general uses from exclusively cargo as per the 1989 Port Master Plan to a matrix of recreational, commercial, and industrial uses. Since that time and through additional public workshops, this vision has been further refined to focus the industrial component of the mixed-use port on marine industries, specifically the mega yacht industry, and for such uses to serve as the anchor tenant at the Port of Fort Pierce. The Port Master Plan more clearly defines this community vision, strengthens local control over the process, and provides flexibility to ensure intergovernmental coordination and the desired mix of uses.

The Port of Ft. Pierce vision is to maximize economic benefit to the region while minimizing impact on the Indian River Lagoon and Atlantic Ocean. The vision has shifted from an emphasis on cargo stated in the 1989 Port Master Plan to a mixed use vision that evolved from a non-binding public referendum and charrette process in 1996. A second public charrette conducted in 2013 unified market demand and public desire to update and more clearly define the community’s vision. The vision for the Port of Ft. Pierce encourages economic redevelopment of the port under well-defined land use and planning guidelines and streamlined port governance, with sufficient flexibility to merge market demand with desired recreational uses as well as marine industrial, marine commercial, marine research, and maritime academic/vocational uses. The vision includes environmentally sound best management practices, as well as transitional buffers between various uses.

References to the “Port of Ft. Pierce” in the Goals, Objectives, and Policies shall be liberally interpreted to mean the appropriate local government entity charged with the responsibility for enforcing or completing the specific objective or policy statement. County Port Authority working in coordination with the City of Ft. Pierce to implement the Goals, Objectives and Policies of the Port Sub-element. An Interlocal Agreement between the County and the City of Ft. Pierce further defines the responsibilities of each entity.

Goal 2A.1: Responsibility for the Port - The overall responsibility for the management of the Port of Ft. Pierce is vested by law with the St. Lucie County Commission and should be managed in the public interest of all the citizens of St. Lucie County.
Objective 2A.1.1: St. Lucie County, working with the City of Ft. Pierce, interested agencies and private property owners and consistent with the Port enabling laws and the constitutional and statutory protections for the rights of existing private property owners should ensure that the public interest and quality of life is protected when exercising public control of port property.

Policy 2A.1.1.1: St. Lucie County shall explore and consider all options for the management and operations of the Port of Ft. Pierce in cooperation with the municipalities and local officials. These discussions shall take place prior to December 2004 through either a task force or joint workshop of the elected officials.

Policy 2A.1.1.2: St. Lucie County shall maintain the necessary oversight of the Port of Ft. Pierce to ensure compliance with applicable state law governing deepwater ports and to guarantee the financial feasibility of any publicly funded infrastructure within the port.

Policy 2A.1.1.3: St. Lucie County shall determine whether to initiate actions necessary to acquire public ownership of those areas in the port determined to be in the public interest.

Policy 2A.1.1.4: St. Lucie County shall coordinate with the City of Fort Pierce, other affected local governments, the Treasure Coast Regional Planning council and the Florida Seaport Transportation and Economic Development Council (FSTED).

Policy 2A.1.1.5: St. Lucie County, operating through its existing and future legal authorities, shall initiate discussions with the City of Ft. Pierce, with other public agencies, and with the private business sector to create the legal agreements, memoranda of understanding, and joint planning agreements necessary to implement the goals, objectives, and policies of the Master Plan for the Port of Ft. Pierce.

Goal 2A.2: Land Use Map for the Port of Ft. Pierce - The Port of Ft. Pierce shall establish a general master development map for the Port that establishes a general Port Planning Area boundary and a Port Operations Area boundary to provide elected officials, prospective investors, port facility developers, and the public a clear understanding of the physical location of the activities that could be accommodated in the Port of Ft. Pierce. The general master development map for the Port of Ft. Pierce is not to be used alone but rather in conjunction with the other development policies found in this plan and the applicable Local Comprehensive Plans.
Objective 2A.2.1: The general master development map for the Port of Ft. Pierce shall be as depicted in Figure 2A-1. The land use activities shown in this general plan of development shall comply with applicable State, County and Municipal laws including the applicable Local Comprehensive Plans for St. Lucie County and the City of Ft. Pierce, adopted pursuant to Chapter 163, Florida Statutes.

Policy 2A.2.1.1: The general land use classification is to be used to determine consistency between the General Master Development Map for the Port of Ft. Pierce and the applicable local government comprehensive plan. The Port of Ft. Pierce will coordinate with the City of Ft. Pierce and St. Lucie County to determine whether the Port General Master Development Plan is consistent with the City and the County Comprehensive Plan Future Land Use designations for the Port Planning Area. To the extent any inconsistencies between the General Master Development Plan for the Port and the City or County Comprehensive Plan are identified, the Port of Ft. Pierce will request that the City or the County amend their Comprehensive Plans to ensure consistency.

Policy 2A.2.1.2: The Port of Ft. Pierce shall support/seek development activities such as mega yacht construction and maintenance, maritime industrial and commercial uses, marine research facilities, maritime academic and vocational uses, potential cruise/ferry uses, intermodal transportation facilities and/or expansion of tourist/recreational uses, depending on market conditions.

St. Lucie County, the City of Ft. Pierce and Indian River State College shall identify a blue ribbon panel, as defined in AECOM’s final report dated September 2013, to develop a path to establishing a maritime academy and intermodal academy at the Port of Ft. Pierce.

Policy 2A.2.1.3: The Port of Ft. Pierce shall support development of tourist, commercial and recreational uses primarily in the northern third of the undeveloped property in the Port Operations Area as shown in Figure 2A-1. This development shall be consistent with the adopted Local Comprehensive Plans for St. Lucie County and the City of Ft. Pierce, including but not limited to the Future Land Use, Transportation and Coastal Management Elements. The City and County shall collaborate on consistency of land use and zoning designations that promote and encourage economic development within the Port Operations Area.
Policy 2A.2.1.4: All activities within the Port Planning Area shall comply with the applicable State and County laws and the applicable plans and regulations of the City of Ft. Pierce or St. Lucie County including but not limited to, the adopted Future Land Use Maps of the Local Comprehensive Plans for St. Lucie County and the City of Ft. Pierce, as depicted in the attached Figure 2A-2.

Policy 2A.2.1.5: The Port of Ft. Pierce shall continue to support limited cargo operations in the Port Operations Area, as described in Policy 2A.3.1.3.

Policy 2A.2.1.6: By March 1\textsuperscript{st} of each year, the Port of Ft. Pierce shall submit to the County Administrator or their designee an updated five (5) year capital budget/improvement plan for the Port. To the extent that local funds are required to address a capital improvement need, the Board of County Commissioners shall be requested to provide the necessary funding to meet that need. Nothing in this policy shall be construed as to prohibit the Board of County Commissioners from requesting that the City of Ft. Pierce, the Ft. Pierce Community Redevelopment Agency, or any other appropriate agency or entity assist in funding one or more capital improvement project(s) within the Port Area since the port planning area within the City Limits of Ft. Pierce lies entirely within the Ft. Pierce Community Redevelopment Area.

Policy 2A.2.1.7: Recognizing that the majority of the lands, excluding water and roadways, in the Port Planning Area, including the Port Operations Area, are not in public ownership, should the County acquire additional lands in the Port Operations Area, the Master Plan for the Port of Ft. Pierce will be amended to reflect a revised capital improvements plan and the Port of Ft. Pierce will request that the Board of County Commissioners make any necessary amendments to the St. Lucie County Comprehensive Plan and, if necessary, that the Ft. Pierce City Commission make any necessary amendments to the Ft. Pierce Comprehensive Plan to address all identified capital needs. Nothing in this policy shall be construed as to prohibit the Board of County Commissioners from requesting that the City of Ft. Pierce, the Ft. Pierce Community Redevelopment Agency, or any other appropriate agency or entity assist in funding one or more capital improvement project(s) within the Port Area since the Port Planning Area within the City Limits of Ft. Pierce lies entirely within the Ft. Pierce Community Redevelopment Area.

Goal 2A.3: Port Activities - The quality of life for St. Lucie County residents will be strengthened and maintained by enhancing the economic viability, attractiveness, environmental quality, and social benefits associated with activities at the Port of Ft. Pierce.
Objective 2A.3.1: The Port of Ft. Pierce should strengthen the economic development activities in the Port Operations Area by working with federal, state and local government, the private sector, and other interested parties to formulate an economic development plan by 2004 that will foster new jobs that exceed the County’s average annual wage and enhance the community’s prosperity.

Policy 2A.3.1.1: The Port of Ft. Pierce shall support County and City efforts to purchase and lease property within the Port Operations Area that will support economic development of the Port through added revenue streams while allowing for increased opportunities for Federal and State grants.

Policy 2A.3.1.2: The Port of Ft. Pierce shall encourage the development, renovation and improvement of port facilities to maximize current potential, including rehabilitation and modernization of existing buildings consistent with the goals of the City of Ft. Pierce downtown redevelopment plan. The City of Ft. Pierce downtown redevelopment plan should identify buffer and transitional uses between port uses and the downtown. Local plans should also reflect market absorption studies of hotel, commercial and recreational uses. Multiple redevelopment plans including such uses which exceed projected demand will not attract development and will have a negative impact to existing uses.

Policy 2A.3.1.3: The Port of Ft. Pierce will continue as a deepwater port that will accommodate limited cargo operations. Gentrification of cargo areas shall be emphasized and flexibility shall be retained in the Berth 1 area to allow either limited cargo operations or marine industries or a combination of both. All such uses shall be consistent with the general mix of uses described herein and compatible with adjacent land uses and natural resources. New and reconstructed infrastructure should be implemented to attract development consistent with community goals including berthing and seawalls, efficient intermodal connections, ship to rail transfer facilities and roadway and drainage infrastructure. Current cargo and marine industrial areas may be retained.

Policy 2A.3.1.4: Future public infrastructure improvements in the Port Planning Area will be made consistent with the Port Master Plan, to include the following projects: Harbor Pointe shoreline protection, refurbish and/or improve City marina bulkheads, and Fisherman’s Wharf, improve Terminal Drive, improve Harbor Street, improve Port Avenue, construct a connecting road between 2nd Street to the Harbor Pointe property, re-establish the railroad spur into Indian River Terminal, construct an additional spur parallel to Harbor Street, construct additional bulkheads at the City Marina, construct pedestrian linkage along 2nd Street to downtown, construct pedestrian linkage to Old Dixie Highway/US 1, develop park infrastructure, develop engineering master stormwater management system for port property including offsite
alternatives, and coordinate and install improvements along with corresponding infrastructure
element.

Policy 2A.3.1.5: St. Lucie County, working with federal, state and local governments, the private
sector, and other interested parties, may provide incentives for jobs that exceed the County's
average annual wage. St. Lucie County, the City of Ft. Pierce, private property owners, and
local economic development groups should establish a proactive campaign to market the Port of
Ft. Pierce.

Policy 2A.3.1.6: The Port of Ft. Pierce, working with federal, state and local governments, the
private sector, and other interested parties, will encourage port industries to develop job training
programs and use the local workforce to the fullest extent possible.

Objective 2A.3.2: The Port of Ft. Pierce in cooperation with the City of Ft. Pierce and other
governmental bodies shall assist in the development of high quality design standards to ensure
that port facilities in the Port Operations Area are compatible with the use of the surrounding
area in the City of Ft. Pierce as downtown waterfront development.

Policy 2A.3.2.1: The Port of Ft. Pierce, in cooperation with other governmental bodies, the
private sector, and other interested parties, should develop and maintain aesthetically pleasing
public port facilities and landscaping that are designed in such a way to encourage new and
expanded business development. Transitions from marine industrial to local commercial or other
public uses should be sensitively considered.

Policy 2A.3.2.2: The Port of Ft. Pierce, in cooperation with other governmental bodies, should
ensure that port facilities are aesthetically compatible to the extent feasible with all newly
renovated areas of downtown Ft. Pierce and other adjacent neighborhood areas in conjunction
with the City of Ft. Pierce regulations.

Policy 2A.3.2.3: Existing activities within the Port of Ft. Pierce Operations Area that are
determined to be inconsistent with future uses of the Port should be identified and removed
through the negotiated purchase of property or business, code enforcement activities,
private/public partnerships, grants, other mechanisms by the appropriate unit of government, or
eminent domain.
Objective 2A.3.3: The Port of Ft. Pierce, working with federal, state and local governments, the private sector, and other interested parties, shall maintain, increase, and promote marine industry and related scientific and commercial activities at the Port of Ft. Pierce so there is no net loss of marine industry.

Policy 2A.3.3.1: The Port of Ft. Pierce, in cooperation with other governmental bodies, the private sector, and other interested parties, shall accommodate water-related marine activities such as mega yachts, restaurants, hotels, tall sailing vessels, boat service and repair yards, marina facilities, and related service activities within the Port Planning Area for the benefit of residents and visitors to the community.

Policy 2A.3.3.2: The Port of Ft. Pierce, in cooperation with other governmental bodies, the private sector, and other interested parties, shall protect, maintain, and promote marine industry activity from encroachment or displacement by incompatible land uses.

Policy 2A.3.3.3: The Port of Ft. Pierce, working with federal, state and local governmental bodies, the private sector, and other interested parties, shall encourage the location and development of a mega yacht facility that serves as the anchor tenant in the Port Operations Area.

Objective 2A.3.4: The Port of Ft. Pierce shall allow and support extension of water-dependent recreational and ecotourism uses in the Port Planning Area.
Policy 2A.3.4.1: The Port of Ft. Pierce, working with federal, state and local governmental bodies, the private sector, and other interested parties, shall encourage recreational uses within the Port Planning Area.

Policy 2A.3.4.21: The Port of Ft. Pierce, working with federal, state and local governmental bodies, the private sector, and other interested parties, shall maintain a public education and information program for the commercial and recreational boating activities on and adjacent to the Port Planning Area to alert and advise those users of the environmentally sensitive resources in the area.

Objective 2A.3.5: The Port of Ft. Pierce, in compliance with federal, state, and local laws, shall work with appropriate public safety entities to revise the port security management plan for the Port Operations Area by December 2003.

Policy 2A.3.5.1: The Port of Ft. Pierce shall use its best efforts to ensure that port security will protect port users and citizens from crime or terrorism concerns and prevent any increase in criminal activity or enterprises.

Policy 2A.3.5.2: The Port of Ft. Pierce, working with federal, state and local governmental bodies, the private sector, and other interested parties, shall develop a public education program for the port security management plan to ensure that the owners, users, other responsible parties, and members of the public understand port security.

Goal 2A.4: Environmental Protection - The Indian River Lagoon is recognized as the most biodiverse estuary in North America and as an important component of the local economic base and the overall quality of life in the community. As such, the integrity of the Indian River Lagoon shall be protected by correcting any detrimental effects caused by current operations and ensuring long-term development and improvement activities are consistent with all local, state and federal environmental laws and regulations.

Objective 2A.4.1: The Port of Ft. Pierce, working with federal, state, and local governmental bodies, the private sector, and other interested parties, shall ensure the protection and restoration of the Indian River Lagoon and avoid future degradation of the Lagoon’s ecological health due to port activities.
Policy 2A.4.1.1: The Port of Ft. Pierce, working with federal, state and local governmental bodies, the private sector, and other interested parties, will regulate discharges coming from port activities into the Indian River Lagoon to prevent air and water pollution in violation of any adopted federal, state, or local laws or regulations. Berthing, seawall and drainage infrastructure will actively be pursued to eliminate or reduce and treat existing runoff. Existing port businesses should be retrofitted to reduce pollution in the Indian River Lagoon.

Policy 2A.4.1.2: The Port of Ft. Pierce, working through the Comprehensive Plans and Land Development Regulations of the appropriate local general purpose government, shall address excessive freshwater inflows originating from the Port Planning Area to minimize their impacts on estuarine salinity, consistent with guidelines being developed by the U.S. Army Corp of Engineers and the South Florida Water Management District. in the Indian River Lagoon - South Feasibility Study Draft (2001).

Policy 2A.4.1.3: The Port of Ft. Pierce, working with other governmental bodies, private interests, and other interested parties, shall limit inputs of suspended materials, nutrient inflows, and toxic substances from the Port Planning Area into the Indian River Lagoon to state and federal approved limits.

Policy 2A.4.1.4: The Port of Ft. Pierce shall work with other governmental bodies, private interests, and other interested parties to enforce existing laws and prevent exotic invasive species from entering the Indian River Lagoon via ship’s ballast and bilge water or cargo or any other method including detrimental impacts of mega-yacht, marine industries and recreational boating uses.

Policy 2A.4.1.5: The Port of Ft. Pierce will develop a port area maintenance program to ensure environmental compliance by the Port and for any activities occurring within the Port Planning Area.

Objective 2A.4.2: The Port of Ft. Pierce with work with other governmental bodies, private interests, and other interested parties, to prevent detrimental effects on the Indian River Lagoon caused by port activities by supporting estuarine diversity and the protection, maintenance, and enhancement of the population of endangered and threatened species.

Policy 2A.4.2.1: The Port of Ft. Pierce shall work with other governmental bodies, private interests, and other interested parties to preserve and restore seagrass beds and mitigate any
permitted losses to existing seagrass beds caused by port activities to the maximum extent possible.

Policy 2A.4.2.2: The Port of Ft. Pierce, working with other governmental bodies, private interests, and other interested parties, shall protect endangered and threatened mammals, fish, reptiles, amphibians, and invertebrates from port activities in the Indian River Lagoon.

Policy 2A.4.2.3: The Port of Ft. Pierce, working with other governmental bodies, private interests, and other interested parties, shall take appropriate actions to protect and conserve fin and shellfish resources in the Indian River Lagoon from damage due to port activities.

Objective 2A.4.3: The Port of Ft. Pierce, working with other governmental bodies, private interests, and other interested parties, shall protect and maintain the existing natural coastal areas and resources within the Port Planning Area.

Policy 2A.4.3.1: The Port of Ft. Pierce, working with the Comprehensive Plan and Land Development Regulations of the appropriate local general purpose government, shall address maintenance and reduction of existing air quality emissions from port activities to ensure that new emissions from the Port meet applicable air quality standards.

Policy 2A.4.3.2: The Port of Ft. Pierce, working with other governmental bodies, private interests, and other interested parties, shall create a scientific advisory committee, composed of researchers and managers from the Smithsonian Institute, Harbor Branch Oceanographic Institution, Ocean Research and Conservation Association (ORCA) and other regional marine research institutions, to provide scientific advice on port operations and activities (commercial, industrial and recreational) that may impact the Indian River Lagoon.

Policy 2A.4.3.3: The Port of Ft. Pierce, working with other governmental bodies, private interests, and other interested parties, will develop a list of best management practices for environmental protection which have been used successfully by other Ports to ensure efficient and effective management of port operation activities while providing environmental protection.

Policy 2A.4.3.4: The Port of Ft. Pierce, working with other governmental bodies, private interests, and other interested parties, should encourage the use of an absorbing type system of bulkheading where possible to protect the natural coastline in the port and surrounding areas.
Policy 2A.4.3.5: The Port of Ft. Pierce, working with other governmental bodies, private interests, and other interested parties, will, by January 2006, identify, acquire (if necessary) and will continue to operate, maintain and improve a permanent spoil disposal site for materials dredged from the port planning area.

Objective 2A.4.4: In keeping with the St. Lucie County Manatee Protection Plan (MPP), the Port of Ft. Pierce will work with other governmental agencies and private interests to improve protection of the manatees and enforcement of existing related laws within the Port Planning Area.

Policy 2A.4.4.1: The Port of Ft. Pierce, working with other governmental bodies, private interests, and other interested parties, will adjust future and proposed dock design and construction to be consistent with manatee protection measures.

Policy 2A.4.4.2: The Port of Ft. Pierce, working with other governmental bodies, private interests, and other interested parties, will conduct maintenance dredging in the Port Planning Area in a manner that is consistent with manatee protection measures.

Policy 2A.4.4.3: The Port of Ft. Pierce, working with other governmental bodies, private interests, and other interested parties, will conduct activities involving expansion of ship berths and maintenance of channels in a manner that is consistent with manatee protection measures in the Port Planning Area.

Policy 2A.4.4.4: The Port of Ft. Pierce, working with other governmental bodies, private interests, and other interested parties, will conduct activities involving explosives in a manner that is consistent with manatee protection measures in the Port Planning Area.

Policy 2A.4.4.5: The Port of Ft. Pierce, working with other governmental bodies, private interests, and other interested parties, will conduct activities involving sediment removal and disposal in a manner that is consistent with manatee protection in the Port Planning Area.

Policy 2A.4.4.6: The Port of Ft. Pierce, working with other governmental bodies, private interests, and other interested parties, will protect and/or mitigate seagrass beds and submerged aquatic vegetation that serve as manatee habitat in the Port Planning Area.
Policy 2A.4.4.7: The Port of Ft. Pierce, working with other governmental bodies, private interests, and other interested parties, will help to develop guidelines and establish an education program for crew procedures regarding observing and avoiding manatees when arriving and departing from docks in the Port Planning Area.

Goal 2A.5: Public Access - The Port of Ft. Pierce, working with other governmental bodies, private interests, and other interested parties, shall enhance public access to the Port Planning Area.

Objective 2A.5.1: The Port of Ft. Pierce, working with other governmental bodies, private interests, and other interested parties, shall develop an integrated open space system to provide public access between those portions in the Port Planning Area that are open to the public and the surrounding community.

Policy 2A.5.1.1: The Port of Ft. Pierce, working with other governmental bodies, private interests, and other interested parties, shall facilitate public access to short-term parking.

Policy 2A.5.1.2: The Port of Ft. Pierce shall encourage unobstructed public access to designated public fishing areas.

Policy 2A.5.1.3: The Port of Ft. Pierce shall cooperate with and support efforts of other interested governmental bodies in providing access to unobstructed scenic views of the Indian River Lagoon.

Policy 2A.5.1.4: The Port of Ft. Pierce shall encourage the City, County, and State to improve and maintain an orderly network of streets and entrances to access port facilities.

Policy 2A.5.1.5: The Port of Ft. Pierce shall develop an integrated open space system along the waterfront of the Port Operations Area, with the exception of areas where such access would pose a safety or security concern or where it would interfere with approved port activities.
Policy 2A.5.1.6: The Port of Ft. Pierce shall encourage multi-use marine recreational activities, walkways, and multiuse path within the open space system in the Port Planning Area and provide linkages with the network in Fort Pierce.

Goal 2A.6: Emergency Management - The public will be protected in various emergency situations through cooperation between the Port of Ft. Pierce and other governmental bodies to achieve maximum levels of safety and to restrict commerce of hazardous materials in the Port of Ft. Pierce.

Objective 2A.6.1: The Port of Ft. Pierce, working with regional and state emergency management agencies, private interests, and other interested parties, shall identify new and existing procedures to ensure public safety in the event of a hurricane or other natural disaster.

Policy 2A.6.1.1: The Port of Ft. Pierce shall comply with the comprehensive emergency management plans of appropriate local general purpose government to ensure safe evacuation of the Port during times of a hurricane or other disasters.

Policy 2A.6.1.2: The Port of Ft. Pierce shall work with the City of Ft. Pierce and St. Lucie County to ensure that all development activities within the Port Planning Area, including the Port Operations Area, are consistent with State of Florida’s policies on development within areas identified as Coastal High Hazard Areas. New residential uses within areas designated as Coastal High Hazard as defined in Rule 9J-5, FAC, the St. Lucie County Land Development Code, shall be discouraged.

Objective 2A.6.2: The Port of Ft. Pierce, working with other governmental bodies, shall comply and cooperate to ensure that adequate procedures are in place to respond to a hazardous material spill.

Policy 2A.6.2.1: The Port of Ft. Pierce shall comply with the processes of federal, state, and local governments for safe and expedient cleanup of hazardous spills.

Policy 2A.6.2.2: The Port of Ft. Pierce shall cooperate with governmental bodies to provide complete and timely information to the public in the event of a hazardous materials accident.
Goal 7: Landside Infrastructure - Landside and waterside infrastructure serving the Port of Ft. Pierce should meet the Port's future requirements in a manner consistent with the abilities of the appropriate agencies to provide the services needed to support approved port activities.

Objective 2A.7.1: The Port of Ft. Pierce shall work with other governmental agencies to improve linkages between the Port Facilities and intermodal transportation routes.

Policy 2A.7.1.1: The Port of Ft. Pierce, working with other governmental bodies, private interests, and other interested parties, should limit increased traffic congestion in the Port Planning Area and on roadways adjacent to the Port Planning Area consistent with the adopted levels of service in the Comprehensive Plan of the appropriate local general purpose government.

Policy 2A.7.1.2: The Port of Ft. Pierce should enhance and expand activities that tie the Port to the St. Lucie County Airport and coordinate with the Florida Department of Community Affairs (DCA), the Governor's Office of Tourism, Trade and Economic Development (OTTED), Economic Opportunity, Florida Department of Transportation (FDOT) and the Florida East Coast (FEC) Railroad, Tri-rail and other possible rail services, in order to encourage multimodal development, maximize intermodal transportation connections, and facilitate the continued economic growth, development, and vitality of St. Lucie County. Beginning in December 2003 and continuing annually thereafter, the Port of Ft. Pierce shall prepare a State of the Ports Report to demonstrate to the public how activities of both facilities are furthering the quality of life of St. Lucie County residents.

Policy 2A.7.1.3: The Port of Ft. Pierce, working with other governmental bodies, should facilitate expansion of public transit to and from the Port Planning Area.

Goal 2A.8: Navigation Channels - Navigation channels serving the port's maritime and recreational activities shall meet existing and limited future needs as outlined in this plan.

Objective 2A.8.1: The Port of Ft. Pierce shall maintain the maximum channel depth at 28 feet with its current width as identified on the Army Corps of Engineer's Project Condition Survey dated August 2004.
Policy 2A.8.1.1: The Port of Ft. Pierce shall coordinate with the U.S. Army Corps of Engineers and the Florida Inland Navigation District to provide for the maintenance of the navigation channels, including location of spoil disposal sites.

Policy 2A.8.1.2: The Port of Ft. Pierce shall coordinate with the U.S. Coast Guard in the placement and maintenance of the navigational aids within the port area.

Policy 2A.8.1.3: The Port of Ft. Pierce, working with other governmental bodies, the private sector, and other interested parties, will, by January 2006, shall continue to operate, maintain and improve identify, acquire (if necessary) and permit a permanent spoil disposal site for materials dredged from the Port Planning Area.

Objective 2A.8.2: The Port of Ft. Pierce shall seek to improve the condition of Taylor Creek from the S-50 Spillway to the Intracoastal Waterway through maintenance dredging and water quality improvement projects.

Policy 2A.8.2.1: The Port of Ft. Pierce shall request that St. Lucie County include as part of its Capital Improvements Programs, funding for the restoration and improvement of Taylor Creek through maintenance dredging and water quality improvement projects to supplement funds received from other agencies.

**Potable Water Sub-element 4a**

Policy 4a.1.5.2: St. Lucie County hereby adopts by reference the Water Supply Facilities Work Plan (Work Plan) approved by resolution on July 15, 2014, for a planning period of not less than 10 years. The Work Plan addresses issues that pertain to water supply facilities and requirements needed to serve current and future development within the St. Lucie County water service area. The County shall review and update the Work Plan at least every five (5) years within 18 months after the governing board of water management district approves an updated regional water supply plan. Any changes affecting the Work Plan shall be included in the annual Capital Improvements Element.
Conservation Element 6

Policy 6.1.14.6 - All new development on lots less than five acres and not containing a Category I-III wetland shall provide a minimum 25-foot buffer between the wetland jurisdictional line and the area of development. The buffer, as measured landward from the approved jurisdictional line, shall be maintained in a natural vegetative state and be free of exotic and nuisance species as defined by the Florida Pest Council. No development shall occur within the wetland buffer except as identified in 6.1.14.2.

Policy 6.1.5.7 - The County shall protect groundwater by prohibiting the use of any land within unincorporated County for "High-Intensity Petroleum Operations," (such as hydraulic fracturing, also known as fracking, and acid well stimulation treatments) and enhanced recovery wells (such as cyclic steam injection). High-Intensity Petroleum Operations include, well stimulation treatments and secondary and enhanced recovery operations such as hydraulic fracturing, cyclic steam injection, waterflood or steamflood injection and acid well stimulation treatments.
AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING THE TEXT OF THE COMPREHENSIVE PLAN, PORT SUB-ELEMENT, POTABLE WATER SUB-ELEMENT, AND CONSERVATION ELEMENT; PROVIDING FINDINGS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

WHEREAS, the Board of County Commissioners of St. Lucie County, Florida, based on the testimony and evidence, including but not limited to the staff report, has made the following determinations:

1. The Board of County Commissioners of St. Lucie County adopted the Comprehensive Plan on January 9, 1990 through Ordinance 90-001, which was further updated on October 26, 2010 through Ordinance 10-020, consistent with Chapter 163, Florida Statutes; and

2. The Board of County Commissioners of St. Lucie County as the governing body of St. Lucie County having jurisdiction over this application pursuant to Chapter 163, Florida Statutes, is authorized and empowered to consider amendments to the adopted Comprehensive Plan of St. Lucie County; and

3. On September 24, 2015, the St. Lucie County Planning and Zoning Commission/Local Planning Agency held a public hearing, of which due notice was published in the St. Lucie News Tribune, and recommended to the Board of County Commissioners that the petition for an amendment to the text of the Comprehensive Plan be approved; and

4. On __________, 2015, the Board of County Commissioners of St. Lucie County, Florida held the first of two required public hearing, of which due notice was placed in the St. Lucie News Tribune and approved transmittal to the Department of Economic Opportunity division of Community Planning; and

5. On __________, 2015 the Board of County Commissioners of St. Lucie County, Florida held a public hearing, of which due notice was placed in the St. Lucie News Tribune, and deemed the adoption of the amendments to the Comprehensive Plan to be in the best interests of the citizens and residents of the County.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of St. Lucie County, Florida:

A. ADOPTION OF THE AMENDMENTS

The Board of County Commissioners does hereby adopt the text amendments to the St. Lucie County Comprehensive Plan, attached here as Exhibit A.
B. FINDING OF CONSISTENCY

The Board of County Commissioners of St. Lucie County, Florida, specifically determines that the approval of this amendment to the adopted Comprehensive Plan Future Land Use Element is internally consistent with the goals, objectives and policies contained in the St. Lucie County Comprehensive Plan and provides for the recognition that impacts of this approval on the public facilities of St. Lucie County will not occur until such time as a Final Development Order for development on this property is issued.

C. CHANGES TO THE COMPREHENSIVE PLAN

The St. Lucie County Planning and Development Services Director is hereby authorized and directed to cause this change to be made to the text of the St. Lucie County Comprehensive Plan and to make notation of reference to the date of adoption of this Ordinance.

D. CONFLICTING PROVISIONS

Special acts of the Florida Legislature applicable only to unincorporated areas of St. Lucie County, County Ordinances and County Resolutions, or parts thereof, in conflict with this Ordinance are hereby superseded by this Ordinance to the extent of such conflict.

E. SEVERABILITY

If any portion of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of this Ordinance. If this Ordinance or any provisions thereof shall be held to be inapplicable to any person, property, or circumstances, such holding shall not affect its applicability to any other person, property or circumstance.

F. APPLICABILITY OF ORDINANCE

This Ordinance shall be applicable as stated in Paragraphs A, B and C.

G. FILING WITH THE DEPARTMENT OF STATE

The Clerk is hereby directed forthwith to send a certified copy of this Ordinance to the Bureau of Laws, Department of State, The Capitol, Tallahassee, Florida, 32304.

H. FILING WITH THE DEPARTMENT OF ECONOMIC OPPORTUNITY

The Planning and Development Services Director shall send a certified copy of this Ordinance to the Department of Economic Opportunity Bureau of Community Planning Caldwell Building 107 East Madison Street, MSC 160 Tallahassee, FL 32399.

I. EFFECTIVE DATE

This Ordinance shall take effect thirty-one (31) days after adoption. If the Ordinance is challenged within thirty (30) days after adoption, the Ordinance shall not be effective until the State Land Planning Agency or Administration Commission respectively issues a final order.
finding the adopted amendment in compliance in accordance with Section 163.3184(10), Florida Statutes.

J. ADOPTION

After motion and second, the vote on this Ordinance was as follows:

Paula Lewis, Chair  XXX
Kim Johnson, Vice-Chair  XXX
Chris Dzadovsky, Commissioner  XXX
Tod Mowery, Commissioner  XXX
Frannie Hutchinson, Commissioner  XXX

PASSED AND DULY ADOPTED this ___ day of _____________, 2015.

BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA

BY
Chair

ATTEST
APPROVED AS TO FORM
AND CORRECTNESS

__________________________  _____________________________
Deputy Clerk                  County Attorney
RESOLUTION NO. 15-041
A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA SUPPORTING PROPOSED LEGISLATION PROVIDING A STATEWIDE BAN ON HYDRAULIC FRACTURING, ACID FRACTURING, AND WELL STIMULATION PERFORMED FOR THE PURPOSES OF EXPLORATION OR PRODUCTION OF OIL OR NATURAL GAS IN THE STATE OF FLORIDA; PROVIDING AN EFFECTIVE DATE

WHEREAS, the Board of County Commissioners of St. Lucie County, Florida, has made the following determinations:
1. Well stimulation treatments may involve the use of hundreds of chemicals, some of which are known to be carcinogenic or could otherwise be harmful to human health.
2. Exposure to the chemicals used in well stimulation treatments may pose a widespread and significant risk to public health and safety and the environment.
3. Well stimulation treatments may involve the use of substantial amounts of freshwater at a time when many Florida municipalities are struggling with the impacts that water scarcity may have in the state in the near future.
4. The wise stewardship of our natural resources involves protection of Florida’s water supplies and water resources for generations to come.
5. Protection of Florida’s water supplies and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to clean up contamination and restore degraded environments after the fact.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Lucie County, Florida:
1. This Board supports a statewide ban on the use of hydraulic fracturing, acid fracturing and well stimulation treatments performed for the purposes of exploration or production of oil or natural gas in the State of Florida due to the potential harmful impacts on the environment and natural resources of St. Lucie County.
2. The County Administrator will send a letter and a copy of this resolution to the Florida Legislature and the Governor of the State of Florida showing the Board’s support for a statewide ban on hydraulic fracturing, acid fracturing and well stimulation performed for the purposes of exploration and production of oil and natural gas in the State of Florida.

PASSED AND DULY ADOPTED this 31st day of March, 2015.

ATTEST: 
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA

BY: 
Chair

APPROVED AS TO FORM AND CORRECTNESS:

County Attorney