

ORDINANCE NO. 07-019

AN ORDINANCE OF ST. LUCIE COUNTY, FLORIDA, AMENDING THE ST. LUCIE COUNTY COMPREHENSIVE PLAN BY ADOPTING AMENDMENTS TO THE RECREATION AND OPEN SPACE ELEMENT OF THE COMPREHENSIVE PLAN RELATING TO DESIRED OUTDOOR RECREATION STANDARDS (TABLE 9-6) AND THE RECOMMENDED CLASSIFICATION SYSTEM, ATTACHED AS EXHIBIT "A" HERETO; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; AND PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION

WHEREAS, the proposed text amendments to the Recreation and Open Space Element of the Comprehensive Plan as depicted on Exhibit "A" attached hereto and incorporated herein; and,

WHEREAS, on July 19, 2007, the Local Planning Agency held a public hearing and received public input and participation on the proposed Comprehensive Plan amendments through public hearings in accordance with Section 163.3181, Florida Statutes and the Agency determined that the proposed text amendments are consistent with the County's Comprehensive Plan; and,

WHEREAS, on August 21, 2007, the Board of County Commissioners held a public hearing and determined to transmit the proposed text amendments to the agencies required by law; and,

EDWIN M. FRY, Jr., CLERK OF THE CIRCUIT COURT  
SAINT LUCIE COUNTY  
FILE # 3158361 01/17/2008 at 11:50 AM  
OR BOOK 2928 PAGE 2627 - 2641 Doc Type: ORDN  
RECORDING: \$129.00

**WHEREAS**, on November 8, 2007, the County received comments on the proposed text amendments from the State of Florida Department of Community Affairs; and,

**WHEREAS**, on December 18, 2007, the Board held a public hearing and determined to adopt the proposed text amendments.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AS FOLLOWS:**

**PART A. Recitals Adopted.** Each of the above stated recitals is hereby adopted and confirmed.

**PART B. Adoption of Recreation and Open Space Element Amendments.**  
The Board hereby adopts the certain amendments to the Recreation and Open Space Element, attached hereto and incorporated herein as Exhibit "A".

**PART C. 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Lucie County, County ordinances and County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict.

**PART D. 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 provision thereof shall be held to be inapplicable to any person, property, or circumstance, such holding shall not affect its applicability to any other person, property, or circumstance.

**PART E. APPLICABILITY OF ORDINANCE.**

This ordinance shall be applicable in the unincorporated area of St. Lucie County.

**PART F. FILING WITH THE DEPARTMENT OF STATE**

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

**PART G. FILING WITH THE DEPARTMENT OF COMMUNITY AFFAIRS**

The Growth Management Director is hereby directed forthwith to send a certified copy of this ordinance an all necessary supporting data and analysis and other relevant documents to the Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399.

**PART H. EFFECTIVE DATE**

This ordinance shall take effect upon the issuance by the State Land Planning Agency of a Notice of Intent to find the adopted amendment "in compliance" in accordance with Section 163.3184(9), Florida Statutes.

**PART I. ADOPTION**

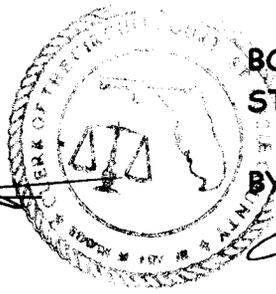
After motion and second, the vote on this Ordinance was as follows:

Chairman Joseph E. Smith	AYE
Vice Chair Paula A. Lewis	AYE
Commissioner Chris Craft	AYE
Commissioner Doug Coward	AYE
Commissioner Charles Grande	AYE

**PASSED AND DULY ENACTED this 18<sup>th</sup> day of December, 2007.**

ATTEST:

*Melissa A. Lewis*  
Deputy Clerk



**BOARD OF COUNTY COMMISSIONERS  
ST. LUCIE COUNTY, FLORIDA**

By: *Joseph E. Smith*  
Chairman

APPROVED AS TO FORM AND  
CORRECTNESS:

BY:

  
\_\_\_\_\_  
County Attorney

**EXHIBIT "A"**

**St. Lucie County Comprehensive Plan  
Recreation and Open Space Element**

**Table 9-6** Desired Outdoor Recreation Standards for St. Lucie County, is hereby amended as follows:

**Table 9-6  
Minimum Standards for Outdoor Recreation in St. Lucie County**

Table 9-6 Desired Outdoor Recreation Standards for St Lucie County				
Facility	Standard per 1,000 Population	Site Size	Service Area Radius	Persons Served
Neighborhood Parks	0.50 <u>acres</u> (service Area)	5.0 Acres <u>or less</u>	0.5 Miles <u>or More</u>	Up to 5,000
Community Park	5.0 <u>acres</u> (Service Area)	30-50 Acres	10.0 Miles	30,000 - 50,000
Regional Parks	5.0 <u>acres</u> (Service Area)	<u>Up to 100 acres</u>	<u>Up to 60 Miles</u>	No standards
<del>Open Space Reserves</del>	<del>No Standard</del>	<del>500 Acres</del>	<del>60 Miles</del>	<del>No Standards</del>
<u>Outdoor Reserve Recreation Area</u>	<u>No Fixed Standard</u>	<u>Variable</u>	<u>Up to 60 Miles</u>	<u>Variable</u>
<u>Natural Area Preserves</u>	<u>28.60 acres</u>	<u>Variable</u>	<u>Up to 60 Miles</u>	<u>Variable</u>
Special Purpose				
Special Recreational Acres/Facilities				
Conservation/Open Space Area				No <u>Fixed Standards</u>
Linear Recreation Areas				No <u>Fixed Standards</u>
Beach Access				No <u>Fixed Standards</u>
Beach Park				No <u>Fixed Standards</u>
Waterfront Activity Area				No <u>Fixed Standards</u>

St Lucie County, Department of Community Development.

NEEDS ANALYSIS, Paragraph B. Recommended Classification System, Paragraph 2. Regional Recreational Spaces and Paragraph 3 Unique Recreation Spaces, Either Local or Regional are hereby amended to read as follows:

B. RECOMMENDED CLASSIFICATION SYSTEM

2. Regional Recreation Spaces: Areas of aesthetic or natural quality that are designed to serve a regional or metropolitan population.

a. Regional/Metropolitan Recreation Area: Area providing facilities designed for outdoor recreation and leisure activities that may include, but are not limited to, boating, fishing, or camping; bicycle, hiking, or horse trail systems; botanical gardens, nature centers, or zoo or husbandry centers; museums; performing and design art centers; and activities included under community neighborhood, or mini-park recreation areas. Area typically has a service area of 60 miles and a desirable size of 100 acres.

b. Outdoor Reserve Recreation Area: Area ~~primarily designed with consideration~~ for passive outdoor recreation and nature land conservation activities, including, but not limited to, areas for viewing and studying land, aquatic or avian wildlife, conservation activities, swimming, boating (non-motorized or electric motors only), hiking, camping, trail facilities, ecotourism, nature centers, or botanical gardens. Area typically has a service area radius of up to 60 miles ~~and a desirable size of 500 acres~~, with the majority of the area preserved and managed in its natural ~~environmental~~ state. This area may also include Conservation/Open Space Areas.

Natural Area Preserves are as defined in the Conservation Element.

3. Unique Recreation Spaces, Either Local or Regional: Spaces developed for unique recreational activities or for a single recreational activity.

a. Special Recreation Areas/Facilities: Areas designed for a single purpose or specific recreational and leisure activities that may include, but are not limited to, activities such as zoos, conservatories, golf courses, gun or archery ranges, outdoor theaters, historic sites, marinas, botanical gardens, athletic complexes, or water sports. The service area and desirable facility size may vary.

b. Conservation/Open Space Area: Area preserved and managed to protect its natural environment or aesthetic quality, or to protect health, safety and welfare by providing open spaces ~~between roadways or development in or near developed areas~~, with passive recreation and leisure activity serving as a secondary function. A Conservation/Open Space Area may also function as an Outdoor Reserve Recreation Area.

c. Linear Recreation Area: Area developed to provide travel routes for one or more types of recreational or human-operated vehicles, such as horseback riding, bicycling, hiking, jogging, or motorcross riding.

d. ~~Waterfront Recreation~~ Activity Area: Area that is designed primarily for aquatic-related recreation and leisure activities and that abuts rivers, lakes, lagoons, or saltwater bodies.

1. Beach Access Area: Area developed to provide access to waterfront areas. Service area and desirable park size can vary.

2. Waterfront Activity Area: Waterfront area providing recreation and leisure activities or facilities that may include, but are not limited to, swimming, water sports, boating, sunbathing, picnicking, playground apparatus, dressing rooms and showers, boat ramps and docks, boardwalks and pavilions, or concession stands.

RECREATION SUB-ELEMENT  
GOALS, OBJECTIVES AND POLICIES

GOALS, OBJECTIVES AND POLICIES, Goal 9.1, Objective 9.1., Policy 9.1.1.1 is hereby amended to read as follows:

Policy

9.1.1.1

Level of Service for Recreation and Open Space shall be as follows:

- Community parks: 5 acres/1000 residents in the unincorporated area
- Regional parks: 5 acres/1000 ~~residents~~ population countywide
- Outdoor Reserve Recreation Area: 28.60 acres/1000 population countywide

## POTENTIAL FOR CONSERVATION, USE OR PROTECTION OF NATURAL RESOURCES

Paragraph F. Natural Area Preserves, is hereby amended to read as follows:

### F. NATURAL AREA PRESERVES

Natural Area Preserves are those lands maintained and managed in essentially their natural state with the ~~primary~~ objectives of conserving and protecting their environmentally unique, irreplaceable and valued ecological resources, including the plant and animals species they support, and providing passive recreational opportunities to the public. Natural area preserve protect biodiversity and ~~can~~ provide recreation and aesthetic benefits to the public. Public use and enjoyment of these lands are only limited to the extent required to maintain the natural resource values of the natural area preserve.

In November 1994, County voters approved a \$20,000,000 bond referendum to finance the costs of acquiring environmentally significant lands and wildlife habitat. Through the St. Lucie County Environmental Significant Lands (ESL) program, lands are identified, assessed, prioritized and purchased or protected by some other means. The Land Acquisition Selection Committee, which was formed to review and recommend sites for purchase, has targeted almost 20,000 acres for purchase. Matching funds, primarily through the Preserve 2000 program, have been secured, and approximately 6,000 acres of natural areas have been purchased to date (Figure 8-9). Through public acquisition and proper land management the County's Environmentally Significant Lands program will ensure the long term viability of natural areas throughout St. Lucie County.

The qualifying criteria used to identify environmental uplands for purchase include:

- The presence of unique ecological communities;
- Quality of the native uplands;
- Presence of rare and endangered plant and animals species;
- Land that safeguards water quality;
- Vulnerability to development
- Proximity to other preserves and greenways;
- Land that provides passive resource-based recreational opportunities.

The ESL bond referendum and the Preservation 2000 program have had a major impact on the County's future. Some benefits derived from the purchase of ESLs include:

protection of the biodiversity of plant and animal communities, protection of natural buffers that filter stormwater runoff along our waterways, areas for residents and visitors to exercise and experience native Florida vegetative communities and wildlife, lands for outdoor classrooms for all ages, and protection of scenic roadways for travelers. The connection of public and private conservation lands to parks and cultural sites into a greenway network can also create a more livable community by stimulating eco-tourism and environmentally friendly business, providing alternative modes of transportation, and safeguarding ecological systems and wildlife corridors. The county should continue efforts to connect its cultural and natural resources and provide spaces and amenities that enhance the public use of these areas while promoting and protecting the County's remaining natural areas.

The approximately \$4,000,000 remaining in the Environmentally Significant Lands Bond Fund will cover the County's share of costs to acquire part, but not all, of the estimated 11,000 acres identified as suitable for preservation. The Land Acquisition Selection Committee and the Board of County Commissioners have selected over 11,000 additional acres for purchase. Many of these lands have received approval for matching funds from the various Preservation 2000 programs. While it is not expected that all of these lands can be purchased, the acquisition of all selected lands would require an estimated \$6,000,000 in local matching funds. Therefore, following the expenditure of funds generated from the current bond program, natural areas will remain in need of public purchase. A strategy to protect the unacquired lands should be developed. This can be addressed through the re-establishment of the Land Acquisition Finance Committee to review the current and future financial needs of the Environmentally Significant Lands program.

In 1999, the Florida legislature created the Florida Forever program, the successor to Preservation 2000, which will continue the State's effort to protect natural areas over the next 10 years. Unlike its predecessor, Florida Forever emphasizes land management, water resource development, and acquisition of parks in urban areas in addition to the protection of native plant and animal species. To participate in the Florida Forever Program, an additional source of local matching funding must be identified. Some of the ways this could be accomplished include: impact fees for environmental lands, set aside requirements for uplands that provide an alternative to contribute to an upland mitigation fund, and a second Environmentally Significant Lands bond referendum.

CHAPTER 8  
CONSERVATION ELEMENT  
GOALS, OBJECTIVES AND POLICIES

GOALS, OBJECTIVES AND POLICIES, Objective 8.1.7, Policy 8.1.8.3 is hereby amended to read as follows:

Lands acquired through the County's Environmentally Significant Lands Program for preservation shall be preserved and managed for natural habitat, listed plant and animal species and passive resource recreational needs ~~for the long term viability of the listed species together with the recreational needs~~ of the public.

CHAPTER 8  
RECREATION SUB-ELEMENT  
GOALS, OBJECTIVES AND POLICIES

GOALS, OBJECTIVES AND POLICIES, Objective 9.1.8 is hereby amended to read as follows:

The County shall protect environmentally significant areas with emphasis on native upland habitats, and ~~shall prevent~~ the prevention of the net loss of listed species and their habitats. This shall be accomplished through the County Environmental Significant Lands Acquisition program, on-going natural resource protection programs and the implementation of land development regulations, including impact fees.

Table 8-3 - Inventory of Natural Area Preserves in St. Lucie County is inserted after "Potential for Conservation, Use or Protection of Natural Resources, Paragraph F. Natural Area Preserves.

**Table 8-3**  
**Environmentally Significant Lands**  
**St. Lucie County**

<b><u>PROJECT</u></b>	<b><u>ACRES</u></b>
<b><u>Purchased Sites</u></b>	
<u>Ancient Oaks (White City)</u>	<u>48.00</u>
<u>Blind Creek (S. Hutchinson Island) (1)</u>	<u>409.00</u>
<u>Bluefield Ranch (Trail Ridge)</u>	<u>3,285.00</u>
<u>Brefrank Tract (Avalon St. Pk Add.)</u>	<u>45.00</u>
<u>Indrio North Savannahs</u>	<u>278.00</u>
<u>Kings Island (N. Hutchinson Island)</u>	<u>173.00</u>
<u>North Fork of the St. Lucie River FCT</u>	<u>150.00</u>
<u>North Fork of the St. Lucie River CARL</u>	<u>601.00</u>
<u>North Fork - Platt's Creek (2)</u>	<u>86.00</u>
<u>Ocean Bay (S. Hutchinson Island)</u>	<u>27.00</u>
<u>Paleo Hammock (Western SLC)</u>	<u>80.00</u>
<u>Queens Island (N. Hutchinson Island)</u>	<u>255.00</u>
<u>St. Lucie Pinelands</u>	<u>746.00</u>
<u>South Savannahs</u>	<u>1.00</u>
<u>Walton Scrub Homestead</u>	<u>33.00</u>
<u>Westmoreland/PSL</u>	<u>38.00</u>
<u>St. Lucie Village</u>	<u>60.00</u>
<u>Indrio Scrub Preserve</u>	<u>13.00</u>
<u>DJ Wilcox (Indrio Blueway)</u>	<u>105.00</u>
<u>Sheraton Scrub Preserve</u>	<u>56.00</u>
<u>St. Lucie Village - MRC</u>	<u>32.00</u>
<u>Paleo Hammock Addition</u>	<u>340.00</u>
<u>Ten Mile Creek West</u>	<u>8.6</u>
<u>Ten Mile Creek East</u>	<u>100.00</u>
<u>Subtotal</u>	<u>6,969.60</u>
<b><u>Pending Negotiations*</u></b>	
<u>Pending Negotiations - Goal</u>	<u>1,375.66</u>
<b><u>GRAND TOTAL</u></b>	<b><u>8,667.96</u></b>

**SOURCE:** St. Lucie County, Environmental Resources Department, August 2006.

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The County is in negotiations to purchase 1,375.66 acres of Environmentally Significant Land. These purchases are goals and may be modified to include more or less acreage.

CHAPTER 8  
CONSERVATION ELEMENT  
GOALS, OBJECTIVES AND POLICIES

POTENTIAL FOR CONSERVATION, USE OR PROTECTION OF NATURAL RESOURCES is hereby amended to add Paragraph G. The Levels of Service Standards.

**F. THE LEVELS OF SERVICE STANDARDS**

The desired levels of service standard for Natural Area Preserves in St. Lucie county is 28.60 acres per 1,000 population.