



AGENDA
PORT SUBCOMMITTEE
WORKSHOP
APRIL 28, 2021
5:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034

- 1. CALL TO ORDER / ROLL CALL / DETERMINATION OF QUORUM**
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF MEETING MINUTES**
 - 3.1 Approval of Minutes for the April 7, 2021 Workshop
- 4. BOARD BUSINESS**
 - 4.1 Goal 5P Ocean Highway & Port Authority, Port of Fernandina Facilities Element
- 5. PUBLIC COMMENT**
- 6. ADJOURNMENT**
- 7. THE NEXT REGULAR PAB MEETING WILL BE HELD ON MAY 12, 2021**

All members of the public are invited to be present and be heard. Persons with disabilities requiring accommodations in order to participate in this program or activity should contact the City Clerk at (904) 310-3115 or TTY/TDD 711 (for the hearing or speech impaired). All interested parties may appear at said meeting and be heard as to the advisability of any action, which may be considered with respect to such matter. For information regarding this matter, please contact the Planning Department (904) 310-3135.

PLANNING ADVISORY BOARD AGENDA ITEM
City of Fernandina Beach



SUBJECT:

ITEM TYPE: Comprehensive Plan Amendment

REQUESTED ACTION:

SYNOPSIS:

CITY ATTORNEY COMMENTS:

Jacob Platt, Senior Planner

Kelly N. Gibson, AICP, Planning Director

Tammi E. Bach, City Attorney

Date: April 15, 2021

Submitted By: Taylor Hartmann, Planning Technician



**MINUTES
PORT SUBCOMMITTEE WORKSHOP
APRIL 7, 2021**

1. CALL TO ORDER 3:00

2. ROLL CALL

MEMBERS PRESENT:

Genece Minshew (Chair)
Victoria Robas

Mark Bennett
Peter Stevenson

MEMBERS ABSENT:

None

OTHERS PRESENT:

Miriam Hill, OHPA Commissioner
Jacob Platt, Senior Planner
Tammi Bach, City Attorney (3:03)
Taylor Hartmann, Recording Secretary
Sylvie McCann, Recording Secretary

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MEETING MINUTES

4.1 Approval of the Minutes for the March 24, 2021 Port Subcommittee Meeting

ACTION TAKEN: A motion was made by Member Stevenson seconded by Member Robas to approve the minutes as presented.

Vote upon passage of the motion was taken by voice vote, and being all ayes, carried.

5. BOARD BUSINESS

5.1 Continue to review Port Element changes

Members agreed to start at the beginning of the document and review changes made during previous meetings to finalize what would and would not be included in the final draft.

Ms. Hill pointed out that The Port is frequently called out in the document whereas other landowners are not.

Ms. Bach reviewed the Florida Statute and confirmed that it does not require a city to word their Comprehensive Plan in a way that points out individual landowners.

Member Bennett inquired about the definition of “unique” wildlife habitats and suggested that the word unique be struck from the document.

DRAFT

Members agreed to remove 5P.01.04 entirely.

Ms. Hill referred to a Charter and indicated that OHPA may be exempt from all provisions in the Comprehensive Plan Port Element.

Members agreed to skip “Not Required” sections and prioritize reviewing required sections first in order to conserve time.

Chair Minshew suggested combining sections .13, .14, and .15 under one Governmental Agency Coordination Section.

With all statute required sections addressed and reviewed, members went back to Section 5P.04.01 to review non-mandatory sections of the Comprehensive Plan Port Element.

Members agreed to remove Section 5P.04.01 entirely and combine sections 5P.04.06, .07. and .08 into one section.

Chair Minshew confirmed that the Port must submit emergency plans to the EPA yearly and that those plans are readily available to the public.

Members agreed to combine Natural and Manmade Disasters sections under one title.

The next PAB Port Subcommittee meeting is scheduled for April 28, 2021 at 5:00PM.

6. ADJOURNMENT 5:18

Taylor Hartmann, Recording Secretary

Genece Minshew, Chair

PLANNING ADVISORY BOARD AGENDA ITEM
City of Fernandina Beach



SUBJECT:

ITEM TYPE: Comprehensive Plan Amendment

REQUESTED ACTION:

SYNOPSIS:

CITY ATTORNEY COMMENTS:

Jacob Platt, Senior Planner

Kelly N. Gibson, AICP, Planning Director

Tammi E. Bach, City Attorney

Date: April 21, 2021

Submitted By: Jacob Platt, Senior Planner

Black Text = Required per FS 163.3178 (2)(K) A component which includes the comprehensive master plan prepared by each deepwater port listed in s. [311.09\(1\)](#), which addresses existing port facilities and any proposed expansions, and which adequately addresses the applicable requirements of paragraphs (a)-(k) for areas within the port and proposed expansion areas. Such component shall be submitted to the appropriate local government at least 6 months prior to the due date of the local plan and shall be integrated with, and shall meet all criteria specified in, the coastal management element. “The appropriate local government” means the municipality having the responsibility for the area in which the deepwater port lies, except that where no municipality has responsibility, where a municipality and a county each have responsibility, or where two or more municipalities each have responsibility for the area in which the deepwater port lies, “the appropriate local government” means the county which has responsibility for the area in which the deepwater port lies. Failure by a deepwater port which is not part of a local government to submit its component to the appropriate local government shall not result in a local government being subject to sanctions pursuant to s. [163.3184](#). However, a deepwater port which is not part of a local government shall be subject to sanctions pursuant to s. [163.3184](#).

Blue Text = Local Interest

Green Text = Requested by the OHPA for the Port of Fernandina?

GOAL 5P | OCEAN HIGHWAY & PORT AUTHORITY, PORT OF FERNANDINA FACILITIES ELEMENT (REQUIRED)

THE PORT MUST MAINTAIN, PLAN, AND DEVELOP THE PORT OF FERNANDINA BEACH, IN ACCORDANCE WITH MARKET FORECASTS AND THE COMMUNITY’S COMMERCIAL AND INDUSTRIAL RESOURCES, TO CREATE JOBS AND STIMULATE LOCAL AND REGIONAL ECONOMIC DEVELOPMENT WHILE MAINTAINING AND ENHANCING THE UNIQUE CHARACTER OF THE CITY OF FERNANDINA BEACH, PROVIDING FOR THE HEALTH, SAFETY AND ECONOMIC WELFARE OF THE COMMUNITY, PROTECTING THE LOCAL MARINE ENVIRONMENT, AND THE SURROUNDING HISTORIC RESIDENTIAL NEIGHBORHOOD.

OBJECTIVE 5P.01. PORT OF FERNANDINA DEVELOPMENT (REQUIRED)

Within the City of Fernandina Beach, The Port must pursue phased planning and development, consistent with the goals of the City of Fernandina Beach Comprehensive Plan and the mandates of Florida Statutes.

Policy 5P.01.01. (REQUIRED)

The Port must prepare a Port Master Plan Map – a land use and inventory map of existing coastal uses including all existing infrastructure including fuel storage tanks, storm water management, zoning, wetland and other vegetative communities, undeveloped areas, areas subject to coastal flooding, public evacuation routes, historic preservation areas and conservation areas.

Policy 5P.01.02. (REQUIRED)

Within the City of Fernandina Beach, The Port will not expand port operations beyond industrially waterfront zoned or industrially zoned land (as depicted on the Future Land Use Map as amended from time to time). The Port will not expand any ancillary operations including parking lots into the historic district or any other residentially or mixed-use zoned land (as depicted on the Future Land Use Map as amended from time to time), with the exception of 501 North 3rd Street and the adjacent parking lot east of the property.

Policy 5P.01.03. (REQUIRED)

Prior to any new proposed development or redevelopment, within the City of Fernandina Beach, The Port will conduct an analysis of the environmental, socioeconomic, and fiscal impact on the City of Fernandina Beach. The analysis will delineate the required infrastructure to support this development or redevelopment and the plans and principles to be used to control development and redevelopment to eliminate or mitigate the adverse impacts on coastal wetlands; living marine resources; wildlife habitat; historical and archaeological sites; other fragile coastal resources and the adjacent historic district.

Prior to any future development or redevelopment to the Port, within the City of Fernandina Beach, all plans or proposals for development or redevelopment must be reviewed by the City of Fernandina Beach for meeting all applicable Comprehensive Plan policies, Land Development Code regulations, City Ordinance requirements.

Policy 5P.01.04. (REQUIRED)

The Port must coordinate with the U.S. Army Corps of Engineers and the City of Fernandina Beach, regional, state, and federal regulatory agencies for maintenance dredging of the Amelia Island River, as needed to accommodate waterborne commerce operations.

Objective 5P.02. ECONOMIC DIVERSIFICATION (REQUIRED)

The Port may explore opportunities to develop synergies between its waterborne commerce operations and other economic resources in the area.

Policy 5p.02.01. (REQUIRED)

The Port may explore complementary upland developmental opportunities, but not within the boundaries of the Fernandina Beach Historic District.

Policy5p.02.02. - (REQUIRED)

To take better advantage of its proximity to the Intracoastal Waterway, The Port may support initiatives to improve Intracoastal connections. The Port may cooperate with entities seeking to improve conditions along the Intracoastal Waterway.

Objective 5P.03. GOVERNMENTAL AND AGENCY COORDINATION (REQUIRED)

The City of Fernandina Beach and the Port must work together to ensure that port maintenance and development or redevelopment activities are compatible with and support the programs and policies contained in the City's Comprehensive Plan. The City of Fernandina Beach and the Port must coordinate its development efforts with local, state, and federal permitting agencies and other private entities to ensure that its development and operations are carried out in accordance with the public interest and regulatory requirements.

Policy 5p.03.01. (REQUIRED)

The Port must coordinate its planning and development efforts with the City of Fernandina Beach to ensure that the Port's planned projects and land uses comply with the City's Comprehensive Plan, including the Conservation and Coastal Management Element and Land Development Code.

Policy 5.03.02. (REQUIRED)

The Port must continue to coordinate with the Fernandina Beach Historic District Council to ensure preservation and restoration of significant historical sites that fall within the jurisdiction of the Port facility. Where Port property is adjacent to the Historic District, a 30-foot landscaped buffer must be maintained.

Policy 5.03.03. (REQUIRED)

The Port and the City must coordinate to ensure the provision of adequate infrastructure and utilities for Port operations.

Policy 5p.03.04. (REQUIRED)

The Port must obtain public input prior to implementing any Port development program.

Policy 5.03.05. (REQUIRED)

The Port must comply with the provisions of the permits governing its in-water and upland development program.

Policy 5p.03.06. (REQUIRED)

The Port must support the economic development initiatives of the City of Fernandina Beach, by pursuing activities that expand economic opportunities.

Policy 5.03.07. (REQUIRED)

The Port must review the economic development initiatives of Nassau County and support when consistent with the City of Fernandina Beach Comprehensive Plan.

Policy 5.03.08. (REQUIRED)

The Port must develop a strategic plan with a 10-year horizon which must at a minimum include the elements listed in FS 311.14 – Seaport Planning and which adequately addresses the applicable requirements of FS 163.3178. To the extent feasible, the port master plan must be consistent with the City Comprehensive Plan.

The Port must submit the Master Plan to the City for consistency review with City of Fernandina Beach Comprehensive Plan. Any inconsistencies that cannot be resolved with The Port must be noted in the Port Master Plan and will not be adopted in the Comprehensive Plan by reference.

Policy 5.03.09 (REQUIRED) NEW

The Port and the City of Fernandina Beach must work together to create a long term inter-local agreement between the two entities that will establish guiding principles and specific goals and objectives to ensure a positive, productive, and economically driven long term relationship. This inter-local agreement must include those items of critical interest and concern to both parties as well as the items identified in Objectives 5P4 – 5P7 of the current Comprehensive Port Sub-element. The inter-local agreement must be reviewed and updated every 5 years at a minimum. Either party may ask for the agreement to be opened for amendment.

Objective 5P.04. MULTI-MODAL TRANSPORTATION (NOT REQUIRED)

The City will work with the Port to facilitate improvements which will support the safe, efficient, sustainable, and economical, transportation of goods and services to and from the Port.

Policy 5p.04.01. (NOT REQUIRED)

The Port may cooperate with entities seeking to improve conditions along the Intracoastal Waterway.

Policy 5p.04.02. (NOT REQUIRED)

The Port may collaborate with local, regional, and state agencies to develop the intermodal connections needed for the efficient movement of goods to and from its facilities.

Policy 5p.04.03. (NOT REQUIRED)

The Port must schedule arriving truck traffic to eliminate the queuing of trucks outside the gates, and direct drivers to utilize designated truck routes.

Policy 5p.04.04. (NOT REQUIRED)

The Port must collaborate with Genesee & Wyoming and CSX, or their successors, to obtain the best possible service and interchanges. The Port may continue its use of the on-site rail line and must seek opportunities for more efficient use of the rail line.

Policy 5p.04.05. (NOT REQUIRED)

The Port must collaborate with railways, FDOT, and the City to improve the warning devices at the Dade and Front Street rail grade crossing to increase safety.

Policy 5p.04.06. (NOT REQUIRED)

The City of Fernandina Beach and the Port must collaborate with the TPO, the Florida Department of Transportation, the local community, and other entities to gain funding for any needed improvements to roads over which Port truck traffic must travel.

Policy 5p.04.07. (NOT REQUIRED)

The City of Fernandina Beach airport management may collaborate with the Port to develop the intermodal connections needed for the efficient movement of goods to and from its facilities.

Objective 5P.05. NATURAL RESOURCE PRESERVATION AND PROTECTION (NOT REQUIRED)

The Port must conserve and protect natural resources including forests, wetlands, fish, marine life, and wildlife, and must cooperate with federal, state, regional, and local agencies in developing sound environmental policies for Port development and operations.

Policy 5p.05.01. (NOT REQUIRED)

The Port must limit specific and cumulative impacts on water quality to maintain the integrity of the Amelia River and maintain the applicable water quality standards. In doing so, the Port must design the drainage system on its property to meet National Pollution Discharge Elimination System (NPDES), Florida Department of Environmental Protection, and St. Johns River Water Management District water quality standards and must coordinate its efforts with federal, state, regional, county and city governmental agencies.

Policy 5P.05.02. (NOT REQUIRED)

The Port may not place or build structures including pier or pier extensions in wetlands, wetland transition areas, or conservation area and will not conduct activities which degrade any wetlands and/or wildlife habitat.

Policy 5p.05.03. (NOT REQUIRED)

The Port must continue to coordinate with state and federal agencies, the Cumberland Sound Pilots Association, and other interested organizations to protect manatee and right whale communities surrounding the Amelia River Basin.

Policy 5P.05.04. (NOT REQUIRED)

The Port must use best management practices during construction, operation and maintenance at the Port facility. All new development or redevelopment at the Port of Fernandina, within the City of Fernandina Beach, must comply with applicable Federal, State, and local regulations.

Policy 5P.05.05. (NOT REQUIRED)

A plan, including a proposed funding source, to remediate the surface drains which currently empty directly into the Intracoastal Waterway and wetlands will be developed. ESCAMBIA SLOUGH.

Policy 5P.05.06. (NOT REQUIRED)

The Port must coordinate and implement strategies with industry and the City of Fernandina Beach to meet the air quality standards established by the EPA and FDEP.

Policy 5P.05.07. (NOT REQUIRED)

The Port, the City of Fernandina Beach, and the electrical utility provider, should collaborate concerning the benefits and costs of installing and requiring ship to shore power at the Port of Fernandina.

Objective 5P.06. PROTECTION FROM NATURAL DISASTERS & MANMADE HAZARDS (NOT REQUIRED)

The Port must implement measures to reduce exposure which may harm human life and property from natural disasters and manmade hazards by implementing sound safety and security programs.

Policy 5P.06.01. (NOT REQUIRED)

The Port must prepare a Facility Security Plan to meet the requirements of Title 33 Code of Federal Regulations Part 105, and keep its plan up to date, ensuring that it is consistent with City, County, and Federal emergency plans.

Policy 5p.06.02. (NOT REQUIRED)

To provide a safe operating environment, The Port must implement required Federal, State and Local safety and health measures and ensure that operations are conducted in accordance with those measures. The Port must prepare and implement the Facility Security Plan mandated and approved under State and Federal guidelines.

Policy 5p.06.03. (NOT REQUIRED)

All new development or redevelopment at the Port, must comply with the Florida Building Code and the City's locally adopted floodplain ordinance.

Policy 5P.06.04. (NOT REQUIRED)

The Port must implement post-disaster redevelopment procedures to reduce or eliminate exposure to human life and property to natural disasters and manmade hazards. These procedures must include the structural modification or removal of facilities that have experienced repeated storm damage.

Policy 5P.06.05. (NOT REQUIRED)

The Port in cooperation with all federal authorities must prohibit the handling of unauthorized hazardous materials and must be prepared to contain hazardous material spills that could occur at the Port facility site.

Policy 5P.06.06. (NOT REQUIRED)

At the Port, all emergency contingency materials and equipment necessary to mitigate petroleum spills in the water must be stored onsite. This must be verified by the Fernandina Beach Fire Chief or his designee annually.

Policy 5P.06.07. (NOT REQUIRED)

A waterfront facility, which is a facility of particular hazard as defined in 33CFR 126.3, will not be allowed in Waterfront Industrial or I-W zoned areas.

Policy 5P.06.08. (NOT REQUIRED)

The Port must prepare an evacuation contingency and warning plan to evacuate the adjacent area in the event of a toxic spill, toxic gas release, Port fire, or other manmade disaster and keep its plan up to date, ensuring that is consistent with city and county emergency plans. This plan must be filed annually with the City.

Policy 5p.06.09. (NOT REQUIRED)

The Port of Fernandina will not accept, transfer, load or store coal, coal ash, or Liquefied Natural Gas (LNG).

Objective 5p.07. ST. MARY'S RIVER ENTRANCE CHANNEL AND AMELIA RIVER ACCESS

(Requested by the OHPA?)

The Port may pursue maintenance dredging activities from the St. Mary's River Entrance Channel to the Amelia River leading to the Port to provide the water depths needed to serve ships and barges that call at the Port. Maintenance dredging activities and the management of spoil material must be pursued in a manner consistent with the State Comprehensive Plan's goals and policies addressing stewardship of water resources, coastal and marine resources, and natural systems.

Policy 5P.07.01. (Not Required)

The Port may undertake maintenance dredging, as required to ensure safe navigational conditions for the ships and barges calling at its facilities.

Policy 5p.07.02. (Not Required)

Prior to any maintenance dredging The Port in agreement with the Corps of Engineers and other federal, state, or local agencies must identify an environmentally acceptable spoil site for the disposal of the dredged material the channel dredging projects generate.