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**City of Port St. Lucie Zoning Text Amendment**

**Chapter 158 – Appendix B: City of Port St. Lucie Land Use Conversion Manual**

**P25-174**

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**SUMMARY**

<b>Applicant's Request:</b>	A City initiated text amendment to Chapter 158, Appendix B "City of Port St. Lucie Land Use Conversion Manual."
<b>Applicant:</b>	The City of Port St. Lucie
<b>Project Planner:</b>	Sofia Trail, Planner I

**Background**

The Conversion Manual was originally adopted in the mid-1980s to provide property owners and developers with a guide to converting properties in the City's conversion areas. The conversion process allows for single family platted lots to be rezoned to a zoning district consistent with the property's future land use designation and Policy 1.1.4.13 of the Future Land Use Element of the City's Comprehensive Plan. The conversion area of Becker Road was added to the Conversion Manual in 2018. The proposed changes are reflected in the attached Exhibit A.

The maps attached to the conversion manual identify all the conversion areas in the City. The following roads include conversion areas:

- Port St. Lucie Boulevard from just west of US Highway 1 to approximately Becker Road;
- Lennard Road from Tiffany Avenue to Mariposa Avenue;
- West side of Bayshore Boulevard from Thornhill Drive to Prima Vista Boulevard;
- Prima Vista Boulevard from just west of Curtis Street to Bayshore Boulevard;
- St. James Boulevard from Airoso Boulevard to just north of Royce Avenue;
- Gatlin Boulevard from Port St. Lucie Boulevard to I-95; and
- Becker Road from the Florida Turnpike to I-95.

**Project Description**

This application is a city-initiated text amendment to the City of Port St. Lucie Land Use Conversion Manual (Appendix B) of the Zoning Code (Chapter 158) of the City of Port St. Lucie Code of Ordinances. The amendment proposes to add unified control for rezoning applications. The Conversion Manual currently requires unity of title to be submitted for rezoning of land for development of multi-family or non-residential uses within the land use conversion areas.

Unified ownership through a unity of title means that properties are owned by the same person or entity. Unity of control is a legal agreement between different property owners that allows separate parcels to be treated as one for building, zoning, and development regulations. With unity of control, the owners agree to develop the properties together as a single, unified project, even though they're

owned and often financed separately. This provides customers with more flexibility for future non-single-family development projects within the conversion areas.

This amendment also includes changes to various sections of the manual as outlined below. The proposed changes are shown as ~~strike thru~~ and underline in the attached Exhibit A.

#### Proposed Changes

- Cover Page:
  - Removing the existing cover page and adding an updated cover page with the City's new logo.
- Table of Contents:
  - Revising the Table of Contents to align with the proposed amendments.
- Section II - Land Use Conversion Areas and Applicable Regulations:
  - Updating the figures and page numbers and adding a statement that Table I is consistent with Policy 1.1.4.13. of the Comprehensive Plan.
- Section III - Land Assembly Requirements:
  - Updating the figures and page numbers and including blocks within the Becker Road Corridor that prohibits parking areas, driveways, or structures at a depth greater than 280 feet.
  - Amending the unified ownership subsection to add unified control as allowable legal documentation when submitting the rezoning application.
- Section IV - Rezoning Process:
  - Adding a statement that "All rezoning applications shall be made utilizing the City's online application portal."
  - Clarifying that rezoning applications are submitted to the Planning and Zoning Department and not the City Planner.
  - Removing the "Rezoning Application and Filing Fee" and the "Criteria for Review and Timeline of the Rezoning Process" subsections.
- Section V - Site Plan and Design Considerations:
  - Adding a statement of "The Becker Road Overlay District was approved by City Council on May 28, 2018. These design standards incorporate new design requirements for development within the Becker Road Corridor."
  - Adding the minimum distance between curb-cuts providing access to land use conversion areas along major thoroughfares is 250 feet for Becker Road and the minimum distance from a street intersection is 250 feet for Becker Road.
  - Fix a clerical error within the "Joint Access Agreements" subsection and add a reference to the Becker Road Overlay District Design Standards.
  - Adding a statement of "Within the Becker Road conversion area, where a two-story building is developed in the CL or O land use designations, a required 50-foot setback will be required from any adjacent single-family residential district or use."
  - Adding a reference to Chapter 154, Landscaping and Land Clearing Code, for landscaping and screening requirements.
  - Adding a statement that references the Becker Road Overlay District Design Standards for properties along Becker Road.
  - Adding unified control as an allowable legal document when submitting rezoning applications.
- Section VI - Variance Procedures:

- Adding a statement clarifying that when variances are required for rezonings within the land use conversion manual, that the application must be submitted and approved prior to the submittal of the rezoning application and will require either a recording of a Unity of Title or Unity of Control.
- Clarifying that final action for variances are made by the City Council which is to consider the request for variances in accordance within the procedures of Chapter 158, Article XV, of the Code of Ordinances.
- Rewriting a performance standard to reference unified control and that legal documentation must be executed by the property owner(s) and approved by the City Attorney prior to the variance application being considered by the Planning and Zoning Board. The legal documentation in the form approved by the City Attorney must be recorded in the Public Records of St. Lucie County after the rezoning is approved by the City Council. The intent of this provision is to ensure the property at issue is developed as a single property for purposes of meeting building, zoning and land development requirements.
- Table 1 – Applicable Zoning Districts for Land Use Conversion Areas
  - Adding “Future Land Use Designation” next to the type of conversion area.
  - Deleting the Institutional (I) Zoning District from the table.
  - Correcting the compatible zoning district from Institutional (I) to Professional (P) for the Office (O) future land use designation.
- Figure 1 – Rezoning Application & Figure 2 – Flow Chart to Rezoning Process:
  - Deleting pages.
- Page 23: Conversion Area 28, 28A, 28B, 28C, and 28D
  - Deleting Note 1 from the table.
  - Adding “SAME AS ABOVE” to all conversion areas to make them consistent with the depth requirements.
  - Revising spelling error.

#### Analysis

This amendment will also update the requirements for land use conversion areas along the Becker Road Corridor such as depth regulations, the minimum distances between curb-cuts and street intersection, and reference the design standards for the Becker Road Overlay District. The Becker Road Overlay District was approved by the City Council on May 28, 2018. These design standards incorporate new design requirements for development within the Becker Road Corridor. Additionally, the rezoning application and timeline were removed from the conversion manual. Rezoning applications are no longer submitted directly to the Planning and Zoning Department, rather, they are submitted using the City’s online Fusion portal and then assigned to a Planner.

Ordinance 21-36, a comprehensive plan amendment, was passed in July 2021, by the City Council, which amended Policy 1.1.4.13 of the Future Land Use Element. The amendment removed the Institutional (I) Zoning District as a compatible zoning district for the Medium Density Residential (RM) and Residential, Office and Institutional (ROI) future land use classifications. Table I has been amended to reflect these changes. Furthermore, there is an error for the Office (O) conversion area that was rectified with this application. Currently, the table shows that the Institutional (I) Zoning District is compatible with the Office (O) future land use designation. Per Policy 1.1.4.13. of the City’s Comprehensive Plan, the Office (O) future land use is only compatible with the Professional (P) Zoning District.

The proposed changes to the City of Port St. Lucie Land Use Conversion Manual is consistent with Goal 1.1. of the City's Comprehensive Plan, which is to provide an appropriate mix of land uses which meet the needs of current and future residents. The application also aligns with Goal Two – Strategic Growth for a Resilient Future – and Goal Four – Diverse Economy and Employment Opportunities – of the City's Strategic Plan.

## **STAFF RECOMMENDATION**

The Planning and Zoning Department finds the proposed text amendment to be consistent with the intent and direction of the City's comprehensive plan and recommends approval.

Planning and Zoning Board Action Options:

- Motion to recommend approval to the City Council
- Motion to recommend approval to the City Council as amended
- Motion to recommend denial to the City Council
- Motion to table.

Please note: Should the Board need further clarification or information from either the applicant and/or staff, it may exercise the right to *table* or *continue* the hearing or review to a future meeting.