

ORDINANCE 03-169

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF PORT ST. LUCIE TO INCLUDE AN AMENDMENT TO THE FUTURE LAND USE MAP; PROVIDING THE INVALIDITY OF ANY PORTION SHALL NOT AFFECT THE REMAINING PORTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida has adopted a comprehensive plan known as the City of Port St. Lucie Comprehensive plan, adopted by Ordinance 97-50, as subsequently amended; and

WHEREAS, the City of Port St. Lucie Planning and Zoning Board having been duly designated as the local planning agency pursuant to Section 163.3174 etc. seq., Florida Statutes, and having held a public hearing thereon, has considered this proposed amendment to the Comprehensive Plan and submitted its recommendations thereon to the City Council; and

WHEREAS, having considered the recommendations of the Planning and Zoning Board, the Port St. Lucie City Council has prepared this amendment (Kenco Communities, Inc. P03-357) to the City's Comprehensive Plan and transmitted them to the Department of Community Affairs and other agencies as required by Section 163.3184, Florida Statutes, and the propose amendment has been reviewed by the Department of Community Affairs; and

WHEREAS, two (2) public hearings with due notice have been held by the City Council to inform the public and receive comments and objections; and

WHEREAS, the Port St. Lucie City Council desires to hereby formally adopt this amendment to the City's Comprehensive Plan.

ORDINANCE 03-169

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. That the Comprehensive Plan of the City of Port St. Lucie is hereby amended in the following respect:

A. The Future Land Use map is hereby amended for property described as parcels totaling 386 acres located in Sections 4, 5 and 9, Township 36 South, Range 39 East, St. Lucie County, Florida, bounded on the north by Midway Road, to:

i. Have RL (Low Density Residential) for 342.6 acres, CG (General Commercial) for 18 acres, ROI (Residential Office Institutional) for 12 acres, and OSC (Open Space Conservation) for 13.4 acres as is shown in the attached Exhibit "A"; and

ii. Limit residential construction in the RL (Low Density Residential) area of the subject property to 875 dwelling units.

B. Development of the above-described property shall be subject to the following:

i. To facilitate a better regional network, McCarty Road will be improved from Midway Road south to Newell Road and additional right-of-way dedicated on the plat, if necessary, to allow for a four lane section.

ii. To provide readily accessible vehicular and pedestrian connections between various land uses, an internal collector road will be required between Midway Road and McCarty Road and will include bike and pedestrian facilities.

ORDINANCE 03-169

iii. To encourage vehicular trip reduction, commercial and institutional uses shall be located within one-quarter mile (easy walking distance) of a minimum of 50% of the proposed residential units and all residential units will be within one-half mile.

iv. Multi-family residential uses (townhomes, apartments or condominiums) shall be located adjacent to the commercial uses.

v. An approximately 39 acre, centralized mixed use area, incorporating the commercial and institutional land uses, along with residential units, will serve as a village type center.

vi. A 15 acre site for elementary school purposes will be dedicated on the plat to the City of Port St. Lucie, subject to St. Lucie County School District siting criteria.

vii. Development located within the OSC (Open Space Conservation) land use area shall be limited to passive recreational uses, and will not negatively impact the creek located within the property. A minimum buffer of 50 feet from the jurisdictional line of the creek will be provided. A community recreation area will be provided adjacent to the creek and the corresponding buffer area.

viii. Interconnectivity will be accomplished via a hybrid cul-de-sac road network as feasible based on existing site features (the onsite creek and FPL easement). This network will

ORDINANCE 03-169

provide for auto and pedestrian connections in addition to the internal collector road.

ix. The project will provide for a general density transition away from the village type center, with the lowest density residential areas located west of the onsite creek. There will be a mix of residential product types and lots designed to provide mixed income housing.

x. A comprehensive pedestrian and bicycle system will be provided connecting neighborhoods, commercial and institutional uses, and recreational areas.

xi. Transit stop locations(s) shall be provided within or adjacent to the commercial and institutional land uses.

Section 2. That the provisions of the Ordinance are severable, and if any section, sentence, clause, or phrase is for one reason held to be unconstitutional, invalid or ineffective, this holding shall not affect the validity of the remaining portions of this Ordinance, it being expressly declared to be the City Council's intent that it would have passed the valid portions of this Ordinance without inclusion of any invalid portion of portions.

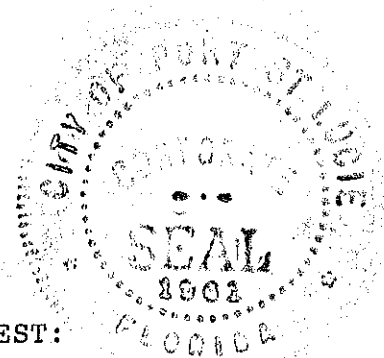
Section 3. The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding that the amendment is in compliance in accordance with section 163.3184, Florida Statutes, which ever occurs earlier. If a final order of noncompliance is

ORDINANCE 03-169

issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolutions shall be sent to the Department of Community Affairs

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this 19th day of July, 2004.

CITY COUNCIL
CITY OF PORT ST. LUCIE, FLORIDA



BY: *Robert E. Minsky*
Robert E. Minsky, Mayor

ATTEST:

Karen A. Phillips
Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

Roger G. Orr
Roger G. Orr, City Attorney

