

## **ORDINANCE 19-**

**AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF PORT ST. LUCIE BY AMENDING POLICIES 1.2.2.4, 1.2.2.5, 1.2.2.6, 1.2.2.7, 1.2.2.8, AND 1.2.2.10 OF THE FUTURE LAND USE ELEMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; 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 and Ordinance 12-19, as subsequently amended; and

**WHEREAS**, the City initiated comprehensive plan text amendment, P19-116, proposes to amend the Future Land Use Element by amending Policies 1.2.2.4, 1.2.2.5, 1.2.2.6, 1.2.2.7, 1.2.2.8 and 1.2.2.10 as outlined in Exhibit “A” with additions shown as underlined and deletions shown as ~~strikethrough~~; and

**WHEREAS**, the City of Port St. Lucie Planning and Zoning Board has been duly designated as the local planning agency pursuant to Section 163.3174 et. seq., Florida Statutes;

**WHEREAS**, the Planning and Zoning Board met on July \_\_\_\_, 2019 at a duly noticed public meeting, and pursuant to the procedures of Chapter 163, Florida Statutes, Part II, reviewed and heard testimony concerning the proposed text amendment (P19-119) to the City’s Comprehensive Plan, and submitted its recommendations thereon to the City Council; and

**WHEREAS**, the City Council held the first reading (Transmittal Hearing) of the Ordinance at a public hearing on \_\_\_\_, 2019; and

**WHEREAS**, the City Council held the second reading (Adoption Hearing) of the Ordinance at a public hearing on \_\_\_\_\_; and

**WHEREAS**, the amendment was submitted to and reviewed by the state land planning agency on \_\_\_\_\_; and

**WHEREAS**, the said public hearings were held with all required public notice for the purposes of hearing and considering the recommendations and comments of the general public, the Local Planning Agency, other public agencies and other jurisdictions prior to final action on the Comprehensive Plan Amendment set forth herein; and

**WHEREAS**, the City Council has considered to amend the City’s Comprehensive Plan and based on substantial and competent evidence, including the recommendations of staff and the Planning and Zoning Board, the City Council has determined to amend the Comprehensive Plan as provided herein; and

**WHEREAS**, all conditions required for adoption of this large-scale Comprehensive Plan Amendment have been met, including the necessary hearings and public notices.

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

**Section 1. Ratification of Recitals.** The City Council of the City of Port St. Lucie, Florida, hereby adopts and ratifies those matters as set forth in the foregoing recitals.

**Section 2.** The Comprehensive Plan of the City of Port St. Lucie is hereby amended in the following respect:

- Policies 1.2.2.4, 1.2.2.5, 1.2.2.6, 1.2.2.7, 1.2.2.8 and 1.2.2.10 of the Future Land Use Element is hereby amended as shown in Exhibit “A”, attached hereto and incorporated by reference herein.

**Section 3. Conflict.** The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or

unconstitutional by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

**Section 4. Codification.** It is the intention of the City Council of the City of Port St. Lucie, and it is hereby ordained, that the provisions of this Ordinance shall become and made a part of the Future Land Use Element of the Comprehensive Plan of the City of Port St. Lucie, Florida, that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions, and the word “ordinance” may be changed to “Section” or other appropriate word as may be necessary.

**Section 5. Effective Date.** The effective date of this plan amendment shall be thirty-one (31) days after the state land planning agency notifies the City that the plan amendment package is complete, pursuant to Section 163.3184(3)(c)(4), Florida Statutes. If timely challenged, this amendment does not become effective until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is 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 shall be sent to the state land planning agency.

**PASSED AND APPROVED** by the City Council of the City of Port St. Lucie, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

CITY COUNCIL

CITY OF PORT ST. LUCIE, FLORIDA

BY: \_\_\_\_\_  
Gregory J. Oravec, Mayor

ATTEST:

\_\_\_\_\_  
Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
James D. Stokes, City Attorney

## EXHIBIT “A”

### **GOAL 1.2: TO CREATE LARGE-SCALE, SUSTAINABLE NEW COMMUNITIES WITH MIXED-USES.**

*Objective 1.2.1: Maintain a New Community Development District (NCD District) Future Land Use designation, which will facilitate the development of a mixed-use community.*

Policy 1.2.1.1: The New Community Development District shall be planned to incorporate a mixture of land uses, consistent with the densities and intensities authorized by the overall land use designation. At the option of the landowner(s), the NCD District may be broken into defined sub-districts, however each sub-district shall be included in or approved as part of a Development of Regional Impact as provided for in Policy 1.2.7.1.

Policy 1.2.1.2: The density and intensity of the NCD District, or any sub-districts, shall be indicated in the Future Land Use Element. The transfer of dwelling units, hotel rooms, and non-residential square footage shall be permitted between any designated sub-district areas. A Comprehensive Plan Amendment shall not be required for the transfer of dwelling units, hotel rooms, and non-residential square footage between any designated sub-district areas provided that the transfer does not exceed 50% of the receiving sub-district’s allocation of a particular use. Transfers shall also require consent from the affected property owners of any property from and to which the density is transferred and an amendment of any zoning adopted pursuant to Policies 1.2.6.2 and 1.2.6.3.

Policy 1.2.1.3: A conceptual master plan shall be developed to illustrate how the seven land use sub-categories (Residential, Neighborhood/Village Commercial Areas, Town Center, Resort, Employment Center, Regional Business Center and Mixed-Use) would be allocated, where they would be located, and how they would function in relation to each other. The conceptual master plan for the NCD District shall be adopted as part of the Future Land Use Element of the Comprehensive Plan.

*Objective 1.2.2: Implement policies that ensure that development within the New Community Development District will be:*

- a. Mixed-Use, providing a greater variety of uses closer to home and work;
- b. Pedestrian oriented, reducing reliance on the automobile and building a sense of place and community;
- c. Environmentally sensitive, providing wildlife corridors and upland habitat preservation; and,
- d. Able to provide a diversity of housing types to enable citizens from a wide range of economics levels and age groups to live within its boundaries.

Policy 1.2.2.1: The NCD District shall contain a minimum of three of the land use sub-districts

described above in Policy 1.2.1.3.

Policy 1.2.2.2: Residential Areas shall:

- a. Contain neighborhoods of housing, which neighborhood may also contain schools, parks, places of worship and civic facilities essential to the daily life of the residents;
- b. Contain a central public focal point consisting of any one, all, or a combination of parks and public facilities such as places of worship, schools, or community centers as described below;
- c. Provide one site for institutional uses for each 600 acres of Residential Area;
- d. Link and co-locate schools and school sites with park, recreational, conservation, and residential uses;
- e. Integrate the natural terrain, drainage, and vegetation within parks or greenbelts where feasible.

Policy 1.2.2.3: The following standards shall be met in designing Neighborhoods within the Residential Area and incorporated into any MPUD Conceptual Plan and Regulation Book adopted pursuant to Policies 1.2.6.1 and 1.2.6.2:

a. Minimum Size Neighborhood:	10 acres
Maximum Size Neighborhood:	750 acres
Minimum Density:	1.00 units/gross acre <sup>1</sup>
Maximum Density:	28.0 units/gross acre
Maximum Building Lot Coverage:	60%
Maximum Impervious:	80%
Maximum Building Height:	
Single-Family	35 feet
Multi-Family	65 feet
Schools	65 feet
Other permitted uses	35 feet

<sup>1</sup> Unless a higher minimum density is specified by the Conceptual Land Use Plan.

- b. Neighborhoods within the Residential Area shall be within a 2-mile radius of shops, services, and other activities. The radius may be relaxed where natural or community facilities and services interrupt the design;
- c. Neighborhoods within the Residential Area shall contain a variety of dwelling and/or lot types;
- d. Neighborhoods within the Residential Area shall contain useable open space in uses such as squares, greens and parks whose uses are encouraged through placement and design; and,

- e. Neighborhoods within the Residential Area shall contain local and collector streets, pedestrian paths and bike paths that contribute to a system of fully connected routes from individual neighborhoods to neighborhood commercial uses, schools and other neighborhoods.
- f. Gated neighborhoods are permitted provided they are integrated into the overall community via pedestrian and bicycle connections and arterial or collector roads are not gated.

Policy 1.2.2.4: Neighborhood/Village Commercial Areas shall function as a community of compatible uses in a compact setting serving adjoining neighborhoods and may provide for a mix of residential and non-residential land uses. Non-residential uses include commercial and office uses, personal and household service establishments, institutional uses, public facilities, parks, playgrounds, and other similar services designed to meet the needs of adjoining neighborhoods. The following standards shall be met in designing Neighborhood/Village Commercial Areas:

a. Minimum Size:	3 acres
Maximum Size:	35 acres
Maximum Building Lot Coverage:	80%
Maximum Impervious Lot Area:	90%
Minimum Density of Residential Area:	5.0 units/ <del>net</del> gross acre
Maximum Density of Residential Area:	<u>28.0</u> <del>20.0</del> units/ <del>net</del> gross acre
Maximum Building Height	50 feet <sup>1</sup>

<sup>1</sup>Steeple and similar architectural embellishments shall have a maximum height of 100 feet.

- b. Shall contain a minimum of two or more uses as described above. The minimum two-use requirement shall be identified for each Neighborhood/Village Commercial Area as part of an MPUD master plan. The minimum two-use requirement shall be identified for each Neighborhood/Village Commercial Area as part of the MPUD master plan with one required use being commercial/retail. Individual parcels within a Neighborhood/Village Commercial Area may undergo separate site-specific applications for development approvals without individually meeting such multi-use requirement provided the site-specific development application is consistent with the MPUD master plan;
- c. Shall have frontage on roads which function as a collector or arterial or at the junction of two such roads. The collector road may not split the commercial area unless alternative pedestrian access is provided; and,
- d. Within open space areas include a minimum of 5% useable open space for employees and visitors in uses such as of squares, greens, parks, recreation areas, and/or conservation areas whose uses are encouraged through placement and design.

Policy 1.2.2.5: Town Centers shall be established that include commercial and office uses, hospital and medical uses, restaurants, hotels, institutional uses, public facilities (including utilities), residential and other similar services designed to meet the needs of the larger area. The following

standards shall be met in designing Town Centers:

a. Minimum Size:	30 acres
Maximum Size:	150 acres
Maximum Building Lot Coverage:	80%
Maximum Impervious Lot Area:	90%
Minimum Density of Residential Area:	5.0 units/ <del>net</del> gross acre
Maximum Density of Residential Area:	<u>28.0</u> <del>20.0</del> units/ <del>net</del> gross acre
Maximum Building Height:	50 feet <sup>1</sup>

<sup>1</sup> Steeples and similar architectural embellishments shall have a maximum height of 100 feet.

- b. Shall contain a minimum of three or more uses as described above, one of which shall be residential. The minimum three-use requirement shall be identified for each Town Center as part of an MPUD master plan. The minimum three-use requirement shall be identified for each Town Center as part of the MPUD master plan with a minimum of one use being commercial/retail designed to serve the needs of the residents. Individual parcels within a Town Center may undergo separate site\_ specific applications for development approvals without individually meeting such multi-use requirement provided the site\_ specific development application is consistent with the MPUD master plan;
- c. A minimum of 30% and a maximum 50% of the net developable area within a Town Center shall be residential;
- d. A minimum of 800 residential units shall be located within ½ mile of the Town Center; and,
- e. Within open space areas include a minimum of 5% useable open space for employees and visitors in the form of squares, greens, parks, recreation areas, and/or conservation areas whose uses are encouraged through placement and design.

Policy 1.2.2.6: Resort Areas offering, but not limited to public and private golf courses, may be included in the development components of the NCD District and may provide for a mix of residential and non-residential land uses. Residential uses may include single-family detached, single family attached, townhomes, condominiums, and multi-family uses. Non-residential uses include retail shops, office uses, hotels, restaurants, personal service establishments, institutional uses, public facilities, parks, playgrounds, and other similar services designed to meet the needs of adjoining resort neighborhoods. The following standards shall be met in designing Resort Areas:

a. Minimum Size:	100 acres
Minimum Density:	1.0 units/ <del>net</del> gross acre
Maximum Density:	<u>28.0</u> <del>20.0</del> units/ <del>net</del> gross acre
Maximum Building Lot Coverage:	
Single-Family Detached	50%
All Other Uses	70%
Maximum Impervious Lot Area:	



Single-Family Detached	70%
All Other Uses	90%
Maximum Building Height:	35 feet

- b. Non-residential uses shall be located on a road which functions as a collector or at the junction of two such collector roads. The collector road may not split the commercial area unless alternative pedestrian access is provided; and,
- c. Within open space, areas include a minimum of 15% useable open space in uses such as squares, greens, parks, recreation areas, golf courses and/or conservation areas whose uses are encouraged through placement and design.

Policy 1.2.2.7: Mixed-Use Areas shall be established that include commercial and office uses, hospital and medical uses, restaurants, theaters, hotels, institutional uses, public facilities (including utilities), light industrial, warehouse/distribution, residential and other similar services designed to meet the needs of the larger area. The following standards shall be met in designing Mixed-Use Areas:

a. Minimum Size:	30 acres
Maximum Size:	500 acres
Maximum Building Lot Coverage:	80%
Maximum Impervious Lot Area:	90%
Minimum Density of Residential Area:	5.0 units/ <del>net</del> gross acre
Maximum Density of Residential Area:	<u>28.0</u> <del>20.0</del> units/ <del>net</del> gross acre
Maximum Building Height:	100 feet

- b. Shall contain a minimum of three or more uses as described above, one of which shall be residential. The minimum three-use requirement shall be identified for each Mixed-Use Area as part of an MPUD master plan. Individual parcels within a Mixed-Use Area may undergo separate site-specific applications for development approvals without individually meeting such multi-use requirement provided the site-specific development application is consistent with the MPUD master plan;
- c. A minimum of 30% and a maximum 70% of the net acreage within a Mixed-Use Area shall be residential; and,
- d. Within open space, areas include a minimum of 5% useable open space for employees and visitors in uses such as squares, greens, parks, recreation areas, and/or conservation areas whose uses are encouraged through placement and design.

Policy 1.2.2.8: Regional Business Centers (developments with more than 1,000,000 non-residential square feet) shall be established that include industrial uses, warehouse/distribution, manufacturing, retail, commercial and office uses, and medical uses, restaurants, theaters, hotels, institutional uses, public facilities (including utilities), residential and other similar services designed to meet the needs of the larger area. The following standards shall be met in designing Regional Business Center sub-

districts:

a. Minimum Size:	30 acres
Maximum Size:	500 acres
Maximum Building Coverage:	80%
Maximum Impervious Area:	90%
Minimum Density of Residential Area:	5.0 units/ <del>net</del> gross acre
Maximum Density of Residential Area	35.0 units/ <del>net</del> gross acre
Maximum Building Height:	150 feet

- b. Shall contain a minimum of two or more uses as described in the paragraph above. The minimum two-use requirement shall be identified as part of a MPUD master plan. Individual parcels within a Regional Business Center may undergo separate site-specific applications for development approvals without individually meeting such multi-use requirement provided the site-specific development application is consistent with the MPUD master plan;

Policy 1.2.2.9: The following unique term shall apply to regional mall/lifestyle center projects within the Regional Business Centers of the NCD district.

- a. Gross Leasable Area (“GLA”), shall be defined as the sum of gross horizontal areas of all floors of a building designed for the tenants’ occupancy and exclusive use, expressed in sq. ft. and measured from the inside face of the exterior walls. GLA does not include public or “common areas” i.e., hallways and exit corridors, stairwells, elevators, escalators, lobbies, mall concourses or mall management offices nor does it include mechanical rooms, mechanical chases, basement, mezzanines (unless used as retail sales space), public and private restrooms, outdoor lumber and garden areas and storage areas that are roofed and enclosed but not served by a HVAC system or other unoccupied areas.

Policy 1.2.2.10: Employment Centers shall be established to include office uses, medical uses, hospitals, industrial uses, warehouse/distribution, research and development, manufacturing, institutional uses, educational facilities including college, technical, or vocational schools (including dormitories), public facilities (including utilities), sports and recreation, retail, hotel, multi-family housing, and other similar uses and services to support the City’s targeted industries list and improve the economic vitality of the area. The following standards shall be met in designing Employment Centers:

b. Minimum Size:	50 acres
Maximum Building Lot Coverage:	80%
Maximum Impervious Lot Area:	90%
Maximum Building Height:	100 feet (150 feet for hospitals)
Minimum Density of Residential Area	5.0 units/ <del>net</del> gross acre
Maximum Density of Residential Area	<u>28.0</u> <del>20.0</del> units/ <del>net</del> gross acre

Maximum Retail Uses	100,000 gross square feet Maximum of 20% of gross sq. ft.
---------------------	--

- c. Within open space areas include a minimum of 5% useable open space for employees and visitors in the form of squares, greens, parks, recreation areas, and/or conservation areas whose uses are encouraged through placement and design.

Policy 1.2.2.11: To facilitate infrastructure construction, the City shall consider providing incentives to encourage the development of Regional Business Centers and Employment Centers, which will result in new jobs above minimum wage. Such incentives may include expedited permit review, tax abatements, tax increment financing, tax exemptions, and tax credits, subsidized loans, publicly provided infrastructure, assistance with work-force training, industrial development bonds, and waivers of impact and permit fees.

Policy 1.2.2.12: To facilitate business relocation and retention, the City shall consider providing incentives to encourage end users to locate within Regional Business Centers and Employment Centers, including tax incentives such as tax abatements, tax exemptions, and tax credits, subsidized loans, assistance with training, industrial development bonds, creation of foreign trade zone and waivers of impact and permit fees.

Policy 1.2.2.13: The City will use its best efforts to assist developers and end users within any Regional Business Center or Employment Center with any application for and the pursuit of tax and economic incentives from St. Lucie County, the State of Florida, and the United States.

Policy 1.2.2.14: Agriculture and agriculture related activities, such as citrus, cash crops and ranching, shall be permitted in areas intended for future development until such time as construction for non-agricultural uses has begun in a particular sub-district. The commencement of construction activities on one portion of a sub-district property shall not prohibit agriculture and agriculture related activities on those portions of the sub-district where construction activities have not commenced. Agriculture and agriculture related activities, such as citrus, cash crops and ranching, shall be permitted in the transitional buffer areas.

Policy 1.2.2.15: Block lengths and Cul-de-sacs shall be of reasonable lengths. Gated communities shall promote public access road connectivity.

Policy 1.2.2.16: The edge of a New Community Development District residential area may be formed by a major arterial. The land uses directly along this major arterial should be mixed-use or multifamily housing.

Policy 1.2.2.17: Pedestrian connectivity between residential areas and village commercial areas shall be promoted through the provision of sidewalks along low-traffic, low-volume streets, and through the creation of greenway links.

Policy 1.2.2.18: Elementary and middle schools should be encouraged to locate within residential

areas where possible. The City will encourage the design of school sites to promote safe and convenient walking and biking to school.

Policy 1.2.2.19: The City shall create urban design standards for village centers about the location of buildings, parking, alleys, facades, materials, transparency, streetscape standards, and other elements of urban design.