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AN ORDINANCE AMENDING TITLE XV “LAND USAGE”, CHAPTER 158, “ZONING CODE”, SECTION 158.174(G), “INTERNAL PUD DESIGN; STANDARDS” OF THE CODE OF ORDINANCES OF THE CITY OF PORT ST. LUCIE PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida adopted amendments to the City of Port St. Lucie Comprehensive Plan by Ordinance 12-19 (the “Comprehensive Plan”); and

WHEREAS, Section 163.3202, Florida Statutes, provides for the amendment and enforcement of land development regulations that are consistent with and implement the adopted comprehensive plan; and

WHEREAS, Section 163.3174, Florida Statutes, provides that the Local Planning Agency shall review proposed land development regulations and make recommendations to the governing body as to the consistency of the proposed land development regulations with the adopted Comprehensive Plan; and

WHEREAS, this City initiated code amendment, P19-117, proposes to amend section 158.174(G) to modify the off-street parking and off-street loading requirements for planned unit developments; 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, Florida Statutes, and having held a public hearing thereon, has considered this proposed amendment to the Code of Ordinances (P19-117) 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 found and determined that the adoption of an amendment to section 158.174(G), will foster and preserve the public health, safety and welfare; improve and protect the environment and value and character of the community; and implement the adopted comprehensive plan.

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

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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. **Section 158.174 (Internal PUD Design; Standards (Zoning Code), Title XV (Land Usage) of the Code of Ordinances of the City of Port St. Lucie is amended as follows:**

Sec. 158.174. - Internal PUD Design; Standards.

- (A) **Residential Density.** The number and type of residential dwelling units to be permitted within a PUD district or within specific portions of a PUD district shall be as determined by the City Council and stipulated within the approval action. Maximum gross residential density of a PUD district shall be determined by the densities set forth in the City's Comprehensive Plan.
- (B) **Access.** Every dwelling unit or other use permitted within a PUD district shall have access to a public or private street (of the type required for the PUD under subsection 158.172(B)) either directly or via an approved private road, pedestrian way, court, or other area dedicated to public or private use, or common element guaranteeing access.
- (C) **Internal Lots and Frontage.**
 - (1) No minimum lot sizes or minimum yards are established for a PUD district under these regulations. However, the applicable minimum lot size and yard size requirements of conventional zoning districts shall be utilized wherever proposed PUD development is essentially equivalent to that development permitted under conventional zoning district classifications. In addition, wherever land within a PUD district has frontage upon preexisting public roads, the front yard requirement of the conventional zoning district most applicable to the use or uses proposed for that land shall apply; and wherever yards within a PUD district abut a conventional zoning district, those yards shall comply with the yard requirements of the conventional zoning district. Where appropriate, the City Council may stipulate minimum lot sizes and minimum yard requirements as part of the approval action.
 - (2) Land area which would normally be required for residential lots, but which is not so used under the permitted lot size reduction provisions of this section of the chapter, shall be devoted instead to common open space for the enjoyment and use by residents of the development and shall be preserved into perpetuity as open space.
- (D) **Minimum Living Area.** The minimum living area requirements shall be as stipulated within the approval action.
- (E) **Maximum Building Height.** The maximum height of all residential structures not within a PUD, shall be thirty-five (35) feet. Within a PUD, greater than five (5) acres, the maximum height permitted is seventy-five (75) feet. Any structure greater than thirty-five (35) feet in height shall be required to maintain a setback from the property line of such PUD of one

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hundred (100) percent of the building height, except for PUDs located within the Port St. Lucie Community Redevelopment Area. The maximum height for commercial, office, and institutional uses within a PUD located in the Port St. Lucie Community Redevelopment Area may be one hundred twenty (120) feet or ten (10) stories, whichever is less. All such height requests are contingent upon the approval of a master plan and elevation drawings, which illustrate that the proposed height is compatible with the surrounding land uses. The applicant is required to provide adequate information to support the compatibility of the proposed taller structures with the surrounding land uses.

(F) Provision for Vehicular and Pedestrian Circulation.

- (1) The street and roadway pattern within a PUD shall be designed so as to take advantage of existing natural features and shall provide for a logical and orderly movement of vehicular traffic throughout the development. Provisions shall be made for the reservation or dedication of all rights-of-way needed for the improvement of existing streets or the construction of new streets indicated within the City's adopted Comprehensive Plan. The internal street system shall be properly coordinated with all existing streets and roadways at the project's boundaries, and all streets shall be designed in accordance with City standards and requirements including section 156.098 which limits cul-de-sac lengths to a maximum of one thousand (1,000) feet.
- (2) Reductions of right-of-way widths below those normally required may be granted in specific cases where the City Council finds lesser widths are appropriate due to the unique design of the PUD.
- (3) Provision shall be made within a PUD for the separation of vehicular and pedestrian traffic, and a system of sidewalks or pedestrian ways shall be incorporated into the PUD design for the exclusive use of pedestrians.

(G) Off-Street Parking and Off-Street Loading Requirements. Off-street parking and loading facilities shall be provided as set forth within section 158.221. Modified parking and loading facilities may be approved for a PUD provided that they fulfill the purpose and intent of section 158.221. A professional parking analysis justifying such modifications must be submitted with any application or amendment to a PUD requesting such modifications. ~~Compact parking space standards may be used for up to thirty (30%) percent of the total required spaces. A compact parking space shall have a minimum of seven and one half foot width and length of fifteen (15) feet.~~

(H) Provision for Public Facilities and Services. Provision shall be made within a PUD district for all public facilities and services deemed essential by the City Council for location and establishment within that district. Required sites for facilities and services shall be of such sizes, proportions, and location so as to effectively serve their intended purposes in a manner beneficial to future residents of the development and to the City as a whole. These sites shall be dedicated to the City or other applicable public body at no cost.

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- (I) **Underground Utilities.** Within a PUD, all utilities, including telephone, television cable, and electrical systems shall be installed underground. Appurtenances to these systems which require above-ground installation shall be effectively screened and, thereby, may be exempted from this requirement. Primary facilities providing services to the site of the PUD may be exempted.
- (J) **Protection of Natural Features.** Provision shall be made within the design of a PUD for the protection and conservation of significant natural features within or adjacent to the site. Where any alteration of those features is required as part of the development proposed within the PUD district, the developer shall replace the altered features with natural features or areas acceptable to the City.
- (K) **Landscaping and Buffering.** Landscaping and buffering requirements are subject to Chapter 154. An alternative landscape plan may be approved for a PUD provided that it fulfills the purpose and intent of Chapter 154. Wherever essential to ensure compatibility, land use areas within a PUD shall be suitably screened from each other and from adjacent development or roadways outside the PUD by appropriate buffering materials. Buffering shall be provided by use of natural vegetation, landscaping berms, or decorative wood or masonry walls.
- (L) **Commercial and Industrial Development.** In general, commercial or industrial uses within a PUD district shall be only those deemed essential to serve the needs of the PUD residents and not the general needs of the surrounding area. However, where it is found by the City that the lands within a proposed PUD district are appropriately located and of proper size and configuration so as to serve an existing or future need or commercial or industrial development of the larger community, provision for the development may be included within that proposed PUD district. No commercial or industrial uses shall be approved as part of a PUD unless the location, site size, and proposed intensity of those uses are found to be consistent with the City's adopted Comprehensive Plan.

Section 3. All remaining provisions of section 158.174 shall remain in full force and effect.

Section 4. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

Section 5. Severability. 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 6. Codification. The provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Port St. Lucie, Florida. The sections of this Ordinance may be

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renumbered or re-lettered to accomplish such intentions; the word “ordinance” may be changed to “section” or other appropriate word as may be necessary.

Section 7. Effective Date. This Ordinance shall become effective ten (10) days after final adoption on second reading.

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