

ORDINANCE 12- 35

COUNCIL ITEM 10A
DATE 7/23/12

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF PORT ST. LUCIE BY AMENDING POLICY 1.2.2.3 OF THE FUTURE LAND USE ELEMENT, PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING THE INVALIDITY OF ANY PORTION SHALL NOT AFFECT THE REMAINING PORTIONS 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 has received an application from PSL Acquisition I, LLC, for a large scale comprehensive plan text amendment, P12 -059, to amend the Future Land Use Element by amending Policy 1.2.2.3 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 having been duly designated as the local planning agency pursuant to Section 163.3174, et seq., Florida Statutes, and having held a public hearing thereon, has considered this proposed amendment (P12-059) 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 to the City's Comprehensive Plan as a Large Scale Amendment in accordance with Section 163.3184, Florida Statutes, and the proposed amendment has been reviewed by the State Land Planning Agency; and

WHEREAS, two (2) public hearings with due notice have been held by the City

ORDINANCE 12- 35

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 (P12 - 059) to the City's Comprehensive Plan.

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

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

1. Policy 1.2.2.3 of the Future Land Use Element is hereby amended as shown in Exhibit "A", attached hereto and incorporated by reference herein.

Section 2. The remaining portions of the City of Port St. Lucie Comprehensive Plan which are not in conflict with the provisions of this Ordinance remain in full force and effect.

Section 3. 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 or portions.

Section 4. The effective date of this plan amendment, if the amendment is not timely challenged, shall be thirty-one (31) days after the state land planning agency notifies the local government that the plan amendment package is complete. 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

ORDINANCE 12- 35

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 resolution 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 _____, 2012.

CITY COUNCIL

CITY OF PORT ST. LUCIE, FLORIDA

BY: _____
JoAnn M. Faiella, Mayor

ATTEST:

Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

Roger G. Orr, City Attorney

ORDINANCE 12- 35

Exhibit "A"

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:

ORDINANCE 12- 35

a. Minimum Size Neighborhood:	10 acres
Maximum Size Neighborhood:	600 acres
Minimum Density:	1.00 units/gross acre ¹
Maximum Density:	20.0 units/gross acre
Maximum Building Lot Coverage:	60%
Maximum Impervious:	80%
Maximum Building Height:	35 feet
<u>Single-Family</u>	<u>35 feet</u>
<u>Multi-Family</u>	<u>65 feet</u>
<u>Schools</u>	<u>65 feet</u>
<u>Other permitted uses</u>	<u>35 feet</u>

¹ 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.

CITY OF PORT ST. LUCIE, FL - CITY COUNCIL

AGENDA ITEM REQUEST

MEETING: **REGULAR X** **SPECIAL**

DATE: July 23, 2012 - Large Scale Comprehensive Plan Transmittal Hearing. Fall 2012 Anticipated Final Adoption Hearing

ORDINANCE X RESOLUTION MOTION PUBLIC HEARING X

ITEM: **P12-059 - PSL ACQUISITIONS I, LLC
LARGE SCALE COMPREHENSIVE PLAN TEXT AMENDMENT TO THE
FUTURE LAND USE ELEMENT**

RECOMMENDED ACTION:

On July 3, 2012, the Planning and Zoning Board voted unanimously to recommend approval of the petition based on the recommendations contained in the staff report.

EXHIBITS:

- A. Ordinance
 - B. Staff Report
 - C. Support Materials
-

SUMMARY EXPLANATION/BACKGROUND INFORMATION:

This is an application to amend Policy 1.2.2.3 of the Future Land Use Element to increase the maximum building height for schools and the maximum building height for multi-family buildings from 35 feet to 65 feet within the residential sub-category of the New Community Development District (NCD District) future land use classification. The maximum building height for residential and other uses will remain at 35 feet.

IF PRESENTATION IS TO BE MADE, HOW MUCH TIME WILL BE REQUIRED?

None.

SUBMITTING DEPARTMENT: PLANNING and ZONING

DATE: July 16, 2012

STATE

Officials mum on worst TB outbreak in 20 years

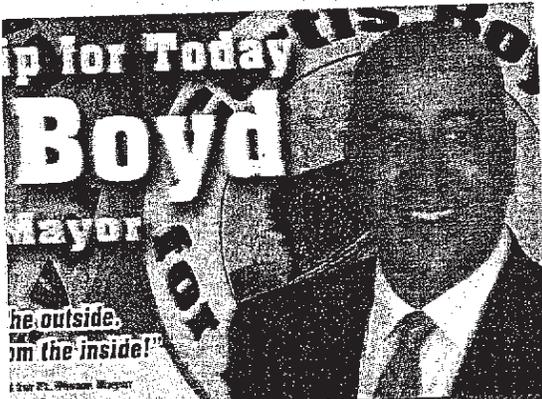
Department of Health and the closure of the Alley State Hospital in Panama, where tough tuberculosis cases have been reported for more than 20 years. Health officials in Panama turned their attention to restructuring Albert Luo's 25-page report describing Jacksonville's outbreak — and the measures needed to contain it — went unseen by decision makers in the state. At the agency, an order that the TB hospital must be closed six

months ahead of schedule. Had they seen the letter, decision makers would have learned that 3,000 people in the past two years may have had close contact with contagious people at Jacksonville's homeless shelters, an outpatient mental health clinic and area jails. Yet only 253 people had been found and evaluated for TB infection, meaning Florida's outbreak was, and is, far from contained. The public was not to learn anything until early June, even though the same strain was appearing

in other parts of the state, including Miami. Tuberculosis is a lung disease more associated with the 18th century

than the 21st, referred to as "consumption" in Dickensian times because its victims would grow gaunt and wan as their lungs dis-

integrated and they slowly died. The CDC investigator described a similar fate for 10 of the 13 people who died in Jacksonville.



Curtis Boyd

- Wor Pal Means
- Michael's Jewelers
- Top's Lawn Service
- Shubert Bail Bonds
- Subway South Beach
- Southwest Sauson, LLC
- Will's Greenhouse
- Tri County Feed
- Clyde Miller, Est.
- Reaper Doo
- Health & Safety
- Seaway Market
- Stamm Mfg
- Sports Towing & Storage
- Construction
- Pool Pro, Inc.
- Meck Roofing
- Medpro
- McKinnon, Jr., Est.
- Coast Neurology
- Boyer Tile
- Bluewater Finishing
- Construction
- Saint Autos, Inc.
- Big JJ's Furniture

Endorsed By:

Palm Beach - Treasure Coast AFL CIO

Ft. Pierce Police Officer's Association

Curtis is a graduate of the University of Florida, College and Law School, owns his own law firm, and is licensed in State and Federal Court.

Coaches & Sponsors Little League & Pop Warner

Board of Directors of ARC of St. Lucie County

Lifetime Resident of Ft. Pierce

Positive Attitude & Teamwork!
BoydForMayor.com



CITY OF PORT ST. LUCIE PLANNING AND ZONING DEPARTMENT NOTICE OF PUBLIC HEARING

THE CITY OF PORT ST. LUCIE proposes to amend its Comprehensive Plan with text changes to the Future Land Use Element as follows:

P12-059. PSL ACQUISITION - COMPREHENSIVE PLAN AMENDMENT - LARGE SCALE. A request from PSL Acquisitions I, LLC, to amend Policy 1.2.2.3 of the Future Land Use Element to revise the maximum building height within the residential subcategory in a MPUD from 35 feet to 65 feet for multi-family development and schools, and 35 feet for single-family residential development and other permitted uses.

THE CITY COUNCIL of the CITY OF PORT ST. LUCIE will hold a PUBLIC HEARING on Ordinance 12-35 on July 23, 2012 at 7:00 PM in the CITY COUNCIL CHAMBERS in the City Hall Building A, located at 121 S.W. Port St. Lucie Blvd., Port St. Lucie, Florida.

ORDINANCE 12-35

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF PORT ST. LUCIE BY AMENDING POLICY 1.2.2.3 OF THE FUTURE LAND USE ELEMENT, PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING THE INVALIDITY OF ANY PORTION SHALL NOT AFFECT THE REMAINING PORTIONS OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

The proposed Ordinance 12-35 may be reviewed between the hours of 8:00 AM and 5:00 PM at the City's Planning and Zoning Department, City Hall Building A, 121 SW Port St. Lucie Blvd., Port St. Lucie Florida. Members of the public are welcome to attend the Public Hearing and provide oral or written comments on the matter.

NOTICE: No stenographic record by a certified court reporter will be made of the foregoing meeting. Accordingly, any person who may seek to appeal any decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at said meeting upon which any appeal is to be based.

Planning and Zoning Department

PUBLISH: July 9, 2012



City of Port St. Lucie
Planning and Zoning Department
A City for All Ages

TO: CITY COUNCIL - MEETING OF JULY 23, 2012

FROM: BRIDGET KEAN, PRINCIPAL PLANNER BK

RE: P12-059 – PSL ACQUISITIONS I, LLC
LARGE SCALE COMPREHENSIVE PLAN TEXT AMENDMENT TO THE
FUTURE LAND USE ELEMENT

DATE: JULY 16, 2012

BACKGROUND:

The City has received an application from PSL Acquisitions I, LLC, owner of the Southern Grove Development of Regional Impact, for a text amendment to the Future Land Use Element of the Comprehensive Plan. The proposal is to amend Policy 1.2.2.3 to increase the maximum building height for schools and the maximum building height for multi-family buildings within the residential sub-category of the New Community Development District (NCD District) future land use classification.

The proposed text amendment was tabled at the June 5, 2012 Planning and Zoning Board meeting at the request of the applicant. There was a comment from the St. Lucie County School District concerning the proposed maximum height for schools. The original proposal set the maximum height for schools at 50 feet. The School District requested the height be increased to 65 feet. The proposal has been revised. The proposed maximum height for schools is 65 feet.

NCD is a mixed land use future land use classification for large scale developments of regional impact or DRIs. Tradition, Western Groves, and the three DRIs in the city's southwest annexation area, Southern Grove, Wilson Groves, and Riverland/Kennedy, utilize the NCD land use classification. An NCD District can be broken into seven land use sub-categories (Residential, Neighborhood/Village Commercial Areas, Town

Center, Resort, Employment Center, Regional Business Center, and Mixed-Use). Each NCD District must contain a minimum of three of the land use sub-districts.

Policy 1.2.2.3 sets the development standards for the Residential Areas sub-district. The maximum building height for all uses in this sub-district is 35 feet. This amendment would increase the maximum building height for multi-family development and schools to 65 feet. The maximum building height for residential and other uses will remain at 35 feet. The changes are shown below:

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:	600 acres
Minimum Density:	1.00 units/gross acre ¹
Maximum Density:	20.0 units/gross acre
Maximum Building Lot Coverage:	60%
Maximum Impervious:	80%
Maximum Building Height:	35 feet
<u>Single-Family</u>	<u>35 feet</u>
<u>Multi-Family</u>	<u>65 feet</u>
<u>Schools</u>	<u>65 feet</u>
<u>Other permitted uses</u>	<u>35 feet</u>

¹ 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.

ANALYSIS:

Policy 1.2.2.3 only applies to the Residential sub-district within an NCD District. A project has to be a DRI to utilize the NCD District future land use classification. Development thresholds are established and addressed in the development order for the DRI Development Order. The proposal will not result in an increase in development intensity on public facilities that has not been previously evaluated.

If the proposed text amendment is approved, an existing MPUD that wishes to utilize the new policy would have to apply to amend the approved MPUD zoning document to change the maximum height requirements established in the MPUD document. The process requires public notification and public hearings before the Planning and Zoning Board and City Council.

STAFF RECOMMENDATION:

The Planning and Zoning Department staff finds the petition to be consistent with the intent and direction of the City's Comprehensive Plan and recommends approval of the proposed amendment based on the analysis and findings as noted in the staff report.

PLANNING AND ZONING BOARD ACTION OPTIONS:*

- Motion to recommend approval to the City Council
- Motion to recommend approval to the City Council with conditions
- Motion to recommend denial to the City Council

*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.

PLANNING AND ZONING BOARD RECOMMENDATION:

On July 3, 2012, the Planning and Zoning Board voted unanimously to recommend approval of the petition.

APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

CITY OF PORT ST. LUCIE

Planning & Zoning Department
121 SW Port St. Lucie Boulevard
Port St. Lucie, Florida 34984
(772) 871-5212 FAX (772) 871-5124

FOR OFFICE USE ONLY

Planning Dept 112-059
Fee (Nonrefundable) \$ 3,960.00
Receipt # 11710

Refer to "Fee Schedule" for application fee. Make checks payable to the 'City of Port St. Lucie.' Fee is nonrefundable unless application is withdrawn prior to advertising for the Planning and Zoning Board meeting. **All** items on this application should be addressed, otherwise it can not be processed. Attach proof of ownership; two copies of deed. Please type or print clearly in **BLACK** ink.

PRIMARY CONTACT EMAIL ADDRESS: _____

RECEIVED

APR 30 2012
PLANNING DEPARTMENT
CITY OF PORT ST. LUCIE, FL

PROPERTY OWNER

Name: PSL ACQUISITION I, LLC
Address: 4333 EDGEWOOD RD. NE, CEDAR RAPIDS, IA, 52499-5445

Telephone No.: 319-355-2304 Fax No.: 319-355-8030

IF PROPERTY IS IN MULTIPLE OR CORPORATE OWNERSHIP, PLEASE PROVIDE ONE CONTACT PERSON.

Name: DAVID C. FELTMAN
Address: 4333 EDGEWOOD RD. NE, CEDAR RAPIDS, IA, 52499-5445

Telephone No.: 319-355-2304 Fax No.: 319-355-8030

AGENT OF OWNER (if any)

Name: FISHKIND & ASSOCIATES, INC. ATTN: WES McCURRY
Address: 10489 SW MEETING STREET, PORT ST. LUCIE, FL 34987

Telephone No.: 772-340-3500 Fax No.: 772-340-3718

PROPERTY INFORMATION

Boundary Description N/A TEXT AMMENDMENT
(attach map) _____
Property Tax I.D. Number _____
Current Land Use _____ Proposed Land Use _____
Current Zoning _____ Acreage of Property _____

Reason for Comprehensive Plan Amendment: _____
AMENDMENT TO FLUE POLICY 1.2.2.3 TO AMEND THE ALLOWABLE BUILDING HEIGHTS FOR SCHOOLS AND
MULTI-FAMILY BUILDINGS WITHIN THE RESIDENTIAL SUB-CATEGORY OF THE NCD FUTURE LAND USE
DESIGNATION.

 _____
*Signature of Owner Hand Print Name Date

*If signature is not that of owner, a letter of authorization from the owner is needed.

NOTE: Signature on this application acknowledges that a certificate of concurrency for adequate public facilities as needed to service this project has not yet been determined. Adequacy of public facility services is not guaranteed at this stage in the development review process. Adequacy for public facilities is determined through certification of concurrency and the issuance of final local development orders as may be necessary for this project to be determined based on the application material submitted

Bridget Kean

From: Wes McCurry [wmccurry@traditionfl.com]
Sent: Thursday, June 14, 2012 4:51 PM
To: Bridget Kean
Subject: P12-059 PSLA - NCD Comp Plan Amendment

Bridget,

Pursuant to our discussion yesterday, please accept this email as confirmation of the applicant's request to revise the proposed language for Policy 1.2.2.3 to indicate a maximum height of 65 feet for schools. It is also my understanding based on our conversation that being that the Comp Plan does not reference height limits for communication towers, that there is no need to address such for communication towers that may locate in park or school sites within the NCD Residential subdistrict as permitted under the MPUD.

Wesley S. McCurry
Tradition
Fishkind & Associates
10489 SW Meeting Street
Port St. Lucie, FL 34987
Office 772-340-3500 • Fax 772-340-3718
www.traditionfl.com • wmccurry@traditionfl.com

This email scanned by McAfee and AVG Virus Scan.

6/15/2012



PLANNING DIVISION
 APR 30 2012
 11:00 AM

April 30, 2012

Daniel Holbrook, AICP
 Planning & Zoning Director
 City of Port St. Lucie
 121 SW Port St. Lucie Blvd.
 Port St. Lucie, FL 34984

RE: Amendment to Policy 1.2.2.3, FLUE, City of Port St. Lucie Comprehensive Plan

Dear Mr. Holbrook:

On behalf of PSL Acquisitions I, LLC, we present for your consideration the following proposed amendment to Policy 1.2.2.3 of the City of Port St. Lucie's Comprehensive Plan – Future Land Use Element:

“Policy 1.2.2.3: The following standards shall be met in designing Neighborhoods within the Residential sub-category 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:	600 acres
Minimum Density:	1.00 units/gross acre ¹
Maximum Density:	20.0 units/gross acre
Maximum Building Lot Coverage:	60%
Maximum Impervious:	80%
Maximum Building Height:	35 feet
Single Family	35 feet
Multi-Family	65 feet
Schools	50 feet
Other permitted uses	35 feet

^[1] Unless a higher minimum density is specified by the Conceptual Land Use Plan.

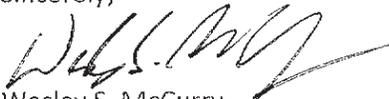
- b. Neighborhoods within the Residential sub-category shall be within a 2-mile radius of shops, services, and other activities. The radius may be relaxed where natural or community facilities and services interrupt the design;
- c. Neighborhoods within the Residential sub-category shall contain a variety of dwelling and/or lot types;

- d. Neighborhoods within the Residential sub-category 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 sub-category 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.”

This amendment is being requested to allow an increase in the allowable building height for schools and multi-family residential buildings within the Residential sub-category of areas designated with NCD Future Land Use. The reason for the requested amendment is to accommodate development at greater densities to reduce costs associated with development of multi-family housing and educational facilities. The areas of the City designated with NCD future land use, especially the Southern Grove DRI, represent significant future employment opportunities. To increase the opportunities to provide affordable housing and educational in proximity to non-residential areas and spur economic development, it is necessary to reduce the cost of development for these uses by increasing allowable building heights to achieve higher density ratios within the residential areas as allowed for under the NCD policies.

This application is time sensitive as it accompanies the Tradition MPUD 9th Amendment application (P12-052), where the need for this proposed amendment to the Comprehensive Plan was noted last week. Due to the time involved in procuring a check in the proper amount of \$3,960.00, I have elected to enclose a check in the amount of \$4,995.00, which was intended to be submitted with an NOPC application for the Western Grove DRI. As such; I respectfully request such check be accepted for this application with the excess balance (\$1,035.00) to be applied toward the NOPC application for the Western Grove DRI when submitted. If you have any questions, or need additional information concerning this request please do not hesitate to contact me. Thank you for your consideration.

Sincerely,



Wesley S. McCurry
Fishkind & Associates, Inc.