

COUNCIL ITEM 8B  
DATE 10-22-12

~~COUNCIL ITEM 10A  
DATE 7/23/12~~

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 FOR AN EFFECTIVE DATE.**

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**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 <sup>1</sup>
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>

<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.

**CITY OF PORT ST. LUCIE, FL - CITY COUNCIL**

**AGENDA ITEM REQUEST**

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

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

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**ORDINANCE X RESOLUTION     MOTION     PUBLIC HEARING X**

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

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**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.

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**EXHIBITS:**

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

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**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.

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

None.

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**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 Alachua County State Hospital in Gainesville, where tough tuberculosis cases have been treated for more than 20 years.

Health officials in Gainesville turned their attention to restructuring, but Robert 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.

**Up for Today**  
**Boyd**  
Mayor

*the outside.  
from the inside!*

**Curtis Boyd**

Was Pak Maats  
Michael's Jewelers  
Lawn Service  
Hiburn Ball Bonds  
Subway Sandwiches  
Southern Salmon, LLC  
City's Greener Planet  
Tri-County Feed  
Claude Miller, Esq.  
Roaster One  
Health & Safety  
Seaway Market  
Stamm Mig  
Sports Towing & Storage  
Snow Construction  
Pool Pro, Inc.  
Koch Roofing  
J. Ohle, Esq.  
McKinon, Jr., Esq.  
Coast Technology  
Cover Tile  
Bluewater Finishing  
Beasco Construction  
Select 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



## 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

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**BoydForMayor.com**



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

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**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

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**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 <sup>1</sup>
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>

<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.

**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.

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**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 P12-059  
Fee (Nonrefundable) \$ 3,960.00  
Receipt # 11718

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**

**PROPERTY OWNER**

APR 30 2012

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

PLANNING DEPARTMENT  
CITY OF PORT ST. LUCIE, FL

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)**

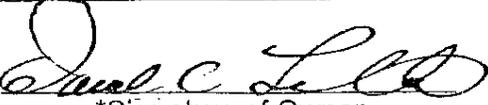
Name: FISHKIND & ASSOCIATES, INC. ATTN: WES McCURRY  
Address: 10489 SW MEETING STREET, PORT ST. LUCIE, FL 34987

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.

 David C. Feltsman \_\_\_\_\_  
\*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](http://www.traditionfl.com) • [wmccurry@traditionfl.com](mailto:wmccurry@traditionfl.com)

This email scanned by McAfee and AVG Virus Scan.



CITY OF PORT ST. LUCIE  
 PLANNING & ZONING  
 APR 30 2012  
 RECEIVED

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 <sup>1</sup>
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

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

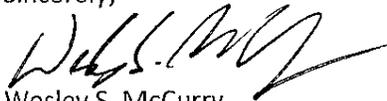
- b. Neighborhoods within the Residential sub-category shall be within a 2-mile radius of shops, services, and other activities. The radius may be relaxed where natural or community facilities and services interrupt the design;
- c. Neighborhoods within the Residential sub-category shall contain a variety 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 9<sup>th</sup> 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.

AGENDA ITEM REQUEST

COUNCIL ITEM 8B  
DATE 10-22-12

MEETING: REGULAR X SPECIAL \_\_\_

DATE: October 22, 2012

ORDINANCE X RESOLUTION \_\_\_ MOTION \_\_\_

PUBLIC HEARING: October 22, 2012 LEGAL AD PUBLISH DATE: October 12, 2012  
(copy attached)

NAME OF NEWSPAPER: St. Lucie News Tribune

ITEM: P12-059 - PSL Acquisitions I, LLC - Large Scale Comprehensive Plan Text Amendment to the Future Land Use Element

RECOMMENDED ACTION: The public hearing before the Planning and Zoning Board was held on July 3, 2012. The Planning & Zoning Board recommended approval of the proposed amendment. The motion passed unanimously by roll call vote.

The City Council transmittal hearing on the proposed comprehensive plan text amendment was held on July 23, 2012. There were no comments on the proposed amendment from the State Land Planning Agency or from any of the other agencies authorized to review comprehensive plan amendments.

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EXHIBITS: A. Staff Analysis & Recommendation  
B. Ordinance

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 Department

DATE: 10/15/12

ST. LUCIE COUNTY

SCRIPPS Treasure Coast Newspapers



The Fort Pierce Redevelopment Agency will hold its quarterly FPRA meeting on Monday, October 15<sup>th</sup>, 2012 at 5:30 P.M. in the Commission Chambers located at 100 North U.S. 1, Fort Pierce. This meeting is open to the public.



**NOTICE OF PUBLIC HEARING  
THE CITY COUNCIL OF THE CITY  
OF PORT ST. LUCIE ADOPTION  
HEARING FOR THE CITY OF  
PORT ST. LUCIE COMPREHENSIVE  
PLAN AMENDMENT**

THE CITY COUNCIL of the CITY OF PORT ST. LUCIE will hold a PUBLIC HEARING 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 for 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 October 22, 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: Oct 12, 2012

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

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**TO:** CITY COUNCIL - MEETING OF OCTOBER 22, 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:** OCTOBER 12, 2012

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**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 <sup>1</sup>
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>

<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.

**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.

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**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.

**REGIONAL AND STATE AGENCY REVIEW:** The Treasure Coast Regional Planning Council reviewed the request at their meeting on September 21, 2012, and concluded the proposed amendment is not in conflict or inconsistent with the Strategic Regional Policy Plan. The State Land Planning Agency, the Florida Department of Economic Opportunity, reviewed the proposed amendment and did not identify any adverse impacts related to important state resources and facilities within the agency's authorized scope of review. There were no comments on the proposed amendment from any of the state agencies authorized to review comprehensive plan amendments.

**FINAL 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.

Rick Scott  
GOVERNOR



Hunting F. Deutsch  
EXECUTIVE DIRECTOR

FLORIDA DEPARTMENT of  
ECONOMIC OPPORTUNITY

September 6, 2012

SEP 10 2012

The Honorable JoAnn Faiella  
Mayor, City of Port St. Lucie  
121 South West Port St. Lucie Boulevard  
Port St. Lucie, Florida 34984-5099

Dear Mayor Faiella:

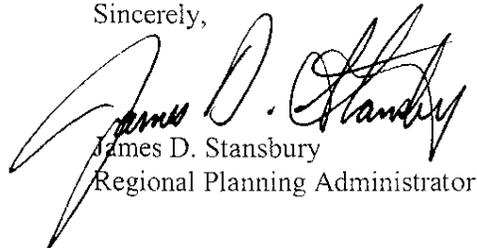
The State Land Planning Agency has completed its review of the proposed comprehensive plan amendment for the City of Port St. Lucie (Amendment No. 12-5ESR), which was received on August 7, 2012. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and have not identified adverse impacts to important state resources or facilities within the Agency's authorized scope of review. Therefore, we have no comments.

The City is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the City. If other reviewing agencies provide comments, we recommend the City consider appropriate changes to the amendment based on those comments. If unresolved, such comments could form the basis for a challenge to the amendment after adoption.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held and the amendment adopted within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

If you have any questions concerning this review, please contact Laura Regalado, at (850) 717-8508, or by email at [laura.regalado@deo.myflorida.com](mailto:laura.regalado@deo.myflorida.com).

Sincerely,



James D. Stansbury  
Regional Planning Administrator

JDS/lmr

cc: Mr. Daniel Holbrook, AICP, Director of Planning and Zoning, City of Port St. Lucie  
Mr. Michael Busha, AICP, Executive Director, Treasure Coast Regional Planning Council



# Florida Department of Environmental Protection

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Haaschel T. Vinyard, Jr.  
Secretary

September 11, 2012

Ms. Bridget Kean  
Principal Planner  
City of Port St. Lucie  
121 SW Port St. Lucie Boulevard  
Port St. Lucie, Florida 34984-5099

## **Re: Port St Lucie 12-5ESR Proposed; Comprehensive Plan Amendment Review**

Dear Ms. Kean:

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (DEP) has reviewed the above-referenced amendment proposal under the procedures of Chapter 163, *Florida Statutes (F.S.)*. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; water and wastewater treatment; and, where applicable, the Everglades ecosystem.

Based on our review of the proposed amendment, the Department has found no provision that requires comment under the laws that form the basis of the Department's jurisdiction.

Sincerely,

A handwritten signature in cursive script that reads "Chris Stahl".

Chris Stahl  
Office of Intergovernmental Programs

/cjs

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM \_\_\_

From: Staff

Date: September 21, 2012 Council Meeting

Subject: Local Government Comprehensive Plan Review  
Draft Amendment to the City of Port St. Lucie Comprehensive Plan  
Amendment No. 12-5ESR

Introduction

The Community Planning Act, Chapter 163, *Florida Statutes*, requires that the Treasure Coast Regional Planning Council (TCRPC) review local government comprehensive plan amendments prior to their adoption. TCRPC comments are limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any local government within the Region. TCRPC must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the State Land Planning Agency.

Background

The City is proposing one text amendment to the Future Land Use Element of the City's comprehensive plan.

Evaluation

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

The NCD is a mixed land use future land use classification for large scale developments of regional impact (DRI). The NCD category applies to the Tradition, Western Grove, Southern Grove, Wilson Groves, and Riverland/Kennedy DRIs. 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. This amendment only

**DRAFT**  
**Subject to Modifications**

applies to the Residential sub-category within an NCD District. The purpose of the amendment is to accommodate development at greater densities to reduce costs associated with development of multi-family housing and educational facilities. The proposed amendment will not increase the overall intensity of development in the previously approved DRIs.

Extrajurisdictional Impacts

Under the informal agreement facilitated by the TCRPC, local governments in the northern three counties of the region are to provide copies of amendment materials to other local governments and agencies that have expressed an interest in receiving such materials. On August 8, 2012, the TCRPC requested comments from these local governments and organizations regarding any conflicts with the proposed amendment. As of the date of the preparation of this report, no objections to the proposed amendment have been received from other local governments or agencies.

Effects on Significant Regional Resources and Facilities

No adverse effects on significant regional resources and facilities have been identified.

Conclusion

The proposed amendment is not in conflict or inconsistent with the SRPP.

Recommendation

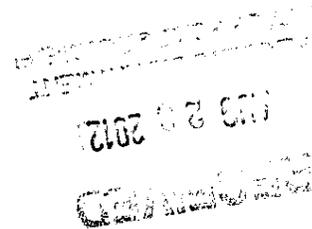
Council should approve this report and authorize its transmittal to the City of Port St. Lucie and the Florida Department of Economic Opportunity.



# SOUTH FLORIDA WATER MANAGEMENT DISTRICT

August 23, 2012

Daniel Holbrook, AICP, Director  
Planning and Zoning Department  
City of Port St. Lucie  
121 S.W. Port St. Lucie Blvd.  
Port St. Lucie, Florida 34984-5099



Dear Mr. Holbrook:

**Subject: City of Port St. Lucie, DEO #12-5ESR  
Comments on Proposed Comprehensive Plan Amendment Package**

The South Florida Water Management District (District) has completed its review of the proposed amendment package submitted by the City of Port St. Lucie (City). The amendment increases the maximum building height for schools and multi-family buildings within the New Community District land use classification. There appear to be no regionally significant water resource issues; therefore, the District forwards no comments on the proposed amendment package.

The District offers its technical assistance to the City and the Department of Economic Opportunity in developing sound, sustainable solutions to meet the City's future water supply needs and to protect the region's water resources. Please forward a copy of adopted amendments to the District. For assistance or additional information, please contact Deborah Oblaczynski, Policy and Planning Analyst, at (561) 682-2544 or [doblaczy@sfwmd.gov](mailto:doblaczy@sfwmd.gov).

Sincerely,

Handwritten signature of Rod A. Braun.

Rod A. Braun  
Director  
Office of Intergovernmental Programs

RAB/do

c: Michael J. Busha, TCRPC  
Ray Eubanks, DEO  
Bridget Kean, City of Port St. Lucie  
Deborah Oblaczynski, SFWMD  
James Stansbury, DEO

**Bridget Kean**

**From:** Riddle, Andrew [Andrew.Riddle@dot.myflorida.com]

**Sent:** Friday, August 17, 2012 4:46 PM

**To:** DCPexternalagencycomments; Bridget Kean

**Cc:** Regalado, Laura; pmerritt@tcrpc.org; Bush, Lois

**Subject:** Port St. Lucie 12-5ESR - FDOT District Four Review

I am writing to advise you that the Department will not be issuing comments for the City of Port St. Lucie comprehensive plan amendments (DEO ref. #12-5ESR).

The Department would like to request one copy, which may be on CD ROM in Portable Document Format (PDF), of all adopted plan amendment materials, including graphic and textual materials and support documents.

Thank you.

Andrew Riddle, AICP  
Office of Modal Development  
Florida Department of Transportation, District 4  
Telephone (954) 777-4605  
[andrew.riddle@dot.state.fl.us](mailto:andrew.riddle@dot.state.fl.us)