

COUNCIL ITEM 8A
DATE 7/27/15

COUNCIL ITEM 10B
DATE 4/27/15

ORDINANCE 15-28

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF PORT ST. LUCIE BY AMENDING POLICY 1.1.4.13 OF THE FUTURE LAND USE ELEMENT, PURSUANT TO CHAPTER 163, FLORIDA STATUTES (P15-046); 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 initiated comprehensive plan text amendment, P15-046, proposes to amend the Future Land Use Element by amending Policy 1.1.4.13 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 (P15-046) 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

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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 (P15-046) 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:

- Policy 1.1.4.13 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 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 163.3187(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

ORDINANCE 15-28

this amendment may be issued or commence before it has become effective.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this
_____ day of _____, 2015.

CITY COUNCIL

CITY OF PORT ST. LUCIE, FLORIDA

BY: _____
Gregory J. Oravec, Mayor

ATTEST:

Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

Pam E. Booker, City Attorney



CITY OF PORT ST LUCIE

COUNCIL AGENDA MEMORANDUM

Agenda Item #: 10B
Meeting Date: 4-27-15

TO: Mayor and City Council
THRU: Jeff Bremer, City Manager *JB*
THRU: Daniel Holbrook, Assistant City Manager – Community Development Director
FROM: Patricia A. Tobin, AICP, Director Planning and Zoning *P.A.T.*
Agenda Item: Ordinance: Public Hearing: City of Port St. Lucie Large Scale Comprehensive Text Amendment (P15-046)
Submittal Date: 4/16/2015 *15-28*

STRATEGIC PLAN LINK: This item is consistent with Goal 3: Balanced and Responsible Growth.

BACKGROUND: This is a City initiated text amendment to Policy 1.1.4.13 of the Future Land Use Element of the Comprehensive Plan. Currently, the Land Use Element of the City's Comprehensive Plan, under Policy 1.1.4.13, identifies only the Utility (U) zoning district as being compatible with the Utility land use designation. Amending Policy 1.1.4.13 to add the GU zoning district as a compatible zoning district would permit both public facilities and public recreational uses to be permitted under the Utility land use designation. This proposed text change should not adversely affect any of the current requirements of the GU zoning as outlined in the Future Land Use Element of the Comprehensive Plan.

ANALYSIS: See attached staff report

REC'D
APR 16 2015
City Manager's Office

FINANCIAL INFORMATION: N/A

LEGAL INFORMATION: This ordinance has been approved as to form by Attorney Brennan Keeler.

PLANNING AND ZONING BOARD RECOMMENDATION: Planning and Zoning Board unanimously recommended approval of this special exception use application on April 7, 2015.

SPECIAL CONSIDERATION: N/A

PRESENTATION INFORMATION: Staff will provide a short presentation on the application.

REQUESTED MEETING DATE: 4/27/2015

LOCATION OF PROJECT: N/A.

ATTACHMENTS: Ordinance, staff report, and recommendation.

PT/JF



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

TO: PLANNING & ZONING BOARD - MEETING OF APRIL 7, 2015

FROM: JOHN FINIZIO, PLANNER *TF*

RE: P145-046 – CITY OF PORT ST. LUCIE LARGE SCALE
COMPREHENSIVE PLAN TEXT AMENDMENT TO THE FUTURE LAND
USE ELEMENT

DATE: MARCH 23, 2015

BACKGROUND:

This is a City initiated text amendment to Policy 1.1.4.13 of the Future Land Use Element of the Comprehensive Plan. This revision is being proposed to address a deficiency in the Utility Land Use Classification. Policy 1.1.4.13 is basically a conversion chart that identifies the compatible zoning districts with each future land use designation. Currently, this policy does not identify the General Use (GU) zoning district as a compatible zoning district to the Utility future land use designation.

Currently, the Land Use Element of the City's Comprehensive Plan, under Policy 1.1.4.13, identifies only the U (Utility) zoning district as being compatible with the U future land use designation. As can be expected, this greatly limits what can be developed on the property with the Utility future land use designation. With that in mind, projects like McCarty Ranch are showing us just how restrictive this can be. McCarty Ranch is primarily a water storage and treatment facility and as such is permitted in the Utility zoning district. However, McCarty Ranch is planned to be much more than just a water storage and treatment facility. On the 3,100 acres many uses are envisioned, including park and recreational activities. At this time a canine training facility is being contemplated. Under the existing comprehensive plan and zoning code, it is not possible to have recreational facilities in areas with the U future land use designation since the only compatible zoning district is U and it does not permit recreational uses.

By amending Policy 1.1.4.13 to add the GU zoning district as a compatible zoning district for the Utility future land use designation, it would greatly expand the opportunities for development. In the case of McCarty Ranch and other such facilities, it would permit both public facilities and public recreational uses to be permitted under the U future land use designation. Public facilities and public recreational facilities are both

permitted uses in the GU zoning district; please see §158.060 included in the staff report. This proposed text change should not adversely affect any of these current requirements of the GU zoning as outlined in the Future Land Use Element of the Comprehensive Plan.

Including the GU zoning district as a compatible zoning district to the U future land use designation offers a certain amount of flexibility to the co-location of major public facilities with satellite recreational uses, which the comprehensive plan currently doesn't address. Therefore, the Planning and Zoning Department is proposing amending Policies 1.1.4.13 of the Future Land Use Element to include the GU zoning district as a compatible zoning district to the U future land use designation.

PROPOSED TEXT AMENDMENT:

Staff is proposing the following changes to the Future Land Use Element of the Comprehensive Plan: amending Policy 1.1.4.13 of the Conversion Chart to include GU as a compatible zoning district to the U future land use classification.

Additions to text are indicated by underlined, deletions by ~~striketrough~~.

Policy 1.1.4.13: The following conversion chart is established to illustrate compatible land use and zoning categories:

<u>FUTURE LAND USE CLASSIFICATION</u>	<u>COMPATIBLE ZONING DISTRICT(S)</u>
RGC (Residential Golf Course)	PUD, GU, I
RL (Low Density Residential)	GU, RE, RS-1 through RM-5, RMH, I
RM (Medium Density Residential)	RM-5 or Residential PUD (Planned Unit Development) between 5-11 units per acre, I
RH (High Density Residential)	RM-5 or Residential PUD (Planned Unit Development) between 5-15 units per acre, I
ROI (Residential, Office & Institutional)	P, I, LMD, RM-5 or Residential PUD (Planned Unit Development) between 5-11 units per acre
NCD (New Community Development)	MPUD, GU
CL (Limited Commercial)	GU, CN, P, LMD
CG (General Commercial)	CN, CG, P, GU, LMD
CH (Highway Commercial)	CH, GU
CS (Service Commercial)	CS, GU, WI
I (Institutional, Private & Public)	I, GU

U (Utility)	<u>U, GU</u>
OSR (Open Space - Recreation)	OSR, GU
OSC (Open Space - Conservation)	OSC, GU
OSP (Open Space - Preservation)	OSC, GU
LI (Light Industrial)	WI, GU, IN
HI (Heavy Industrial)	WI, GU, IN*
MU (Mixed Use)	PUD
PIP (Planned Industrial Park)	PUD

NOTE: Planned Unit Developments (PUD's) can be compatible with all Future Land Use Classifications depending on the range of permitted uses submitted as part of the PUD Concept Plan.

* Special Exception Uses have been designated for all heavy industrial land uses.

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.

CITY OF PORT ST. LUCIE

GU

§ 158.060 GENERAL USE ZONING DISTRICT (GU)

(A) Purpose. The General Use Zoning District (GU) is intended to apply to those areas of the city which are presently undeveloped and where the future use is either uncertain, or which the arrangement or boundaries of future uses cannot be clearly defined, and for which any other zoning would be premature or unreasonable. The General Use (GU) District also allows certain land extensive uses by special exception which may be transitional or which may be allowed permanently if deemed appropriate.

(B) Permitted Principal Uses and Structures. The following principal uses and structures are permitted:

(1) Crop raising; poultry, livestock or cattle production; dairy farming; fruit growing; flower and shrub growing; plant nursery (wholesale only); bee keeping; fish hatchery; and forestry; and including accessory uses or structures and a dwelling occupied only by the owner or tenant and family; the raising of hogs, pigs and goats and the operation of feed lots are expressly prohibited;

(2) Park or playground, or other public recreation or cultural facility (Site Plan Review); including the retail sales of beer and wine for on premises consumption in accordance with Chapter 110;

(3) Public facility, including a police or fire station or tower (Site Plan Review);

(4) Single-family dwelling.

(C) Special Exception Uses. The following uses may be permitted only following review and specific approval thereof by the City Council:

(1) Airport or landing field;

(2) Cemetery, including mausoleum, following site approval by the St. Lucie County Health Department;

(3) Golf course (not including miniature golf course) and country club;

(4) Mining or excavation;

(5) Retail plant nursery and related sales;

(6) Public utility facility, including water pumping plant, reservoir, electrical transmission lines and substations;

(7) Retail sales of agricultural products;

(8) Stable and horse-riding academy;

(9) On site incineration by a forced draft air curtain incinerator in accordance with Florida Statutes; minimum area required, ten acres.

(10) Golf driving range.

(11) Disposal and recycling facility for construction and demolition debris, provided that all open storage areas shall be completely enclosed by an opaque fence or a wall having a minimum height of six feet with no material placed so as to exceed the height of the fence or wall; minimum area required, ten acres.

(12) Wireless communication antennas and towers, as set forth in § 158.213.

(13) Billboards, on sites with OSC or OSR land use and as set forth in Chapter 155.

(14) Solar generation station subject to the requirements of § 158.230.

(D) Accessory Uses. As set forth within § 158.217.

(E) Minimum Parcel Requirements.

(1) Single-family dwelling - ten acres and a minimum width of 330 feet.

(2) All other permitted or special exception uses - 20,000 square feet and a lot width of 100 feet.

(F) Maximum Building Coverage.

(1) Single-family dwelling - (10%) ten percent.

(2) All other permitted or special exception uses - (30%) thirty percent, provided that the combined area coverage of all impervious surfaces shall not exceed (80%) eighty percent.

(G) Maximum Building Height. (35) thirty-five feet, provided that airport control towers, broadcasting towers, and transmission stations shall be exempt from this requirement.

(H) Minimum Living Area. 1,200 square feet of living area, and 1,400 square feet of ground area.

(I) Yard Requirements and Buffering.

(1) Single-family dwellings.

(a) Front yard. Each lot shall have a front yard with a building setback line of 50 feet;

(b) Side yards. Each lot shall have two side yards, each of which shall have a building setback line of 30 feet;

(c) Rear yard. Each lot shall have a rear yard with a building setback line of 50 feet;

(d) Buffering. Where applicable, buffering shall be provided in accordance with the landscaping requirements of § 153.04(G).

(2) All other permitted or special exception uses.

(a) Front yard. Each lot shall have a front yard with a building setback line of 25 feet;

(b) Side yard. Each lot shall maintain two side yards with a building setback line of 10 feet. A building setback line of 25 feet shall be maintained adjacent to any residential zoning district or to a public street right-of-way;

(c) Rear yard. Each lot shall have a rear yard with a building setback line of 25 feet;

(d) Buffering. A (6) six foot high completely opaque masonry wall or wooden fence shall be provided along the entire length of any side or rear property line abutting property zoned residential. All mechanical equipment shall be screened from property zoned residential. Said screening shall be designed as both a visual barrier and a noise barrier. Buffering shall be provided in accordance with the landscaping requirements of § 153.04(G).

(J) Off-Street Parking and Service Requirements. As set forth in § 158.221.

(K) Site Plan Review. All special exception uses and all permitted uses so designated shall be subject to the provisions of §§ 158.235 through 158.245.

Exhibit A

Policy 1.1.4.13: The following conversion chart is established to illustrate compatible land use and zoning categories:

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**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
ORDINANCE 15-28**

THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE will hold a public hearing on **July 27, 2015 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 to consider adoption of a city initiated text amendment to the Comprehensive Plan amending Policy 1.1.4.13. This amendment will add GU (General Use) as a compatible zoning district with the Utility Future Land Use classification. (File #P15-046).

ORDINANCE 15-28

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF PORT ST. LUCIE BY AMENDING POLICY 1.1.4.13 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.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding should contact the City Clerk's Office at 772-871-5157.

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 17, 2015