

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 4I

From: Staff

Date: March 16, 2007 Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendment to the City of Port St. Lucie Comprehensive Plan
DCA Reference No. 07-1

Introduction

The Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, *Florida Statutes*, requires that Council review local government comprehensive plan amendments prior to their adoption. Under the provisions of this law, the Department of Community Affairs (DCA) prepares an Objections, Recommendations, and Comments (ORC) Report on a proposed amendment only if requested to do so by the local government, the regional planning council, an affected person, or if an ORC Report is otherwise deemed necessary by the DCA. If the local government requests DCA to prepare an ORC Report, then Council must provide DCA with its own objections, recommendations for modification, and comments on the proposed amendment within 30 days of its receipt.

Background

The City of Port St. Lucie is proposing one text amendment to the Future Land Use Element of the City Comprehensive Plan. The City has requested that the DCA carry out a formal review of the amendment.

Evaluation

Currently, a provision of the City Future Land Use Element requires a supermajority vote (4 of 5) of the City Council to override a recommendation of the Planning and Zoning Board regarding a comprehensive plan or plan amendment which changes the permitted use of land or land use categories. The City attorney has determined that this supermajority requirement is not consistent with the City Charter. The City is therefore proposing to revise the provision to indicate that such amendments can be adopted by a simple majority (3 of 5 Council members).

Extrajurisdictional Impacts

The City has provided copies of the proposed amendment to adjacent local governments, Metropolitan Planning Organizations and the County School Board. Council has not received any comments in response to a memorandum dated February 12, 2007 regarding the amendment.

Effects on Significant Regional Resources or Facilities

Analysis of the proposed amendment indicates that it would not have adverse effects on significant regional resources or facilities.

Analysis of Consistency with Strategic Regional Policy Plan

The proposed amendment is not in conflict with the Strategic Regional Policy Plan (SRPP).

Consistency with Strategic Regional Policy Plan

The contract agreement between the DCA and the Treasure Coast Regional Planning Council requires Council to include a determination of consistency with the SRPP as part of the written report to be submitted to the DCA. Council finds the proposed amendment to be CONSISTENT with the SRPP.

Recommendation

Council should adopt the above comments and approve their transmittal to the Department of Community Affairs.