MEMORANDUM

To: Council Members

From: Staff

Date: July 16, 2010 Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendments to the St. Lucie County Comprehensive Plan
DCA Reference No. 10-1ER

Introduction

The Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Florida Statutes, requires that the Treasure Coast Regional Planning Council (TCRPC) 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 an ORC Report is to be prepared, then the TCRPC must provide DCA with its findings of consistency or inconsistency with the Strategic Regional Policy Plan (SRPP), and provide any comments and recommendations for modification on the proposed amendments within 30 days of its receipt.

Background

St. Lucie County has proposed text amendments to the following elements of the County Comprehensive Plan: Future Land Use, Transportation, Housing, Infrastructure, Coastal Management, Conservation, Recreation and Open Space, Intergovernmental Coordination, Capital Improvements and Economic Development. The amendments are to carry out the recommendations of an Evaluation and Appraisal Report (EAR) adopted by the County on October 28, 2008 and found sufficient by the DCA on January 14, 2009. The County has requested a formal review of the amendments.

Community Profile (Taken from Future Land Use Element)

St. Lucie County is located along Florida’s southeast coast, in the upper reaches of the South Florida geographic region. Locally, this area is referred to as Florida’s Treasure Coast because of the many Spanish Treasure Galleons shipwrecked along this part of the coast. The County comprises approximately 600 square miles, of which approximately 440 square miles are
unincorporated area and subject to the land use and regulatory authority of the St. Lucie County Board of County Commissioners. The balance of the County consists of territory located within the incorporated municipalities of Fort Pierce, Port St. Lucie, and St. Lucie Village.

Physiographically, the County is divided into three primary regions: the Atlantic Coastal Ridge (including the barrier islands), the Eastern Valley and the Osceola Plain. The dominating physiographic region of the east/central portion of the County is known as the Eastern Valley. The Valley extends from the Atlantic Coastal Ridge to the central part of the County. Elevations in this area range from 15 to 30 feet above sea level. The land within this area falls generally to the southeast.

The vast citrus and ranching areas of central and western St. Lucie County are contained within the physiographic areas known as the Sebastian/St. Lucie Flats, Allapattah Flats and the Osceola Flats. Except where drained for agricultural activities, these areas are characteristically pocketed with surface wetlands and have limited natural drainage. Elevations in this area are in the range of 30 to 60 feet, with the general fall of the land being from the northwest to the southeast.

The Atlantic Coastal Ridge forms the eastern border of the County and includes the coastal barrier island, locally known as Hutchinson Island, the Indian River Lagoon and the ridge which lies east of the North and South Savannas and parallels Indian River Drive. Elevations range from sea level to about 15 feet on the barrier islands to as much as 50 feet along the western shorelines of the Indian River Lagoon. The western terminus of the Atlantic Coastal Ridge lies approximately along the eastern edge of the Savannas, both north and south of Fort Pierce.

Located within the Eastern Valley is the single principal freshwater estuary in St. Lucie County, the North Fork of the St. Lucie River. Secondary water courses include the North Fork’s two primary tributaries, Five Mile and Ten Mile Creeks. An unconnected freshwater marsh network, known as the Savannas, is located immediately to the west of the Atlantic Coastal Ridge. The Savannas represent a vanishing natural feature that was once found along the entire length of the Indian River Lagoon, from Volusia County to Northern Palm Beach County. Through the continued effort of the State of Florida’s Conservation and Recreational Land (CARL) (now called the Florida Forever) acquisition program, approximately 90% of the privately held properties within this area have been acquired for perpetual public preservation.

Lying between the western edges of the Atlantic Coastal Ridge and the barrier island is the Indian River Lagoon. This saltwater estuary is part of a larger ecosystem which extends 156 miles from Volusia County to Northern Palm Beach County.

Section 258.39(8), (9) and (12), Florida Statutes, provides for the official designation of the Indian River Lagoon and portions of the North Fork of the St. Lucie River as Aquatic Preserves. The Florida Department of Environmental Protection, charged with administration and supervision of these preserves, has adopted specific management plans for both areas, conducting both research and enforcement actions within them.

In addition to its inland estuary and isolated wetland network, St. Lucie County has 21 miles of Atlantic Ocean shoreline, much of which is currently undeveloped. Through the efforts of the
residents of St. Lucie County and the State of Florida, approximately seven miles of this unincorporated oceanfront are under public ownership. Another two miles of oceanfront property are owned by the Florida Power & Light Company, and are to be maintained in their present natural state in conjunction with the operation of the St. Lucie Power Plant facilities. The balance of the remaining oceanfront properties is held in private ownership and available for development activities, which have historically been residential in character.

Evaluation

The revisions proposed by the County included hundreds of text amendments and updates to the data and analysis for all elements. Some of the most noteworthy amendments are summarized below:

1. Future Land Use Element
   a. The Future Land Use Map (FLUM) Category Table in Policy 1.1.1.1 is revised to include the Towns, Villages and Countryside Designation.
   b. All FLUM categories are listed and defined in detail in new Policy 1.1.1.2.
   c. New Objective 1.1.4 and several new policies under the objective indicate that changes to the future land use plan will be considered based upon smart growth, energy-efficient land use patterns and discouraging proliferation of urban sprawl.
   d. New Policy 1.1.5.12 is to utilize incentives to encourage development inside the urban service boundary and to discourage conversion of property in agricultural and suburban areas to higher intensity urban uses.
   e. New Policy 1.1.5.13 is to consider establishing minimum densities within the urban service boundary.
   f. Policy 1.1.9.2 is revised to consider allowing fees in lieu of on-site preservation when off-site preservation would be more environmentally beneficial for the purpose of habitat acquisition/preservation.
   g. New Policy 1.1.10.4 encourages the preservation of viable water-dependent facilities and mandatory public access to navigable waters.
   h. New Policy 1.1.15.4 prohibits incompatible uses in the Airport Overlay Zone.
   i. New Goal 1.4 and three new objectives under the goal address energy efficient land use patterns and policies that reduce greenhouse gas emissions. Objectives are to create a sustainable plan for the County’s western lands, to encourage green building standards and to maintain the County’s certification status under the Florida Green Building Council.

2. Transportation Element
   a. New Policy 2.1.1.9 is to continue to reduce greenhouse gas emissions through promoting increased transit usage, bicycle and pedestrian facilities and more efficient roadways.
   b. Revised Objective 2.1.2 is to support infill development and consider reducing level of service standards on constrained roadways.
c. New Policy 2.1.2.17 is to consider implementing a mobility fee structure as a modification to the current concurrency standards in coordination with the St. Lucie Transportation Planning Organization (TPO) and other relevant agencies.
d. New Policy 2.1.2.12 is to consider implementing a mobility fee.
e. New Policy 2.1.2.14 is to adopt Traffic Demand Management measures and explore related land use alternatives.
f. Revised Policy 2.2.1.4 is to work with the Florida Department of Transportation to develop guidelines for Transit Oriented Development.
g. New Policy 2.2.1.7 encourages common driveways and pedestrian connections between adjacent development.
h. Revised Policy 2.3.1.1 is to implement the recommendations of the St. Lucie County Bicycle, Pedestrian, Greenways and Trails Study.
i. Revised Policy 2.3.2.2 is to work with the TPO and the municipalities within the County on the implementation and update of a coordinated bicycle and pedestrian transportation plan.
j. Revised Policy 2.2.3.9 is to establish a schedule to complete missing sidewalks around schools.
k. New Objective 2.4.3 is to take action to preserve, maintain and enhance social, environmental and historic resources along the roadways designated as scenic corridors.
l. Revised Policy 2.6.1.5 is to consider the feasibility of implementing the fixed route bus recommendations in the Regional Transit Development Plan.
m. New Policy 2.6.1.8 is to improve amenities at bus stops.

3. Housing Element

a. Objective 3.1.1 is revised to indicate the County shall ensure the creation and/or preservation of affordable housing for all current and anticipated future residents of the jurisdiction, and households with special housing needs including rural and farmworker housing, workforce housing as well as adequate sites and distribution of housing for very-low-income, low-income and moderate-income households.
b. Policy 3.1.1.1 is revised to indicate the County shall provide future land use designations that provide for a diverse housing stock.
c. Revised Policy 3.1.1.5 is to assist employers who desire to participate in making housing opportunities in reasonable proximity to the workplace.
d. Revised Policy 3.2.1.3 is to explore the feasibility and need for an inclusionary housing program.
e. New policies under Objective 3.2.3 address the feasibility of a community land trust and land banking guidelines, a housing trust fund and public-private partnerships that address the provisions of affordable and workforce housing.
f. Revised Objective 3.2.4 is to maintain the County Affordable Housing Advisory Committee.
g. Revised Policy 3.2.5.2 indicates that workforce housing should be required in the Towns, Village and Countryside area.
h. Objective 3.2.7 and some new policies under the element are to support energy efficiency and the use of renewable energy resources in existing housing and in the design and construction of new housing.

4. Infrastructure Element

a. New policies in the Potable Water and Sanitary Sewer Sub Elements allow the provision of services to new development only upon the consent of the County Commission.

b. New policies in the Potable Water and Sanitary Sewer Sub Elements indicates that new development requiring public services will only be permitted if it ties into the existing utility services of the County, Fort Pierce or Port St. Lucie.

c. New policies indicate that the impacts that new construction has on supply, treatment and distribution shall be borne by those new customers and funded in advance of the provision of the infrastructure.

d. New Policy 4C.3.1.2 is to coordinate with the Florida Department of Environmental Protection, South Florida Water management District (SFWMD), local municipalities and others in alternative water supply planning efforts.

e. New Policy 4C.3.1.6 is to evaluate the financial feasibility of Low Impact Design stormwater management techniques.

f. Revised Policy 4D.1.1.2 is to provide sanitary sewer services within the urban service area in a manner that will not promote urban sprawl or leap-frog development.

g. New Policy 4D.1.4.5 encourages the connection of small package treatment plants to a central sewer system.

h. Revised Policy 4D.2.1.1 is to review and update the Water and Sewer Master Plan.

i. Revised Objective 4D.2.2 is to provide sanitary sewer service where feasible; feasibility is to be addressed in the Water and Sewer Master Plan Update.

5. Coastal Management Element

a. Revised Policy 5.1.1.7 is to support the preservation of working waterfronts.

b. New Policy 5.1.1.8 indicates that removal of exotic vegetation, revegetation plan, maintenance plan and soil stabilization plan are required for development or redevelopment in the coastal planning area.

c. New Policy 5.1.1.10 is to monitor all credible climate change and sea level rise data and what the potential effects may be on coastal systems natural resources.

d. New Policy 5.1.1.11 is to direct all inappropriate uses away from the coastal planning area.

e. Revised Policy 5.1.2.4 requires a vegetative buffer along all wetlands, submerged lands and surface waters.

f. New Policy 5.1.3.16 supports the Artificial Reef Program.

g. Revised Policy 5.1.4.5 is to coordinate with the Florida Inland Navigation District in the identification of dredge/spoil disposal sites associated with maintaining the Atlantic Intracoastal Waterway.
h. New policies under Objective 5.1.5 (Beaches and Dunes) address removal of manmade alterations, protection of marine turtles and turtles nesting habitat, the removal of exotic vegetation, and revegetation and maintenance of County-owned beach and dune areas.

i. Revised Policy 5.2.1.1 defines the Coastal High Hazard Area (CHHA) consistent with Florida Statutes.

j. Revised Policy 5.2.1.5 regulates and lists the types of uses permitted in the CHHA.

k. New Policy 5.2.1.7 addresses increased public awareness of hazards, evacuation, sheltering and building techniques to reduce hurricane and storm hazards.

l. New Policy 5.2.1.11 is to provide public information about wildfire hazards.

m. New Policy 5.2.4.10 is to develop a Post-Disaster Redevelopment Plan (PDRP). Additional new policies indicate what the components of the PDRP will be.

n. New Policy 5.3.1.5 establishes priorities for shoreline uses.

6. Conservation Element

a. Revised Policy 6.1.1.4 is to implement the Greenways and Trails Master Plan.

b. Revised Policy 6.1.1.5 is to reduce greenhouse gas emissions.

c. Revised Policy 6.1.2.4 supports the Indian River Lagoon (IRL) Surface Water Improvement and Management Plan, the Comprehensive Everglades Restoration Plan and the IRL National Estuary Program Comprehensive Conservation and Management Plan.

d. New Policy 6.1.2.12 is to ensure activities at the Port of Fort Pierce utilize best management practices to avoid negative impacts to the lagoon and ocean water habitats.

e. Revised Policy 6.1.4.4 requires the installation or preservation of a native vegetative buffer on all water bodies, submerged lands, or wetlands.

f. New Policy 6.1.5.6 requires open space for all development and redevelopment to promote shallow water aquifer recharge and stormwater filtration.

g. Revised Policy 6.1.6.2 is to protect environmentally sensitive lands from destructive activities and uses, such as off road vehicle use.

h. New Policy 6.1.6.6 is to require new development to be consistent with the soil conditions of the area.

i. New Policy 6.1.7.6 requires a reclamation/restoration plan as part of the required application for an extractive use permit.

j. Revised Policy 6.1.8.2 requires a survey by qualified personnel when site clearing activities are proposed is the known range of listed species.

k. Revised Policy 6.1.8.9 is to identify native upland vegetation communities that are higher quality and provide for protection, conservation or appropriate use of these areas.

l. Revised Policy 6.1.8.1 would allow the County to consider fees in-lieu of preservation of upland native plan communities.

m. New Policy 6.1.10.4 is to coordinate with the SFWMD on updates to the Regional Water Supply Plan.
n. Revised Policy 6.1.12.3 is to approve and support the public acquisition of a
diversity of natural habitat types to ensure maximum diversity of native wildlife
species.
o. Revised Policy 6.1.12.4 indicates that environmentally sensitive areas containing
highly sensitive native habitat may require protection through a conservation
easement or other acceptable method.
p. Revised Policy 6.1.12.7 indicates the County shall consider the abundance,
status, and distribution of endangered ecosystems and other environmentally
sensitive lands when reviewing land use proposals and acquisitions.
q. New Policy 6.1.12.11 indicates the County shall provide multiple-use
opportunities on county-owned natural preserve areas, consistent with natural
resource protection and conservation.
r. New Policy 6.1.12.13 is to direct all incompatible land uses away from natural
resource systems.
s. New Policy 6.1.12.14 is continued to acquire properties for the preservation and
restoration of the IRL through the Environmentally Significant Lands program.
t. New Policy 6.1.13.11 is to cooperate with adjacent local governments to
conserve, protect and use greenways which span jurisdictional boundaries.
u. New Objective 6.1.15 and supporting policies indicate the Board of County
Commissioners shall consider the Wetland Inventory and Evaluation Study
designed to facilitate the development of policies and procedures to improve the
protection of the existing wetlands in the County.

7. Intergovernmental Coordination Element

a. New Policy 8.1.1.10 is to continue working with the Cities of Fort Pierce and
Port St. Lucie pursuant to the Joint Planning Agreements in effect regarding
development applications and the provision of public services.
b. Revised Policy 8.1.1.11 is to continue to implement a joint planning agreement
with Fort Pierce relative to the City’s annexation plans.
c. New Policy 8.1.1.12 is to explore annexation coordination procedures and an
interlocal agreement with the City of Port St. Lucie.
d. New Policy 8.1.1.14 is to explore the feasibility of agreements that would allow
cross-jurisdictional transfer of development rights between the County and the
Cities of Fort Pierce and Port St. Lucie.
e. New Policy 8.1.1.15 addresses cooperation in protection and recovery programs
for manatees, sea turtles and other listed species.
f. New Policy 8.1.1.20 addresses cooperation with the Economic Development
Council and the St. Lucie Chamber of Commerce on implementation of the
Vision for St. Lucie County.
g. New Policy 8.1.2.4 addresses implementation and review of the Regional Long
Range Transportation Plan.
h. New Policy 8.1.2.5 addresses coordination on the Regional Transit Development
Plan.
i. New Policy 8.1.3.6 addresses coordination in the implementation of the Public School Facilities Element and interlocal agreement for public school facility planning.

j. New Objective 8.1.6 and supporting policies address coordination in the designation of new dredge spoil sites within the County’s jurisdiction.

8. Capital Improvements Element

a. New Policy 9.1.1.13 is to consider the financial feasibility of setting a new transit level of service.

b. New Policy 9.1.1.17 is to explore the financial feasibility of preparing a Library Master Plan.

c. New Policy 9.1.2.10 indicates the County shall limit the amount of debt it assumes for capital improvements or other purposes.

d. New Policy 9.1.3.5 sets forth an implementation schedule the County will use for annual updates and to ensure level of service standards are maintained.

e. New Policy 9.1.4.4 defines a preliminary development order.

f. New Policy 9.1.4.5 indicates the impacts of development on public facilities are determined to occur at the same time as a final development order is authorized.

g. New Policy 9.1.4.6 sets forth the conditions under which an application for a development order may be resubmitted after initially being denied because of insufficient capacity of public facilities.

h. New Policy 9.1.4.12 indicates the County shall consider the financial feasibility of implementing a concurrency and capacity database by 2012.

9. Economic Development Element

a. Revised Goal 10.1 is to support economic development in St. Lucie County as part of an overall strategy for sustainability and quality of life.

b. New Policy 10.1.1.6 is to continue to encourage the development of high wage, high skill, long term job creation in the County.

c. New Policy 10.2.1.8 is to participate in regional economic development activities including the Research Coast.

d. New Policy 10.2.1.9 is to support green and renewable energy loan and grant programs.

e. New Objective 10.2.5 is to encourage diversification of the tax base to support long-term investment in the County’s quality of life.

f. New Policy 10.2.5.2 is to support economic development activities that encourage growth in non-residential development.

g. New Policy 10.3.1.4 is to support the development and production of biofuels and related clean energy technology activities in the County.

h. New Policy 10.3.1.5 is to continue to establish grant opportunities for the sustainable reuse of agricultural lands.

i. New Policy 10.4.1.4 is to promote the expansion of eco-tourism and encouraging existing and new hotels to participate in the Florida Green Lodging Program.
j. New Policy 10.5.1.3 is to continue to provide expedited review of development applications for economic development projects.
k. New Policy 10.5.1.4 is to establish a site plan pre-approval program for industrial and commercial development by 2012.
l. New Policy 10.6.1.5 is to promote the expansion of commercial aviation services through implementation of the Airport Master Plan.

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 that have expressed an interest in receiving such materials. The County provided copies of the amendment materials to Fort Pierce, Port St. Lucie, St. Lucie Village, Martin County, Indian River County, the St. Lucie County School Board and the St. Lucie Transportation Planning Organization. Council sent a memorandum to each of these local governments/entities on June 15, 2010 seeking comments regarding potential conflicts with the proposed amendments. Council received a letter from the City Planning and Zoning Department dated July 8, 2010 (see Attachment A) with comments on the proposed amendments. One of the issues raised in the letter deals with the County Urban Service Boundary. The City also notified Council by email that a Joint Planning Agreement between the City and County has been in effect since 2007.

Effects on Significant Regional Resources or Facilities

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

Analysis of Consistency with Strategic Regional Policy Plan

The amendments significantly improve the County Comprehensive Plan and are considered to be consistent with the SRPP. Council has the following comments/recommendations for consideration by the County:

1. In new Objective 1.1.4 of the Future Land Use Element, reference to a future land use plan should be changed to comprehensive plan or future land use map.

2. Revised Policy 1.1.9.2 in the Future Land Use Element would be improved if the County was more specific about the term “more environmentally beneficial”.

3. In revised Objective 2.1.2 of the Transportation Element, consider removing the word “acceptable”.

4. In revised Policy 3.1.1.1 of the Housing Element, consider removing the term “provide for a diverse housing stock” and inserting “that allow a variety of housing types, affordabilities and densities”, consistent with Regional Goals 2.1 and 2.2.
5. New Objective 6.1.15 of the Conservation Element would be more measurable if it indicated that a Wetland Inventory and Evaluation Study should be completed by a certain date. A new policy under the objective could be that the Board of County Commissioners shall consider the results of the Wetland Inventory and Evaluation Study in considering new or revised policies and procedures to improve the protection of wetlands.

6. In new Policy 8.1.2.5 regarding the Regional Transit Development Plan for the Port St. Lucie Urbanized Area, the Martin Metropolitan Planning Organization should be indicated as one of the organizations with whom the County will coordinate.

7. Map FLU-12 (see Exhibit 2) portrays the Urban Service Boundary in the County. The map indicates that recently annexed areas of the City of Port St. Lucie (referenced by the City as the Western Annexation Area) are not considered within the Urban Service Boundary. However, the City is fully committed to providing urban services to the area, and in fact, has approved several developments of regional impact in the area shown as being outside the Urban Service Boundary.

New Policy 8.1.1.4 in the Intergovernmental Coordination Element is to explore annexation coordination procedures and an interlocal agreement with the City of Port St. Lucie. An existing interlocal agreement between the City and the County, executed in 2007, addresses coordination on annexations in Section 4.1.1. If the County finds the current method of coordination on annexation to be inadequate, the County should initiate the necessary steps to revise the agreement in cooperation with the City. At that time, perhaps the agreement can be expanded to identify the areas appropriate to be included within the Urban Service Boundary.

Consistency with Strategic Regional Policy Plan

The contract agreement with the DCA requires the TCRPC to include a determination of consistency with the SRPP as part of the written report to be submitted to the DCA. The TCRPC finds the proposed amendments to be CONSISTENT with the SRPP.

Recommendation

The Treasure Coast Regional Planning Council should adopt the above comments and instruct staff to transmit the report to the Department of Community Affairs.

Attachments
List of Attachments

Attachments

A

July 8, 2010 Correspondence from Daniel Holbrook, City of Port St. Lucie
July 8, 2010

Terry L. Hess, AICP
Deputy Director
Treasure Coast Regional Planning Council
421 SW Camden Avenue
Stuart, Florida 34994

Dear Mr. Hess:

The City of Port St. Lucie Planning and Zoning Department has reviewed the draft copy of the 2010 EAR based Amendments to the St. Lucie County Comprehensive Plan and has the following comments.

1. On page 2-7, the document incorrectly references a park and ride lot located in the City of Port St. Lucie on Bayshore Boulevard south of Gatlin Boulevard. The park and ride lot is located at the Council on Aging Senior Center at 2501 Southwest Bayshore Boulevard. The Center is south of Port St. Lucie Boulevard.

2. As depicted on Map FLU-12, the western boundary line of St. Lucie County’s Urban Service Boundary doesn’t include all of the urbanized land within the City of Port St. Lucie that is located west of Interstate 95.

3. The data and analysis and policies in the Transportation Element identify a county initiated mobility fee plan/study. On June 14, 2010, the City of Port St. Lucie, St. Lucie County, and the City of Fort Pierce met with representatives from the Florida Department of Transportation to discuss the requirements of SB 360. FDOT offered, and the jurisdictions agreed, to collaborate with FDOT on the preparation of a countywide multimodal mobility strategy. The Planning and Zoning Department supports FDOT’s efforts to promote coordination between local governments on mobility and multimodal transportation planning.

If you have any questions or need additional information, please contact Bridget Kean, Principal Planner, at (772) 873-6489.

Sincerely,

Daniel Holbrook, AICP
Director of Planning and Zoning

cc: Britton Wilson, Senior Planner, St. Lucie County Growth Management Department
Bob Dennis, Regional Planning Administrator, Florida Department of Community Affairs
List of Exhibits

Exhibit

1  Future Land Use Map
2  Urban Service Boundary Map
3  Existing and Future Transportation System (2030) Map
Exhibit 1
Future Land Use Map