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.

The amendment package from St. Lucie County includes text changes to policies in the Future Land Use and Conservation Elements of the comprehensive plan. This report includes a summary of the proposed amendment and TCRPC comments.

Summary of Proposed Amendment

The proposed amendment includes changes to seven policies in the Future Land Use Element and one policy in the Conservation Element to resolve a residential open space issue in the agricultural areas of western St. Lucie County. The issue is related to a lack of clarity in the existing policies establishing open space standards for residential development on lands designated Agricultural-5 (AG-5) and Agricultural-2.5 (AG-2.5). The open space issue was one of the driving forces leading to a comprehensive study of approximately 200,000 acres in western St. Lucie County. On September 18, 2012, the St. Lucie County Board of County Commissioners accepted the Western Lands Study: Vision and Plan.

Major changes in the proposed policies are as follows:
• Deletes the policy language in Policies 1.1.2.2 and 1.1.2.3 requiring large percentages of open space with residential development in AG-5 and AG-2.5 land use categories.

• Adds new language to Policy 1.1.2.3 as follows:
  
  o For any planned development project within the AG-5 and AG-2.5 future land use categories, the Planned Unit Development (PUD) may encompass one or more non-contiguous properties. All of the properties that are included within the PUD shall be considered together for purposes of calculating the maximum allowable density and shall be governed by a single authorizing resolution.

  o Any planned development project developed within the AG-5 and AG-2.5 future land use categories in excess of 400 units shall be required to employ proven innovative planning techniques to reduce the cost of providing services to the proposed development. Such techniques may include, but are not limited to, providing for a mix of uses consistent with the scope and scale of the development and paying appropriate impact fees or assessments to offset the cost of providing public services.

• Revises Policies 1.1.1.2 and 1.1.2.2 to increase the number of residential lots that can be subdivided under AG-5 or AG-2.5 designation without applying through the PUD process from eight to forty-five.

The proposed changes also include several minor updates related to having completed the Western Lands Study. The county staff report indicates that no significant impacts to public infrastructure are anticipated, because no increases in densities or intensities are associated with the proposed amendment.

Extrajurisdictional Impacts

On June 3, 2013, the TCRPC requested comments from nearby local governments and organizations that have expressed an interest in reviewing amendment materials. No extrajurisdictional impacts have been identified.

Regional Impacts

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

Conclusion

The proposed amendment is consistent with the SRPP.
Recommendation

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

Attachments
# List of Exhibits

<table>
<thead>
<tr>
<th>Exhibit</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>General Location Map</td>
</tr>
<tr>
<td>2</td>
<td>Proposed Amendment Showing Strikethrough and Underline</td>
</tr>
</tbody>
</table>
Exhibit 2
Proposed Amendment Showing Strikethrough and Underline

Exhibit “A”

Text Amendments to the Comprehensive Plan in strikethrough and underline format.

Policy 1.1.1.2 – The County’s land use categories shall be described as follows:

A. Agricultural-5 (AG-5)

The AG-5 land use designation is intended for those areas of the County outside of the planned urban service area which are associated with agricultural and agricultural-related activities. These areas are recognized for first being appropriate for the production of citrus, cash crops, or ranching activities. These areas are acknowledged as potentially suitable for limited residential development under the following criteria:

- All residential development must be in accordance with applicable standards and restrictions as set forth in the Land Development Code.
- All residential development proposals in excess of eight forty-five (45) units must be approved through the Planned Development (PD) process as provided in the Land Development Code.
- Any activity other than crop or food product related production, including combinations of properties/uses, in excess of 200 acres should identify appropriate mechanisms for funding the operation and maintenance of necessary infrastructure. Any utility infrastructure shall be consistent with the Infrastructure Element.
- Residential densities are set at a maximum of .20 units per gross acre (one (1) unit per 5 gross acres).

B. Agricultural-2.5 (AG-2.5)

The AG-2.5 land use designation is intended for those areas of the County outside of the planned urban service area which are associated with agricultural and agricultural-related activities. These areas are recognized for first being appropriate for the production of citrus, cash crops, or ranching activities. These areas are acknowledged as potentially suitable for limited residential development under the following criteria:

- All residential development must be in accordance with applicable standards and restrictions as set forth in the Land Development Code.
- All residential development proposals in excess of eight forty-five (45) must be approved through the Planned Development (PD) process as provided in the Land Development Code.
- Any activity other than crop or food product related production, including combinations of properties/uses, in excess of 200 acres should identify appropriate mechanisms for funding the operation and maintenance of necessary infrastructure. Any utility infrastructure shall be consistent with the Infrastructure Element.
- Residential densities are set at a maximum of .40 units per gross acre (one (1) unit per 2.5 gross acres).
Policy 1.1.2.2. – Any application or petition to divide a lot or parcel of record as of January 9, 1990, in the AG-2.5 or AG-5 future land use categories, into more than eight forty-five (45) lots, parcels or tracts, shall be approved only through the planned development process consistent with the other Goals, Objectives and Policies of this Plan, except in those instances where the division of lot or parcel of record as of January 9, 1990, would result in individual parcels or tracts of 20 acres or more in size and no streets, roads or other public or private infrastructure are required.

If two or more lots, parcels or tracts or combinations of lots, parcels or tracts and portions of lots, parcels or tracts which are contiguous to other lots, parcels or tracts under single or common ownership interest and were of record on January 1, 1990, the lands involved shall be considered to be an undivided parcel for the purposes of this Policy, provided, however, that lots, parcels or tracts separated by an ingress/egress, access or roadway easement that was of record on January 1, 1990, but not specifically excluding any easement limited to utilities, drainage or other non-access purpose, shall not be considered an undivided parcel for the purpose of this Policy.

Where any new street, road, or other public or private infrastructure is proposed within the PD it shall be designed in a manner that provides for the grouping or concentrating of all development areas and activities in order to minimize the cost of providing infrastructure and community services to these areas while maintaining a minimum of 80 percent Open Space (gross area).

Policy 1.1.2.3. – All future non-agricultural development within the AG-5 and AG-2.5 future land use categories will be required to preserve open space, which is to be defined to include, but is not limited to, agricultural activities such as groves and range land as well as preservation of natural areas according to the following criteria:

a. Developments in excess of eight units, or greater than 160 acres in gross area, whichever is more restrictive must retain a minimum of 50 percent of the project site as open space.

b. Developments of eight units or less, or involving 160 acres or less in gross area, whichever is more restrictive must retain a minimum of 50 percent of the project site as open space, provided that this paragraph shall not be applied to avoid the remainder of this policy through further subdivision of land parcels as existed as of record on January 9, 1990.

For any planned development project developed within the AG-5 and AG-2.5 future land use categories, a minimum of 35 percent of the gross project area shall be preserved as open space held in common ownership or management control. Nothing in this Policy is intended to prevent these areas of required common open space from, at the discretion of and acceptance by the appropriate unit of local or state government, being conveyed into public ownership or trust. For any agricultural PD equal to or less than 160 acres in gross area or involving eight or less lots or parcels, whichever is more restrictive, the required common open space may be held in either common or individual interest.

For any planned development project within the AG-5 and AG-2.5 future land use categories, the PUD may encompass one or more non-contiguous properties. All of the properties that are included within the PUD shall be considered together for purposes of calculating the maximum allowable density and shall be governed by a single authorizing resolution.
Any planned development project developed within the AG-5 and AG-2.5 future land use categories in excess of 400 units shall be required to employ proven innovative planning techniques to reduce the cost of providing public services to the proposed development. Such techniques may include, but are not limited to, providing for a mix of uses consistent with the scope and scale of the development and paying appropriate impact fees or assessments to offset the cost of providing public services.

Policy 1.1.4.11 - Calculate gross residential density on lands that lie above the mean high water elevation and provide for the ability to transfer and/or cluster residential density from wetland and other sensitive or unique environmental habitats to upland areas on contiguous property or non-contiguous property.

Policy 1.1.7.1 – Continue to encourage the use of cluster-housing and planned development techniques to conserve open space and environmentally sensitive areas, through the County’s Land Development Code which shall include:

a. Minimum acreage requirements necessary to support a viable mixed use community providing sufficient design flexibility to allow innovation and creativity in all forms of planned unit developments;
b. Minimum open space ratios of 35 percent in all planned developments and including assurances that such areas will remain as open space to protect existing native habitat, to provide for minimum setback needs from adjacent uses, and to provide active and passive recreational as well as visual amenities;
c. Provisions ensuring the long term preservation of remaining open spaces;
d. A mixed use district combining residential, commercial, recreational, educational, and other income producing uses providing significant functional and physical integration among uses;
e. Minimum standards for the provision of on-site shopping, job opportunities and internal trip capture; and,
f. Specific requirements to provide efficient, centralized infrastructure (potable water and sanitary sewer). Include specific restrictions on the use of septic tanks, individual wells, and package plants in planned unit developments.
g. Development consistent with the Towns, Villages and Countryside Element and the Transfer of Development Rights Program outlined under Objective 11.1.7.

Policy 1.4.1.3 – Consider amending the Comprehensive Plan—Land Development Code to be consistent with the Western Lands Study, which may include a allow the transfer of development rights program among other planning and development tools, to be considered for approval by the Board of County Commissioners.

Policy 1.4.1.5 – Consider including strategies in the Land Development Code for agricultural lands to be considered in the Western Land Study include targeting agricultural industries and activities that

- support bio-fuel production,
- promote agri-tourism, eco-tourism,
- promote/support local food marketing and branding, and
- promote mass stormwater farming, storage and treatment.
• promote incentives for clustered development, and
• further habitat conservation.

Policy 6.1.8.5 – Except as provided for in Policy 1.1.2.2 of the Future Land Use Element, all lands within development sites proposed as conservation and open space areas shall be maintained held in single ownership by a homeowners association or other entity one or more legal entities approved by the County Attorney that will be responsible for the perpetual maintenance of the conservation or open space area. Except as provided for in Policy 1.1.2.3 of the Future Land Use Element, open space and conservation areas shall not include lands utilized to meet the minimum lot size requirements.