

ORDINANCE NO. 07-032

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5 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE**
6 **COUNTY, FLORIDA, AMENDING LAND DEVELOPMENT CODE CHAPTER**
7 **7.03.00, PLANNED MIXED USE DEVELOPMENT; AMENDING SECTION 7.03.03**
8 **TO MODIFY THE STANDARDS AND REQUIREMENTS TO ALLOW GREATER**
9 **THAN 40% RESIDENTIAL DEVELOPMENT AND MODIFY THE STANDARDS**
10 **FOR HORIZONTAL AND VERTICAL INTEGRATION OF USES, FOR A 9.44 ACRE**
11 **PARCEL OF LAND LOCATED AT THE NORTHWEST CORNER OF STATE ROAD**
12 **A-1-A AND MARINA DRIVE ON NORTH HUTCHINSON ISLAND IN ST. LUCIE**
13 **COUNTY, TO IMPLEMENT THE DEVELOPMENT PROJECT AND RELATED**
14 **COMPREHENSIVE PLAN AMENDMENT KNOWN AS "GRANDE BEACH";**
15 **PROVIDING FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR**
16 **SEVERABILITY; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR**
17 **CODIFICATION; AND PROVIDING FOR APPLICABILITY.**

18
19 **WHEREAS**, the Board of County Commissioners of St. Lucie County, Florida, has
20 made the following determinations:

- 21
22 1. Grande Beach North Hutchinson Island, LLC has requested an amendment to Land
23 Development Code Planned Mixed Use Development (PMUD) Section 7.03.03,
24 Standards and Requirements, for a 9.44 acre tract located at the northwest intersection of
25 State Road A-1-A and Marina Drive.
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27 2. Whereas Section 163.3201, Florida Statutes, provides for the adoption and enforcement
28 of regulations on development, based upon the Comprehensive Plan for St. Lucie
29 County.
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31 3. On August 1, 1990, this Board enacted the St. Lucie Land Development Code to further
32 and implement the Comprehensive Plan for St. Lucie County which calls for the
33 regulation of land development.
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35 4. On February 16, 1993, this Board adopted Ordinance No. 93-004 which created
36 Chapter 7.03.00, Planned Mixed Use Development Section 7.03.03 of the St. Lucie
37 County Land Development Code.
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39 5. On March 27, 2007, this Board adopted Ordinance No. 07-008 changing the Future
40 Land Use Map Designation of a 9.44 acre tract from Commercial (COM) to Mixed Use

1 Development (MXD-Grande Beach, Medium Intensity) and amending the text of the
2 Future Land Use Element to provide sub-area policies that exempted the subject
3 property from the maximum 40% residential threshold set forth in Section 7.03.03(A)
4 and the integration of uses set forth in Section 7.03.03(B)(2) of the Land Development
5 Code.
6

7 6. This Board has determined it is necessary to amend Chapter 7.03.00, Section 7.03.03
8 to maintain consistency between the newly adopted sub-area policy of the
9 Comprehensive Plan and the Land Development Code.
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11 7. On July 19, 2007, the Local Planning Agency/Planning and Zoning Commission, held a
12 public hearing on the proposed ordinance after publishing notice in the Fort Pierce
13 Tribune and Port St. Lucie News at least 10 days prior to the hearing and
14 recommended that the proposed ordinance be approved.
15

16 8. On August 21, 2007, at the request of the applicant, the St. Lucie County Board of
17 County Commissioners remanded this petition to the St. Lucie County Planning and
18 Zoning Commission.
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20 9. On September 20, 2007, the Local Planning Agency/Planning and Zoning
21 Commission, held a public hearing on the proposed ordinance after publishing notice in
22 the Fort Pierce Tribune and Port St. Lucie News at least 10 days prior to the hearing
23 and recommended that the proposed ordinance be approved.
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25 10. On October 16, 2007, this Board held its first public hearing on the proposed ordinance,
26 after publishing a notice of such hearing in the Port St. Lucie News and the Fort Pierce
27 Tribune at least 10 days prior to the hearing.
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29 11. On November 6, 2007, this Board held its second public hearing on the proposed
30 ordinance, after publishing a notice of such hearing in the Port St. Lucie News and the
31 Fort Pierce Tribune at least 10 days prior to the hearing.
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34 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of
35 St. Lucie County, Florida:
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37 **PART A. CHAPTER 7.03.00, PLANNED MIXED USE DEVELOPMENT, OF THE ST.**
38 **LUCIE COUNTY LAND DEVELOPMENT CODE OF ORDINANCES AND**
39 **COMPILED LAWS OF ST. LUCIE COUNTY, FLORIDA IS HEREBY**
40 **AMENDED BY ADDING THE WORDS SHOWN IN UNDERLINED TYPE**
41 **IN SECTION 7.03.03 AS FOLLOWS:**
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1 **Section 7.03.03 STANDARDS AND REQUIREMENTS**

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3 Standards and requirements for a Planned Mixed Use Development shall be as follows:

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5 **A. MINIMUM AREA**

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7 Minimum areas for land uses within Planned Mixed Use Developments shall be as
8 specified in Table 7.2 below. Where more than one land use is developed within a
9 Planned Mixed Use Development, the minimum size of the development shall be
10 the sum of the minimum areas for each land use as specified in Table 7-2 below. All
11 land included as a part of the minimum requirement shall be contiguous and under
12 common ownership or control. Residential land uses may not exceed 40 percent of
13 the Planned Mixed Use Development, except for the Mixed Use Development
14 (MXD-Grande Beach, Medium Intensity) Mixed Use Activity Area as adopted in
15 Figure 1-7K of Policy 1.1.7.3 of the Future Land Use Element of the Comprehensive
16 Plan that may include up to 70 residential dwelling units.

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20 **TABLE 7-2**

MINIMUM AREA FOR PLANNED MIXED USE DEVELOPMENTS	
LAND USE	MINIMUM AREA (GROSS ACRES)
Residential	1
Institutional	1
Professional Service/Office	1
Commercial	1
Public Service/Utilities	1
Industrial	1

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23 **B. RESIDENTIAL DENSITY AND NON-RESIDENTIAL FLOOR AREA RATIOS**

- 24
25 1. The maximum permitted residential density of a Planned Mixed Use
26 Development shall not exceed the residential density reflected in the Mixed
27 Use Intensity Plans of the St. Lucie County Comprehensive Plan and
28 referenced in Table 7-3 below. On North and South Hutchinson Island, the
29 provisions of Section 3.01.03(AA), HIRD (Hutchinson Island Residential
30 District) shall govern.
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2. For non-residential uses, intensity shall be limited by Floor Area Ratios as specified in Table 7-3 below. Floor Area Ratio is defined as the total floor area of the building divided by the total area of the lot. The total floor area of the building shall include all floors of the building.

TABLE 7-3

DENSITY AND FLOOR AREA RATIOS FOR PLANNED MIXED USE DEVELOPMENTS			
LAND USE	MINIMUM DU/ACRE	MAXIMUM DU/ACRE	FLOOR AREA RATIO
High Intensity			
Residential	5	15	
Institutional			1.50
Professional Service/Office			1.50
Commercial			1.00
Public Services/Utilities			0.50
Industrial			0.50
Medium Intensity			
Residential	5	9	
Institutional			1.00
Professional Service/Office			1.00
Commercial			0.75
Public Services/Utilities			0.25
Industrial			0.25
Low Intensity			
Residential	0	5	
Institutional			0.50
Professional Service/Office			0.50
Commercial			0.50
Public Service/Utilities			0.25

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1 Where mixed land uses are horizontally or vertically integrated on the same parcel,
2 the developer shall demonstrate that the parcel contains sufficient land area for the
3 proposed uses to have been approved individually, except for the Mixed Use
4 Development (MXD-Grande Beach , Medium Intensity) Mixed Use Activity Area as
5 adopted in Figure 1-7K of Policy 1.1.7.3 of the Future Land Use Element of the
6 Comprehensive Plan.
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8 **PART B. CONFLICTING PROVISIONS.**
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10 Special acts of the Florida legislature applicable only to unincorporated areas of St.
11 Lucie County, County ordinances and County resolutions, or parts thereof, in
12 conflict with this ordinance are hereby superseded by this ordinance to the extent of
13 such conflict.
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15 **PART C. SEVERABILITY.**
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17 If any portion of this ordinance is for any reason held or declared to be
18 unconstitutional, inoperative or void, such holding shall not affect the remaining
19 portions of this ordinance. If this ordinance or any provision thereof shall be held to
20 be inapplicable to any person, property, or circumstance, such holding shall not
21 affect its applicability to any other person, property, or circumstance.
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23 **PART D. APPLICABILITY OF ORDINANCE.**
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25 This ordinance shall be applicable in the unincorporated area of St. Lucie County.
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27 **PART E. FILING WITH THE DEPARTMENT OF STATE.**
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29 The Clerk is hereby directed forthwith to send a certified copy of this ordinance to
30 the Bureau of Administrative Code and Laws, Department of State, The Capitol,
31 Tallahassee, Florida 32304.
32

33 **PART F. EFFECTIVE DATE.**
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35 This ordinance shall take effect upon adoption by the Board of County
36 Commissioners.
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38 **PART G. CODIFICATION.**
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40 Provisions of this ordinance shall be incorporated in the Code of Ordinances of St.
41 Lucie County, Florida, and the word "ordinance" may be changed to "section",
42 "article", or other appropriate word, and the sections of this ordinance may be

renumbered or relettered to accomplish such intention; provided, however, that Parts B through H shall not be codified.

PART H. ADOPTION.

After motion and second, the vote on this ordinance was as follows:

Chairman Chris Craft	AYE
Vice Chairman Joseph E. Smith	AYE
Commissioner Paula A. Lewis	AYE
Commissioner Doug Coward	AYE
Commissioner Charles Grande	AYE

PASSED AND DULY ADOPTED this 6th day of November, 2007.

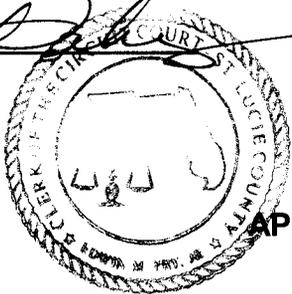
ATTEST:

**BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA**

[Signature]
Deputy Clerk

BY

[Signature]
Chairperson



APPROVED AS TO FORM AND CORRECTNESS

[Signature]
County Attorney