

# ORDINANCE NO. 09-024

AN ORDINANCE AMENDING THE ST. LUCIE COUNTY LAND DEVELOPMENT CODE BY AMENDING SECTION 2.00.00 AND SECTION 5.01.00 TO ADD A DEFINITION ENTITLED RADIUS OF DEVELOPMENT INFLUENCE; BY AMENDING SECTION 5.06.04(B) REQUIRED DETERMINATION FOR ROADS; BY AMENDING SECTION 5.06.04(B) TO ADD IMPACT ANALYSIS CRITERIA FOR PROJECTS; BY CREATING SECTION 5.06.05 TO BE ENTITLED REQUIRED TRANSPORTATION IMPACT REPORT; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND APPLICABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE, PROVIDING FOR ADOPTION AND CODIFICATION AND AN EFFECTIVE DATE

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

1. On August 1, 1990, the Board of County Commissioners of St. Lucie County, Florida, adopted the St. Lucie County Land Development Code.

2. The Board of County Commissioners has adopted certain amendments to the St. Lucie County Land Development Code, through the following Ordinances

91-03 -	March 14, 1991	91-09 -	May 14, 1991
91-21 -	November 7, 1991	92-17 -	June 2, 1992
93-01 -	February 16, 1993	93-03 -	February 16, 1993
93-05 -	May 25, 1993	93-06 -	May 25, 1993
93-07 -	May 25, 1993	94-07 -	June 22, 1994
94-18 -	August 16, 1994	94-21 -	August 16, 1994
95-01 -	January 10, 1995	96-10 -	August 6, 1996
97-01 -	March 4, 1997	97-09 -	October 7, 1997
97-23 -	September 2, 1997	99-01 -	February 2, 1999
99-02 -	April 6, 1999	99-03 -	August 17, 1999
99-04 -	August 17, 1999	99-05 -	July 20, 1999
99-15 -	July 20, 1999	99-16 -	July 20, 1999
99-17 -	September 7, 1999	99-18 -	November 2, 1999
00-10 -	June 13, 2000	00-11 -	June 13, 2000
00-12 -	June 13, 2000	00-13 -	June 13, 2000
01-03 -	December 18, 2001	02-005 -	June 24, 2002
02-009 -	March 5, 2002	02-020 -	October 15, 2002
02-029 -	October 15, 2002	03-005 -	October 7, 2003
04-002 -	January 20, 2004	04-007 -	April 20, 2004
04-033 -	December 7, 2004	05-001 -	March 15, 2005
05-004 -	August 2, 2005	05-007 -	January 18, 2005
05-013 -	November 8, 2005	05-023 -	September 20, 2005
06-005 -	April 18, 2006	06-013 -	June 6, 2006
06-017 -	May 30, 2006	06-018 -	May 30, 2006

06-022 -	July 18, 2006	06-030 -	September 12, 2006
06-047 -	December 5, 2006	07-011 -	February 6, 2007
07-015 -	April 17, 2007	07-017 -	June 5, 2007
07-018 -	December 18, 2007	07-032 -	November 6, 2007
07-041 -	September 4, 2007	08-004 -	March 11, 2008
08-008 -	June 17, 2008	08-012 -	September 9, 2008
08-025 -	September 16, 2008	09-003 -	January 20, 2009
09-013 -	May 19, 2009		

3. On \_\_\_\_\_, 2009, the Local Planning Agency/ Planning and Zoning Commission held a public hearing on the proposed ordinance after publishing notice in the St. Lucie News Tribune at least 10 days prior to the hearing and recommended that the proposed ordinance be approved.

4. On \_\_\_\_\_, 2009, this Board held its first public hearing on the proposed ordinance, after publishing a notice of such hearing in the St. Lucie News Tribune on \_\_\_\_\_, 2009.

5. On \_\_\_\_\_, 2009, this Board held its second public hearing on the proposed ordinance, after publishing a notice of the \_\_\_\_\_, 2009 hearing in the St. Lucie News Tribune on \_\_\_\_\_, 2009.

6. The proposed amendments to the St. Lucie County Land Development Code are consistent with the general purpose, goals, objectives and standards of the St. Lucie County Comprehensive Plan and are in the best interest of the health safety and public welfare of the citizens of St. Lucie County, Florida.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of St. Lucie County, Florida:

**PART A. THE SPECIFIC AMENDMENTS TO THE ST. LUCIE COUNTY LAND DEVELOPMENT CODE TO READ AS FOLLOWS:**

**CHAPTER II  
DEFINITIONS**

**2.00.00 DEFINITIONS**

Radius of Development Influence: The area surrounding a proposed site development project with the radius distance measured in road miles beginning at the connection of the project entrance point(s) with the first off-site regulated (publically owned and maintained) roadway.

Area of Development Influence: An area other than the radius area influenced or otherwise impacted by a site development.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13

## CHAPTER V ADEQUATE PUBLIC FACILITIES

14  
15

### 5.01.00 DEFINITIONS

16  
17  
18  
19  
20  
21  
22

Radius of Development Influence: The area surrounding a proposed site development project with the radius distance measured in road miles beginning at the connection of the project entrance point(s) with the first off-site regulated (publically owned and maintained) roadway.

23  
24  
25  
26  
27  
28  
29  
30

Area of Development Influence: An area other than the radius area influenced or otherwise impacted by a site development.

31  
32

### 5.06.04 REQUIRED DETERMINATION FOR ROADS

33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44

**B. The impact of proposed development on roads shall be determined as follows:**

~~(4) The County shall determine the impact of development on Regulated Roads for all proposed development including site plan, future land use amendment and rezoning applications which will generate 30 or more average daily trips.~~

Projects generating between 11 and 50 gross peak hour trips as determined by the latest generalized trip generation rates of the Institute of Transportation Engineers, or locally determined trip generation rates for the specified development proposal within the 0.5 mile radius of development influence, as shown on Table 5.06.04(B), shall be required to provide a detailed trip generation, distribution and assignment traffic summary. Projects generating 51 or more gross peak hour trips shall be required to prepare a Transportation Impact Report (TIR) as referenced in Section 5.06.05.

### 5.06.05 REQUIRED TRANSPORTATION IMPACT REPORT (TIR)

A. Projects generating 51 or more gross peak hour trips shall be required to submit a Transportation Impact Report for all site development plan applications. As referenced in Table 5.06.04(B), projects generating 51 or more peak hour project trips shall have a radius of development influence of 1 mile or more depending upon the number of project trips. Projects that generate between 11 and 50 peak hour trips have a 0.5 mile radius of development influence. A radius of development influence refers to the area surrounding a proposed site development project with the radius distance measured in road miles beginning at the connection of the project entrance point(s) with the first off-site regulated roadway. The peak hour trip generation rate shall be determined using the trip generation rates from the latest Institute of Transportation Engineers *Trip Generation Manual* (latest version is the 8<sup>th</sup> Edition) or locally derived trip generation rates for the specific development proposal as accepted by the Growth Management Director.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47

1. Transportation Impact Report

a. A traffic methodology meeting with county staff is encouraged of the applicant prior to preparation of the TIR. A written memorandum prepared by the applicant summarizing the methodology agreed upon at the methodology meeting shall be provided to the Development Review Committee (DRC) for approval.

1. The Board of County Commissioners shall authorize total or partial relief from the requirement of a TIR if it finds, after receiving the recommendation of the DRC and based on conditions peculiar to the proposed development, that the information foregone by such relief is not needed to determine the roadway, traffic control, and access improvements that should be undertaken to accommodate the additional traffic generated by the proposed development. A request for relief shall require a public hearing before the Board of County Commissioners.

b. Transportation Impact Report Study Area

The base transportation impact study area shall be approved by the DRC and include all major roadways (collectors, minor arterials, and major arterials) within the radius of development influence as reflected in Table 5.06.04 (B) below. The study area shall be expanded to include at least the intersection(s) of the major access roadway(s) with the first major or minor arterial roadway in each travel direction from the development if traffic generated by the proposed development would potentially affect levels of service at the intersection. The study area shall be approved by the DRC before the preparation of the TIR. The DRC shall require extension of the study area to incorporate collector and arterial roadways and intersections outside the radius of development influence if traffic generated by the proposed development potentially would affect levels of service of such roadways and intersections and existing or projected levels of service if such roadways are Level of Service C or below. This extension of the study area shall be referenced as the "Area of Development Influence". On North and South Hutchinson Island, the study area shall be expanded to include island to mainland bridges in each travel direction from the development.

Level of Significance

Struck through passages are deletions. Underlined passages are additions.

1                    The project is considered significant and therefore required to  
2                    analyze links and intersections on those links within the area of  
3                    development influence where the project trips comprise an amount  
4                    equal to or greater than 1% of the peak hour level of service  
5                    standard as defined in the St. Lucie County level of service  
6                    standards and the FDOT standards for SIS facilities.

7  
8  
9

<b>TABLE 5.06.04(B)</b>	
<b>RADIUS OF DEVELOPMENT INFLUENCE</b>	
<u>New Peak Hour Trip Generation</u>	<u>Radius Of Influence</u>
1 to 10	road directly accessed by project
11 to 50	1 mile
51 to 150	2 miles
151 to 500	3 miles
501 to 1000	4 miles
1001 and above	5 miles

10  
11  
12  
13  
14  
15  
16  
17  
18  
19                    c.        **Contents**

20  
21                    The TIR shall contain the following for the area of development  
22                    influence:

- 23  
24                    1.        A detailed description of the collector and arterial road  
25                    network, including existing and programmed roadway  
26                    lanes, lane widths, right-of-way widths; existing and  
27                    programmed traffic signal locations and signal phasing;  
28                    existing and planned ingress and egress locations for  
29                    development mutually served by major roadway facilities  
30                    with the proposed development (including all access  
31                    locations adjacent to and within six hundred (600) feet of  
32                    the proposed development property lines); and existing  
33                    and programmed public transportation services and  
34                    facilities. The applicant may discuss these requirements  
35                    with the County Engineer prior to submittal of the TIR.
- 36  
37                    2.        A description of development, including phasing and  
38                    anticipated completion dates.
- 39  
40                    3.        A detailed description of the existing traffic conditions,  
41                    including the peak season peak hour ~~average daily~~ traffic  
42                    volume for all collector and arterial roads within the study  
43                    area. The peak season peak hour daily traffic shall be  
44                    based on forty-eight (48) hour traffic counts conducted  
45                    between Tuesday and Thursday, during January,  
46                    February, or March, except on holidays. If data collection  
47                    cannot be accomplished during this period, the counts will

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47

be adjusted based upon the most recent St. Lucie Transportation Planning Organization count data for roadways within or adjacent to the study area. If St. Lucie Transportation Planning Organization traffic counts are not available to reflect the seasonal variations, then the FDOT seasonal factors can be used. If no seasonal adjustment factors are available, the applicant can propose a seasonal adjustment factor to be approved by the DRC. The methodology and assumptions for the seasonal adjustment must be clearly stated. The highest volume hour or peak hour will be defined from the hourly traffic count(s) conducted over one (1) or more forty-eight (48) hour period(s) as described above. ~~Site peak period intersection turning movement counts will be provided conducted~~ for at least two (2) hours at all intersections of collector and arterial roadways within the study area where the project traffic has a significant impact. Peak hour counts will be adjusted to reflect peak season conditions if the counts are not obtained between January and March. Methodology for these adjustments will be approved by the DRC.

- 4. Capacity analyses will be conducted at the intersections of all major roadways in the impact area that are signalized or that warrant signalization based upon peak hour warrant. These analyses will be performed in accordance with the latest version of the Highway Capacity Manual as amended or superseded.
- 5. Based on the capacity analyses described in sub-subparagraph (4) above, a summary of existing levels of service on the impact area network will be provided.
- 6. A detailed analysis of traffic impact of the proposed development, including the following components:
  - a. Trip Generation - indicate ~~daily and~~ peak hour trip generation data. Peak hour (clarify either a.m. or p.m. peak hour) trip generation data should reflect the impact anticipated due to the existing street peak hour. The analysis will show in tabular form the land use components, the trip generation rates, and the total trips generated by land use type.
  - b. Indicate the internal/external split and pass-by trips for ~~daily and~~ peak hour travel. The analysis should indicate the basis for capturing internal and external

~~Struck through~~ passages are deletions. Underlined passages are additions.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47

trips.

c. Trip distribution - indicate the basis for determining trip distribution for the proposed development and the resultant trip distribution by cardinal direction (north, south, east, and west).

d. Identify the trip assignment (daily and peak hour) within the study area. Daily volumes should be noted along roadway links. Peak hour volumes should be graphically reflected in turning movement counts at development entrances and major roadway intersections.

Daily and peak hour trip generation, as well as inbound/outbound direction split shall be based on the report entitled "Trip Generation (8th Edition)" by the Institute of Transportation Engineers or its successors, except when special trip generation research conducted by a registered engineer practicing in the area of transportation engineering demonstrates alternative data to be more appropriate. Trip generation assumptions will be approved by the DRC prior to conducting the traffic impact analysis.

7. A detailed cumulative transportation impact analysis of the links and intersections that are significantly impacted by the project within the area of development influence shall be analyzed. Cumulative traffic volumes shall include existing traffic, traffic growth due to other approved development, and the impact of the proposed development. This analysis must identify projected average peak season daily traffic and peak hour volumes for all collector and arterial roadways and intersections and must identify the development impact separately from the cumulative traffic volume. For the purposes of these analyses, background traffic will be identified as existing plus other approved development traffic plus ambient growth to the year of project buildout. Ambient growth is that growth which may occur from projects not in the tracking system or from other jurisdictions. Traffic from other approved projects will be that traffic as defined by an approved traffic study and tracked by the Growth Management Director of St. Lucie County or other impacting jurisdictions with appropriate factors applied for double counting. It is the responsibility of the applicant to

~~Struck through~~ passages are deletions. Underlined passages are additions.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48

confer with the County and other jurisdictions within the area of development influence to ensure that, to the extent possible, all other approved projects are accounted for. Other development traffic will be identified by using actual traffic analyses for approved projects and historical growth trends on the subject roadways as appropriate. The methodology to be employed in assessing background traffic will be approved by the DRC prior to conducting the traffic analysis.

Capacity analyses will be conducted using the criteria as described in subparagraph (4) above for cumulative traffic to identify levels of service resulting from the cumulative traffic demands, including the proposed development. When the combination of background traffic and the impact from the subject development will reduce the Level of Service ("LOS") below acceptable LOS standards as adopted by St. Lucie County for the A.M. or P.M. peak hour, analyses will be conducted to clearly identify those improvements required to maintain acceptable Level of Service standards. These improvements will be identified clearly.

d. Traffic Study and Traffic Data Inventory and File

The Growth Management Director shall keep a file of all traffic studies, including the capacity allocated for each approved project. In determining the projected demand the impact analysis shall include trips already allocated in previous development approvals. Upon request, the Director shall provide information when appropriate data already exists and is available in order to prevent duplication. It is the responsibility of the applicant to confer with the County and other jurisdictions within the area of development influence to ensure that, to the extent possible, all other approved projects are accounted for.

**PART B. CONFLICTING PROVISIONS.**

Special acts of the Florida legislature applicable only to unincorporated areas of St. Lucie County, County ordinances and County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict.

**PART C. SEVERABILITY.**

~~Struck through~~ passages are deletions. Underlined passages are additions.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative, or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provision thereof shall be held to be inapplicable to any person, property, or circumstance, such holding shall not affect its applicability to any other person, property, or circumstance.

**PART D. APPLICABILITY OF ORDINANCE.**

This ordinance shall be applicable in the unincorporated area of St. Lucie County.

**PART E. FILING WITH THE DEPARTMENT OF STATE.**

The Clerk be and is hereby directed forthwith to send a certified copy of this ordinance to the Bureau of Administrative Code and Laws, Department of State, The Capitol, Tallahassee, Florida 32304.

**PART F. EFFECTIVE DATE.**

This ordinance shall take effect \_\_\_\_\_, 2009.

**PART G. ADOPTION.**

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

Chair Charles Grande	XXX
Vice Chair Doug Coward	XXX
Commissioner Chris Craft	XXX
Commissioner Chris Dzadovsky	XXX
Commissioner Paula A. Lewis	XXX

**PART H. CODIFICATION.**

Provisions of this ordinance shall be incorporated in the St. Lucie County Code and Compiled Laws, and the word "ordinance" may be changed to "section", "article", or other appropriate word, and the sections of this ordinance may be re-numbered or re-lettered to accomplish such intention; provided, however, that parts B through H shall not be codified.

~~Struck through~~ passages are deletions. Underlined passages are additions.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18

**PASSED AND DULY ENACTED** this \_\_\_\_ day of \_\_\_\_\_, 2009.

**ATTEST:**

\_\_\_\_\_  
**Deputy Clerk**

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

**BY:** \_\_\_\_\_  
**Chair**

**APPROVED AS TO FORM AND  
CORRECTNESS:**

**BY:** \_\_\_\_\_  
**County Attorney**

S:\ATTY\ORDNANCE\2009\09-024.wpd

Revised 6/30/09