

ORDINANCE 04-029
FILE NO.: PA-03-003

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5 AN ORDINANCE CHANGING THE FUTURE LAND USE DESIGNATION
6 OF THE ST. LUCIE COUNTY COMPREHENSIVE PLAN FOR CERTAIN
7 PROPERTY IN ST. LUCIE COUNTY, FLORIDA; PROVIDING FOR
8 FINDINGS OF CONSISTENCY; AUTHORIZING AMENDMENTS TO THE
9 FUTURE LAND USE MAPS OF THE COMPREHENSIVE PLAN;
10 PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR
11 SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR
12 FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING
13 FOR FILING WITH THE DEPARTMENT OF COMMUNITY AFFAIRS;
14 PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR
15 ADOPTION.

16
17 **WHEREAS**, the Board of County Commissioners of St. Lucie County, Florida, based on
18 the testimony and evidence, including, but not limited to the staff report and the Florida
19 Department of Communities Affairs Objections, Comments and Recommendations
20 Report, has made the following determinations:

- 21
22 1. Becker Holding Corporation , presented a petition for a change in future land use
23 designation from RS (Residential, Suburban) to RU (Residential, Urban) for the
24 property depicted on the attached maps as Exhibit "A" and described below.
25
26 2. On June 19, 2003, the Local Planning Agency held a public hearing on the
27 petition, after publishing notice at least 10 days prior to the hearing and notifying
28 by mail all owners of property within 500 feet of the subject property, and
29 recommended that the Board of County Commissioners *deny* a change in future
30 land use designation from RS (Residential, Suburban) to RU (Residential,
31 Urban).
32
33 3. On September 2, 2003, this Board held a public hearing on the petition, after
34 publishing notice at least 10 days prior to the hearing and notifying by mail all
35 owners of property within 500 feet of the subject property, and found the petition
36 partially consistent with the St. Lucie County Comprehensive Plan.

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Referred to Co. Atty

JOANNE HOLMAN, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE NUMBER: 2494595 OR BOOK 2087 PAGE 1219
RECORDED: 10/29/04 14:52

- 1 3. On September 2, 2003 this Board authorized the transmittal of a future land use
2 change of RS (Residential, Suburban) to R/C (Residential, Conservation) for lands
3 inside the 100-year floodplain and from RS (Residential, Suburban) to RU
4 (Residential, Urban) for lands outside the 100-year floodplain, for the petition
5 property to the Florida Department of Community Affairs for further agency review
6 in accordance with the provisions of Chapter 163, Florida Statutes; and
7
- 8 4. On December 16, 2003, at the request of the applicant, this Board continued the
9 public hearing to consider adoption of the amendment until June 15, 2004.
- 10
- 11 5. On June 15, 2004, at the request of the applicant, this Board continued the
12 public hearing to consider adoption of the amendment until September 7, 2004,
13 which was cancel because of Hurricane Frances.
- 14
- 15 6. On October 18, 2004, this Board held a public hearing on the change in future
16 land use designation, after publishing a notice of such hearing in the Fort Pierce
17 Tribune and the Port St. Lucie News on October 8, 2004 and notifying by mail all
18 owners of property within 500 feet of the subject property.
- 19
- 20 4. The proposed change in future land use designation is consistent with the goals,
21 objectives, and policies of the St. Lucie County Comprehensive Plan.
- 22
- 23 5. The proposed change in future land use is consistent with the existing and
24 proposed use of property in the surrounding area.
- 25

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

28

29 **A. CHANGE IN FUTURE LAND USE CLASSIFICATION**

30

31 The future land use designation set forth in the St. Lucie County
32 Comprehensive Plan for the property described as follows:

33

34 SECTION 30, TOWNSHIP 35, RANGE 40, THAT PART OF THE SOUTHER
35 1/2 OF THE NE 1/4, LYING SOUTHERLY OF CANAL 71 (TEN MILE CREEK)
36 AND WESTERLY OF SELVITZ ROAD AND THE NORTHERN 1/2 OF THE
37 SOUTHEAST 1/4, LYING WESTERLY OF SELVITS AND RALLS ROADS
38 AND SOUTHERLY OF CANAL 71 (TEN MILE CREEK) AND THE NORTHERN
39 50 FEET OF THE NORTHERN 1/2 OF THE SOUTHWEST 1/4 OF THE
40 SOUTHEAST 1/4 (72.62 AC), (OR BOOK AND PAGE NUMBER 495-2541).

41

1 owned by Becker Holding Corporation, is hereby changed from RS
2 (Residential, Suburban) to RU (Residential, Urban) and R/C (Resource,
3 Conservation), as depicted on Exhibit "A", Future Land Use Map.
4

5 **(Location: Selvitz Road and Ralls Road)**
6

7 **B. FINDING OF CONSISTENCY**
8

9 This Board specifically determines that the approval of this change in the
10 Future Land Use Element is internally consistent with the policies and
11 objectives contained in the St. Lucie County Comprehensive Plan, specifically
12 Policies 11.1.3.6 and 11.1.3.7 of the Capital Improvements Element, which
13 identify this approval as a Preliminary Development Order and provide for the
14 recognition that impacts of this approval on the public facilities of St. Lucie
15 County will not occur until such time as a Final Development Order is issued.
16

17 **C. CHANGES TO THE FUTURE LAND USE MAPS**
18

19 The St. Lucie County Growth Management Director is hereby authorized and
20 directed to cause these changes to be made in the Future Land Use Maps of
21 the Future Land Use Element of the St. Lucie County Comprehensive Plan and
22 to make notation of reference to the date of adoption of this Ordinance.
23

24 **D. CONFLICTING PROVISIONS**
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26 Special acts of the Florida Legislature applicable only to unincorporated areas
27 of St. Lucie County, County Ordinances and County Resolutions, or parts
28 thereof, in conflict with this Ordinance are hereby superseded by this
29 Ordinance to the extent of such conflict.
30

31 **E. SEVERABILITY**
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33 If any portion of this Ordinance is for any reason held or declared to be
34 unconstitutional, inoperative or void, such holding shall not affect the remaining
35 portions of this Ordinance. If this Ordinance or any provision thereof shall be
36 held to be inapplicable to any person, property, or circumstances, such holding
37 shall not affect its applicability to any other person, property or circumstances.
38

39 **F. APPLICABILITY OF ORDINANCE**
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41 This ordinance shall be applicable as stated in Paragraph A.
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BY Paula A. Lewis
Chairman

ATTEST:


[Signature]
Deputy Clerk

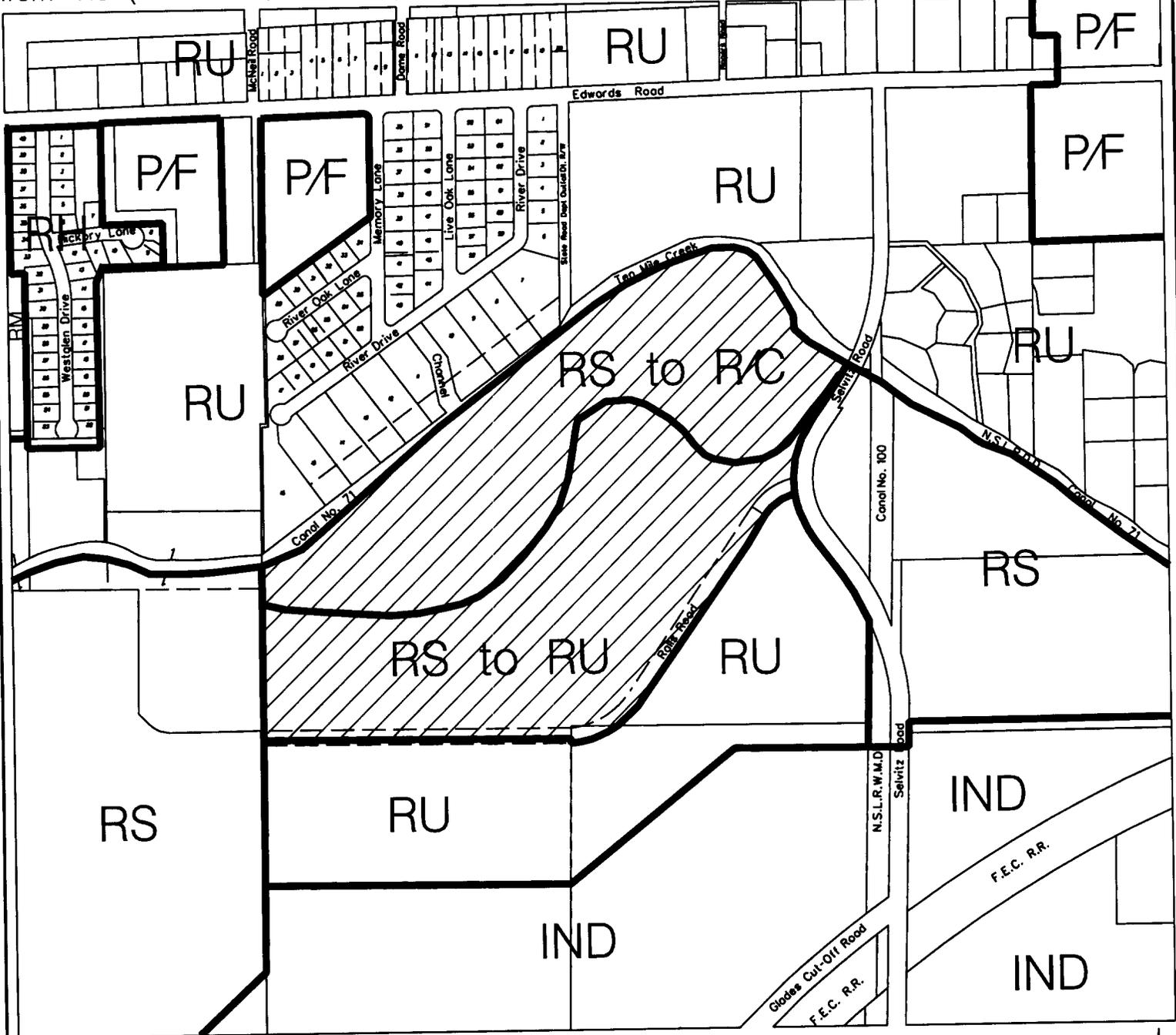
APPROVED AS TO FORM
AND CORRECTNESS:

[Signature]
County Attorney

dw

EXHIBIT A

Becker Holding Corporation - BOCC Approved Change in Future Land Use Classification from RS (Residential, Suburban) to RU (Residential Urban) and RC (Residential/Conservation)



PA 03-003

 This pattern indicates subject parcel



Map prepared September 18, 2003

This map has been compiled for general planning and reference purposes only. While every effort has been made to provide the most current and accurate information possible, it is not intended for use as a legally binding document.

