

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

ORDINANCE No. 04-031
File Number PA-03-006

AN ORDINANCE CHANGING THE FUTURE LAND USE DESIGNATION OF THE ST. LUCIE COUNTY COMPREHENSIVE PLAN FOR CERTAIN PROPERTY IN ST. LUCIE COUNTY, FLORIDA; PROVIDING FOR FINDINGS OF CONSISTENCY; AUTHORIZING AMENDMENTS TO THE FUTURE LAND USE MAPS OF THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR FILING WITH THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

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

1. Lucie Rock, LLC presented a petition for a change in Future Land Use Designation from RS (Residential, Suburban - 2du/ac) to MXD-Orange Avenue (Mixed Use Development-Orange Avenue/I-95 Activity Area – Medium and High Intensity).
2. On February 19, 2004 the St. Lucie County Local Planning Agency held a public hearing on the petition, after publishing notice at least 15 days prior to the hearing and notifying by mail all owners of property within 500 feet of the subject property, and has recommended that this Board approve the hereinafter described request for a change in Future Land Use Designation from RS (Residential, Suburban - 2du/ac) to MXD-Orange Avenue (Mixed Use Development-Orange Avenue/I-95 Activity Area) for the property described in Part A below;
3. On April 6, 2004, this Board held a public hearing on the petition, after publishing notice at least 15 days prior to the hearing and notifying by mail the owners of property within 500 feet of the subject property.
4. On April 6, 2004 this Board authorized the transmittal of this petition to the Florida Department of Community Affairs for further agency review in accordance with the provisions of Chapter 163, Florida Statutes; and
5. On October 18, 2004 this Board held a public hearing on the petition, after publishing a notice of such hearing in the Fort Pierce Tribune and the Port St. Lucie News on October 8, 2004 and notifying by mail all owners of property within 500 feet of the subject property.

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

Patricia W. Co. Atty

JOANNE HOLMAN, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE NUMBER: 2494594 OR BOOK 2087 PAGE 1213
RECORDED: 10/29/04 14:52

1 **A. CHANGE IN FUTURE LAND USE DESIGNATION**

2
3 The Future Land Use Designation set forth in the St. Lucie County Comprehensive Plan
4 for the property described as follows:

5
6
7 The South One-half of the Southwest one-quarter of Section 2, Township 35
8 South, Range 39 East, St. Lucie County, Florida, Less and except all
9 rights-of-way of record.

10
11 Together With

12
13 That part of the Northeast one-quarter of the Southwest one-quarter of Section
14 2, Township 35 South, Range 39 East, lying Southwesterly or I-95 less and
15 except the East 93 feet and the South 60 feet for Road and Canal right-of-way.
16 All lying and being in St. Lucie County, Florida.

17
18 Together With

19
20 From the Southeast corner of the Northwest one-quarter of the Southwest
21 one-quarter of Section 2, Township 35 South, Range 39 East, St. Lucie County,
22 Florida, run North 00°08'13" West along the one-quarter section line 60 feet to
23 the Point of Beginning, thence continue North 00°08'13" West 846.63 feet to the
24 Southerly Right-Of-Way line for Interstate 95 Highway; thence run North
25 60°08'02" West along said right-of-way line 107.58 feet; thence run North
26 62°25'28" West 300.24 feet; thence run North 60°08'02" West 182.77 feet;
27 thence run South 00°11'29" West 346.62 feet; thence run South 60°08'02" East
28 354.41 feet; thence run south 00°08'13" East, 607.48 feet; thence run North
29 89°53'47" East, 210 feet to the Point of Beginning.

30
31 Location: Northwest corner of the intersection of Rock Road and Canal No. 44.

32
33 owned by Lucie Rock, LLC, is hereby changed from RS (Residential, Suburban -
34 2du/ac) to MXD-Orange Avenue (Mixed Use Development-Orange Avenue/I-95 Activity
35 Area) with intensity levels and limitations as shown on Exhibit A, Future Land Use Map.

36
37
38 **B. FINDING OF CONSISTENCY**

39
40 This Board specifically determines that the approval of this change in the Future Land
41 Use Element is internally consistent with the policies and objectives contained in the St.
42 Lucie County Comprehensive Plan, specifically Policies 11.1.3.6 and 11.1.3.7 of the

October 18, 2004

Ordinance 04-031

Page 2

1 Capital Improvements Element, which identify this approval as a Preliminary
2 Development Order and provide for the recognition that impacts of this approval on the
3 public facilities of St. Lucie County will not occur until such time as a Final Development
4 Order is issued.
5
6

7 **C. CHANGES TO THE FUTURE LAND USE MAPS**
8

9 The St. Lucie County Growth Management Interim Director is hereby authorized and
10 directed to cause these changes to be made in the Future Land Use maps of the
11 Future Land Use Element of the St. Lucie County Comprehensive Plan and to make
12 notation of reference to the date of adoption of this Ordinance.
13

14
15 **D. CONFLICTING PROVISIONS**
16

17 Special acts of the Florida Legislature applicable only to unincorporated areas of St.
18 Lucie County, County Ordinances and County Resolutions, or parts thereof, in conflict
19 with this Ordinance are hereby superseded by this Ordinance to the extent of such
20 conflict.
21

22
23 **E. SEVERABILITY**
24

25 If any portion of this Ordinance is for any reason held or declared to be unconstitutional,
26 inoperative or void, such holding shall not affect the remaining portions of this
27 Ordinance. If this Ordinance or any provision thereof shall be held to be inapplicable to
28 any person, property, or circumstances, such holding shall not affect its applicability to
29 any other person, property or circumstances.
30

31
32 **F. APPLICABILITY OF ORDINANCE**
33

34 This ordinance shall be applicable as stated in Paragraph A.
35

36
37 **G. FILING WITH THE DEPARTMENT OF STATE**
38

39 The Clerk is hereby directed forthwith to send a certified copy of this Ordinance to the
40 Bureau of Laws, Department of State, The Capitol, Tallahassee, Florida, 32304.
41
42

1 **H. FILING WITH THE DEPARTMENT OF COMMUNITY AFFAIRS**

2
3 The Growth Management Interim Director shall send a certified copy of this Ordinance
4 to the Department of Community Affairs, 2555 Shumard Oak Boulevard Tallahassee,
5 FL 32399-2100.
6

7 **I. EFFECTIVE DATE**

8
9 This Ordinance shall take effect upon the issuance by the State Land Planning Agency
10 of a Notice of Intent to find the adopted amendment in compliance in accordance with
11 Section 163.3184(9), Florida Statutes, or until the Administration Commission issues a
12 final order finding the adopted amendment in compliance in accordance with Section
13 163.3184(10).
14

15
16 **J. ADOPTION**

17
18 After motion and second, the vote on this resolution was as follows:

19	Chairman Paula A. Lewis	Yea
20		
21	Vice Chairman John D. Bruhn	Yea
22		
23	Commissioner Cliff Barnes	Yea
24		
25	Commissioner Doug Coward	Yea
26		
27	Commissioner Frannie Hutchinson	Yea
28		
29		
30		

31 **PASSED AND DULY ADOPTED** this 18th day of October, 2004.

32
33
34 **BOARD OF COUNTY COMMISSIONERS**
35 **ST. LUCIE COUNTY, FLORIDA**
36

37
38
39 BY Paula A. Lewis
40 Chairman
41
42



1
2
3
4
5
6
7

ATTEST:


DEPUTY CLERK



APPROVED AS TO FORM AND
CORRECTNESS:

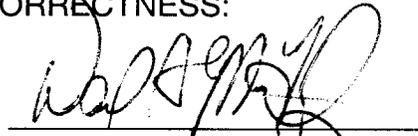
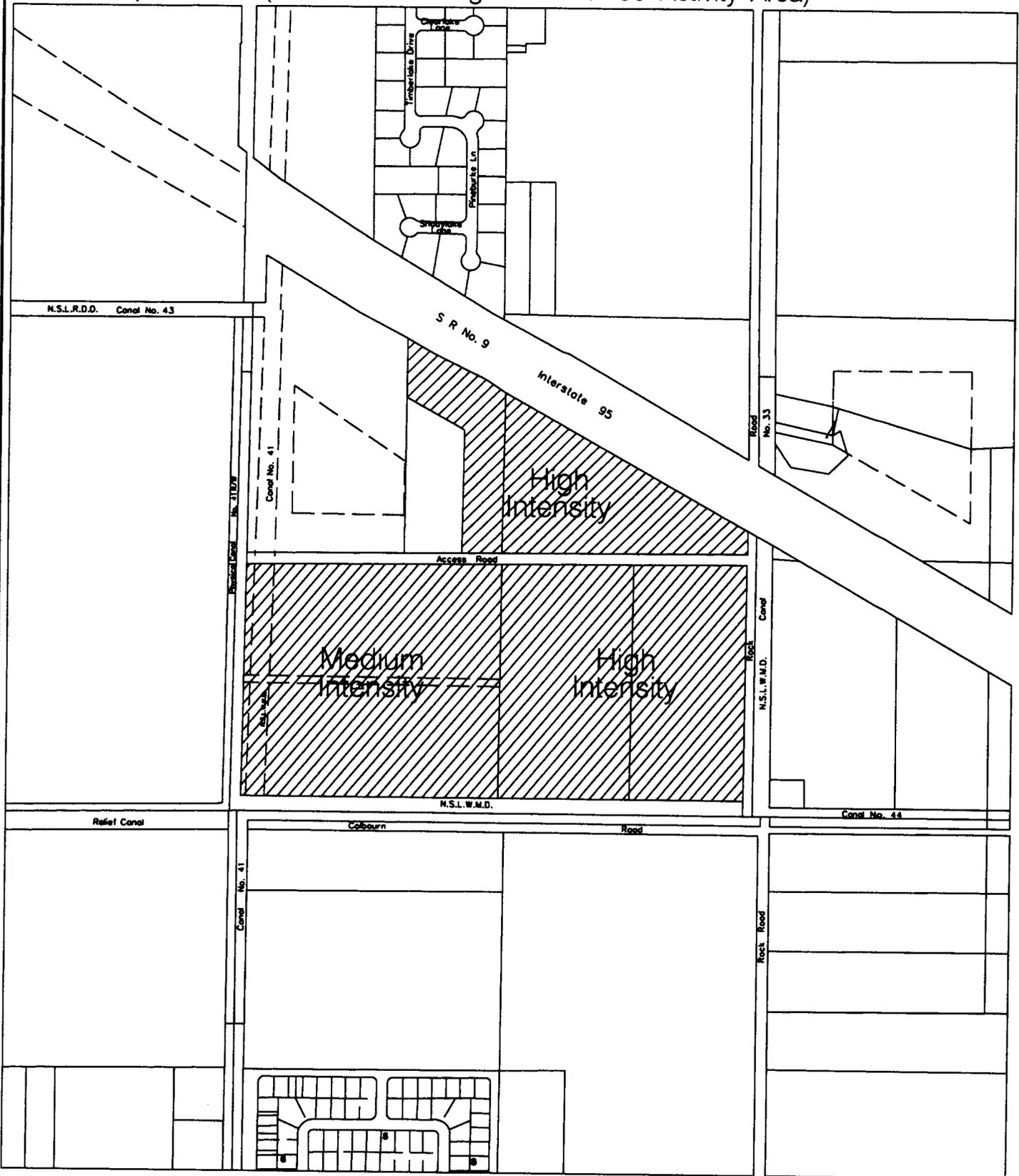
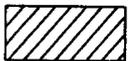

COUNTY ATTORNEY

Exhibit A

Lucie Rock, LLC change in Future Land Use Designation from RS (Residential, Suburban) to MXD (Mixed Use-Orange Avenue/95 Activity Area)



PA 03-006



This pattern indicates subject parcel

*Note: Future development shall be limited to the following land uses and ratios: IND (Industrial) 60%, COM (Commercial) 10%, and RES (Residential) 30%. The height of all building and structures shall be no more than 60 feet.



Map prepared February 2, 2004
Map revised October 12, 2004

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 to serve as a legally binding document.

