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ORDINANCE No. 05-043
File Number PA-05-002

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. Vero Vista Center, LLC/High Ridge presented a petition for a change in Future Land Use Designation from COM (Commercial) to Mixed Use Development (MXD - High Ridge High Intensity).
2. On June 16, 2005 the St. Lucie County Local Planning Agency held a public hearing on the petition, after publishing notice at least 10 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 COM (Commercial) to MXD (Mixed Use Development - High Ridge) for the property described in Part A below;
3. On July 12, 2005 this Board held a public hearing on the petition, after publishing notice at least 10 days prior to the hearing and notifying by mail the owners of property within 500 feet of the subject property.
4. On July 12, 2005 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 December 20, 2005 this Board held a public hearing on the adoption, after publishing a notice of such hearing in the Fort Pierce Tribune and the Port St. Lucie News on December 9, 2005 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:

A. CHANGE IN FUTURE LAND USE DESIGNATION

The Future Land Use Designation set forth in the St. Lucie County Comprehensive Plan

EDWIN M. FRY, Jr., CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 2814619 03/15/2006 at 10:56 AM
OR BOOK 2509 PAGE 2628 - 2634 Doc Type: ORDIN
RECORDING: \$61.00

EDWIN M. FRY, Jr., CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 2771366 12/30/2005 at 01:00 PM
OR BOOK 2451 PAGE 973 - 978 Doc Type: ORDIN
RECORDING: \$52.50

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1 for the property described as follows:
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3 Parcel "1"

4 Section 6, Township 34 South, Range 40 East. From the intersection of the East right-of-
5 way of U.S. Highway 1 and the North line of the Northeast $\frac{1}{4}$, run Southwesterly along the
6 right-of-way of U.S. Highway 1 a distance of 880.03 feet for the Point of Beginning; thence,
7 continue Southwesterly along U.S. Highway 1 a distance of 354.5 feet; thence East 241
8 feet; thence South 150 feet to a point on the South line of the North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$;
9 thence East 489.51 feet to Old Dixie Highway; thence Northwesterly along Old Dixie
10 Highway a distance of 517.44 feet; thence West 550 feet to the Point of Beginning.
11

12 Parcel "2"

13 Section 6, Township 34 South, Range 40 East. Commence at the Southern boundary of
14 the North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ and the Eastern boundary of U.S. Highway 1; thence, run
15 Northerly along the right-of-way for U.S. Highway 1, a distance of 154.5 feet; thence East a
16 distance of 241 feet; thence South a distance of 150 feet to the South line of the North $\frac{1}{2}$
17 of the Northeast $\frac{1}{4}$; thence West a distance of 250 feet, to the Point of Beginning.
18

19 Parcel "3"

20 Section 6, Township 34 South, Range 40 East. Commence at the point on the East right-
21 of-way of U.S. Highway 1 and the North line of the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$; thence, run
22 Southerly along the right-of-way for U.S. Highway 1 a distance of 76 feet; thence East, a
23 distance of 200 feet; thence, Northerly parallel to U.S. Highway 1, a distance of 76 feet;
24 thence West a distance of 200 feet, to the Point of Beginning.
25

26 Parcel "4"

27 That portion of the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 6, Township
28 34 South, Range 40 East, St. Lucie County, Florida; all lying East of the right-of-way line of
29 U.S. Highway 1 and West of the West right-of-way line of Old Dixie Highway, and that
30 portion of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 6,
31 Township 34 South, Range 40 East, St. Lucie County, Florida, which lies to the East of the
32 Eastern right-of-way of U.S. Highway 1.
33

34 Less and except therefrom that parcel described as: Beginning at the North line of the
35 North $\frac{1}{2}$ of the North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ at the East right-of-way line
36 of U.S. Highway 1; thence, run South along the East right-of-way line of U.S. Highway 1, a
37 distance of 76 feet; thence, run East a distance of 200 feet; thence, run North parallel to
38 the East right-of-way line of U.S. Highway 1 a distance of 76 feet; thence West 200 feet to
39 the East right-of-way line of U.S. Highway 1 at the Point of Beginning.
40

41 Parcel "5"

1 That part of the South 3/4 of the Southwest 1/4 of the Northeast 1/4 of Section 6, Township
2 34 South, Range 40 East, lying East of the Eastern right-of-way line of U.S. Highway 1, St.
3 Lucie County, Florida.

4
5 Parcel "6"

6 The North five hundred fifty (550) feet, measured along the East side of U.S. Highway #1,
7 lying East of right-of-way of said Highway, and lying west of Old Dixie Highway, in the
8 Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) of Section 6, Township 34
9 South, Range 40 East.

10
11 Parcel "7"

12 That part of the Northwest quarter (NW 1/4) of the Southwest quarter (SW 1/4) of Section
13 5, Township 34 South, Range 40 East, adjacent to and abutting on above described parcel
14 (Parcel 6) in Section 6, Township 34 South, Range 40 East, bounded on the East by the
15 West side of right-of-way of Highway #605, (Old Dixie Highway) all being in St. Lucie
16 County, Florida.

17
18 Parcel "8"

19 Commencing at the Northeast corner of the Southeast 1/4 of Section 6, Township 34 South,
20 Range 40 East; thence, South along the East line of Section 6, Township 34 South, Range
21 40 East a distance of 498.50 feet to a point; thence, West and parallel with the South line
22 of Section 6, Township 34 South, Range 40 East to an intersection with the East right-of-
23 way line of U.S. Highway No. 1, said point being the Point of Beginning; thence, South
24 along the East right-of-way line of U.S. Highway No. 1 a distance of 225.00 feet to a point;
25 thence, East and parallel with the South line of Section of 6, Township 34 South, Range 40
26 East a distance of 306.71 feet to a point; thence, North and parallel with the East right-of-
27 way line of U.S. Highway No. 1 to a distance of 225.00 feet to a point; thence, West and
28 parallel with the South line of Section 6, Township 34 South, Range 40 East a distance of
29 306.71 feet to a point, said point being the point of Beginning. Said parcel contains 1.5
30 acres.

31
32 Parcel "9"

33 All that part of the South 1/2 of the SE 1/4 of the NE 1/4 of Section 6, Township 34 South,
34 Range 40 East, lying East of U. S. Highway No. 1, and lying west of Old Dixie Highway.

35
36 LESS AND EXCEPT ALL OF THE FOLLOWING DESCRIBED PARCELS:

37
38 Parcel "9a"

39 Begin at the intersection of the West R/W line of Old Dixie Highway and the North line of
40 the S 1/2 of SE 1/4 of NE 1/4 of Section 6, Township 34 South, Range 40 East, lying in St.
41 Lucie County, Florida; thence run Westerly on said North line a distance of 208'; thence
42 run Southerly parallel to the West R/W line of Old Dixie Highway a distance of 208'; thence

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1 run Easterly parallel to said North line a distance of 208'; thence run Northerly on the West
2 R/W line of Old Dixie Highway 208' to the point of beginning.

3
4 Parcel "9b"

5 AND ALSO: At the intersection of the West R/W line of Old Dixie Highway and the North
6 line of the S ½ of the SE ¼ of the NE ¼ of Section 6, Township 34 South, Range 40 East,
7 lying in St. Lucie County, Florida, run Southerly along the said West R/W line of Old Dixie
8 Highway a distance of 208' to the point of beginning; thence run Westerly on a line parallel
9 to the said North line a distance of 208'; thence run Southerly on a line parallel to the said
10 West R/W line of Old Dixie Highway a distance of 18'; thence run Easterly on a line parallel
11 to the said North line a distance of 208'; thence run Northerly on the said West R/W line of
12 Old Dixie Highway a distance of 18' to the point of beginning.

13
14 Parcel "9c"

15 BEGIN at the intersection of the West right-of-way line of Old Dixie Highway and the North
16 line of the South ½ of the SE ¼ of the NE ¼ of Section 6, Township 34 South, Range 40
17 East, St. Lucie County, Florida; thence run Southerly along the West right-of-way said Old
18 Dixie Highway a distance of 226.00 feet, to the POINT OF BEGINNING; thence continue
19 Southerly along the said West right-of-way of Old Dixie Highway, a distance of 190.00 feet;
20 thence run West, parallel to the said North line of the South ½ of the SE ¼ of the Northeast
21 ¼, a distance of 250.00 feet; thence run Northerly, parallel with the said West right-of-way
22 of Old Dixie Highway, a distance of 190.00 feet; thence run East, parallel with the said
23 North line of the South ½ of the SE ¼ of the NE ¼, a distance of 250.00 feet, to the
24 POINT OF BEGINNING.

25
26 Approximately 46.141-Acres

27
28 Location: Approximately 1/8 mile south of the St. Lucie County-Indian River
29 County Line, East of US Highway No. 1.

30
31 owned by Vero Vista Center, LLC, is hereby changed from COM (Commercial) to MXD
32 - High Ridge (Mixed Use Development - High Ridge) with high intensity level and
33 limitations as shown on Exhibit A, Future Land Use Map.

34
35 **B. FINDING OF CONSISTENCY**

36
37 This Board specifically determines that the adoption of this change in the Future Land
38 Use Element is internally consistent with the policies and objectives contained in the St.
39 Lucie County Comprehensive Plan, specifically Policies 11.1.3.6 and 11.1.3.7 of the
40 Capital Improvements Element, which identify this approval as a Preliminary
41 Development Order and provide for the recognition that impacts of this approval on the
42 public facilities of St. Lucie County will not occur until such time as a Final Development

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1 Order is issued.
2

3 **C. CHANGES TO THE FUTURE LAND USE MAPS**
4

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

10 **D. CONFLICTING PROVISIONS**
11

12 Special acts of the Florida Legislature applicable only to unincorporated areas of St.
13 Lucie County, County Ordinances and County Resolutions, or parts thereof, in conflict
14 with this Ordinance are hereby superseded by this Ordinance to the extent of such
15 conflict.
16

17 **E. SEVERABILITY**
18

19 If any portion of this Ordinance is for any reason held or declared to be unconstitutional,
20 inoperative or void, such holding shall not affect the remaining portions of this
21 Ordinance. If this Ordinance or any provision thereof shall be held to be inapplicable to
22 any person, property, or circumstances, such holding shall not affect its applicability to
23 any other person, property or circumstances.
24

25 **F. APPLICABILITY OF ORDINANCE**
26

27 This ordinance shall be applicable as stated in Paragraph A.
28

29 **G. FILING WITH THE DEPARTMENT OF STATE**
30

31 The Clerk is hereby directed forthwith to send a certified copy of this Ordinance to the
32 Bureau of Laws, Department of State, The Capitol, Tallahassee, Florida, 32304.
33

34 **H. FILING WITH THE DEPARTMENT OF COMMUNITY AFFAIRS**
35

36 The Growth Management Assistant Director shall send a certified copy of this
37 Ordinance to the Department of Community Affairs, 2555 Shumard Oak Boulevard
38 Tallahassee, FL 32399-2100.
39

40 **I. EFFECTIVE DATE**
41

1 This Ordinance shall take effect upon the issuance by the State Land Planning Agency
2 of a Notice of Intent to find the adopted amendment in compliance in accordance with
3 Section 163.3184(9), Florida Statutes, or until the Administration Commission issues a
4 final order finding the adopted amendment in compliance in accordance with Section
5 163.3184(10).
6
7

8 **J. ADOPTION**
9

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

- | | | |
|----|---------------------------------|-----|
| 11 | | |
| 12 | Chairman Doug Coward | Yea |
| 13 | | |
| 14 | Vice Chairman Chris Craft | Yea |
| 15 | | |
| 16 | Commissioner Joe Smith | Yea |
| 17 | | |
| 18 | Commissioner Paula A. Lewis | Yea |
| 19 | | |
| 20 | Commissioner Frannie Hutchinson | Yea |
| 21 | | |
| 22 | | |

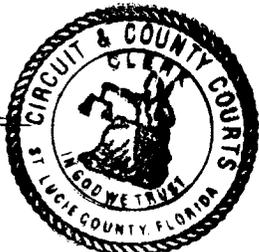
23 **PASSED AND DULY ADOPTED** this 20th day of December 2005.
24
25

26 BOARD OF COUNTY COMMISSIONERS
27 ST. LUCIE COUNTY, FLORIDA
28

29
30
31 BY 
32 Chairman
33
34

35 ATTEST:

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39 DEPUTY CLERK
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41



APPROVED AS TO FORM AND
CORRECTNESS:

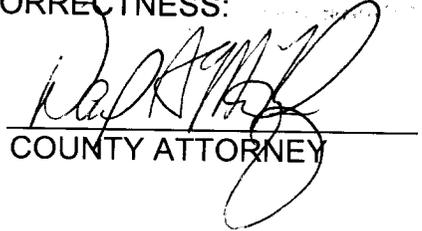
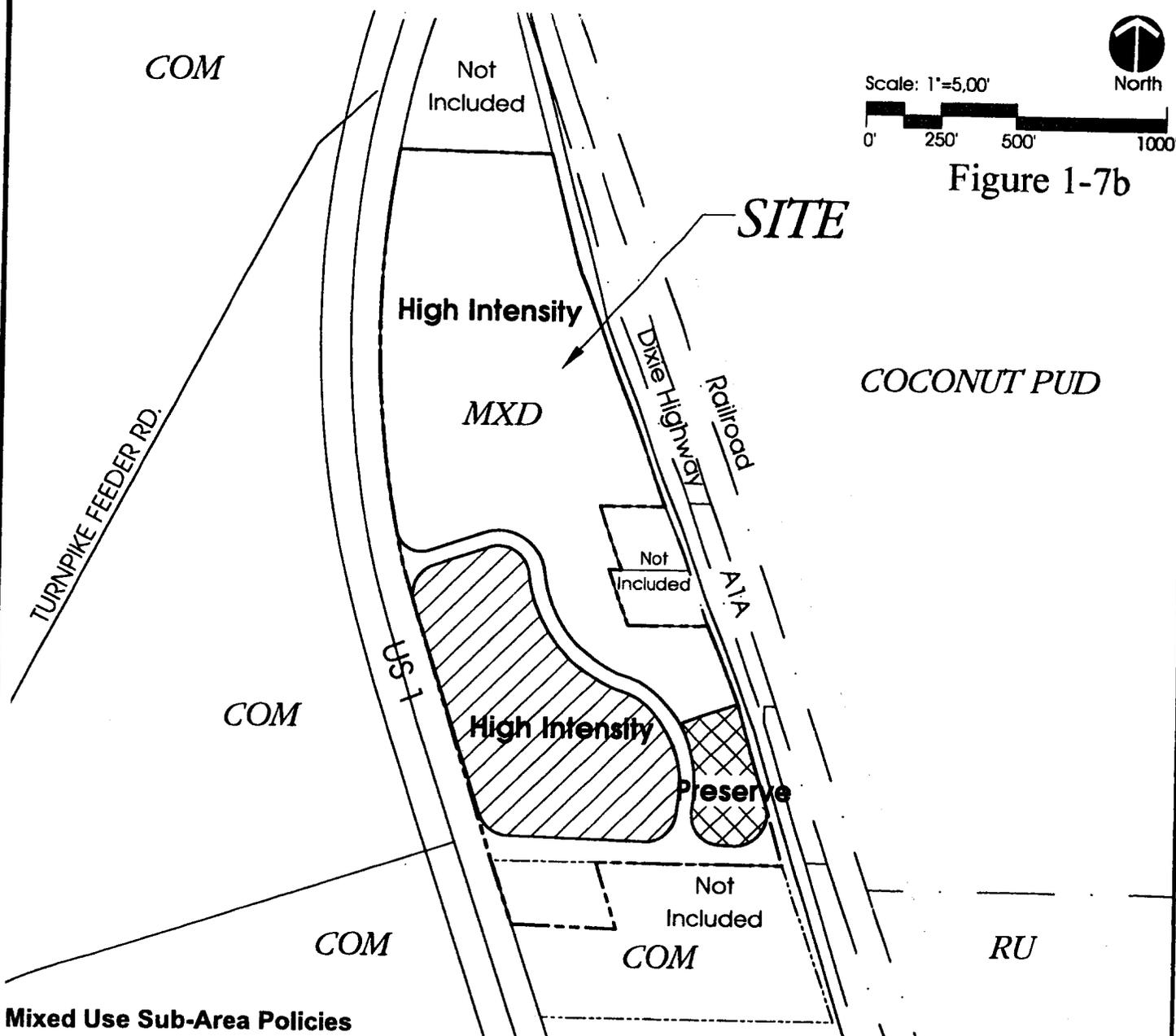

COUNTY ATTORNEY

EXHIBIT A

HIGH RIDGE MIXED USE

PROPOSED FUTURE LAND USE MAP



Mixed Use Sub-Area Policies

1. Residential land uses shall be limited to a maximum of 450 dwelling units and a minimum of 250 dwelling units.
2. The maximum 40% residential threshold set forth in Section 07.03.03.A of the St. Lucie County Land Development Code will not be applicable to development on this site.
3. The maximum non-residential square footage permitted is 200,000 square feet and the minimum is 100,000 square feet.
4. Residential dwellings units or spaces are permitted above lower level non-residential uses.
5. Designated transit stop locations shall be provided within the Village (MXD) Center.
6. A variety of housing types are encouraged with generally higher densities located in proximity to the Village (MXD) Center.
7. Public open space shall be provided with each neighborhood.
8. A recreational greenway trail shall be established along the eastern property line of the subject property.
9. Where physically possible, each neighborhood shall be planned so that most housing units are within walking distance of the Village (MXD) Center.
10. Any site development plan shall provide design standards that are consistent with the North County Charrette.
11. Any site development plan proposed shall be required to address the Lakela's Mint plant species located within the site boundaries. This may include, but not be limited to, the dedication of a preservation area onsite, relocating isolated plants into the preservation area, etc. as necessary to ensure that the plant species is protected onsite.
12. A conservation easement will be required for the preserve area at the time of site plan approval.