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ORDINANCE No. 06-023
File Number PA-05-008

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. Grande Beach Hutchinson Island North, LLC. presented a petition for a change in Future Land Use Designation from COM (Commercial) to Mixed Use Development (MXD - Grande Beach, Medium Intensity) with included Sub-area Policies as listed here:
 - Residential land uses will be limited to a maximum of 80 dwelling (condominium) units.
 - The maximum 40% residential threshold set forth in Section 7.03.03.A of the St. Lucie County Land Development Code will not be applicable to development on this site.
 - The minimum non-residential square footage required is 10,000 square feet.
 - The commercial component of the project shall be integrated into the overall site design through architecture, building materials, color and street orientation.
 - A designated transit stop shall be provided within the development.
2. On March 16, 2006 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 deny the hereinafter described request for a change in Future Land Use Designation from COM (Commercial) to MXD (Mixed Use Development – Grande Beach) for the property described in Part A below;
3. On May 2, 2006 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 April 21, 2006 and notifying by mail all owners of property within 500 feet of the subject property.

1
2 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of St.
3 Lucie County, Florida:
4

5 **A. CHANGE IN FUTURE LAND USE DESIGNATION**
6

7 The Future Land Use Designation set forth in the St. Lucie County Comprehensive Plan for
8 the property described as follows:
9

10 Tract "E-1", Blocks 8 and 9 and alleys abutting thereto, Tract "F-1" and Tract "A" and the
11 portion of Coral Avenue (n/k/a Flotilla Terrace) lying north of Marina Drive, according to the
12 plat of Coral Cove Beach, Section One, as recorded in Plat Book 11 at Pages 30A and 30B
13 of the Public Records of St. Lucie County, Florida. (As shown in Exhibit A)
14

15 Containing 9.444 acres more or less.

16 Location: Northwest of the intersection of Marina Drive and SR A-1-A owned by
17 Grande Beach North Hutchinson Island, LLC,
18

19 Owned by Grande Beach North Hutchinson Island, LLC., is hereby changed from COM
20 (Commercial) to MXD-Grande Beach (Mixed Use Development-Grande Beach) with
21 medium intensity level and Sub Area Policies as listed below:
22

- 23
- 24 • Residential land use will be limited to a maximum of 80 dwelling (condominium)
25 units.
 - 26 • The maximum 40% residential threshold set forth in Section 7.03.03.A
27 of the St. Lucie County Land Development Code will not be applicable to
28 development on this site.
 - 29 • The minimum non-residential square footage required is 10,000 square feet.
 - 30 • The commercial component of the project shall be integrated into the overall
31 site design through architecture, building materials, color and street orientation.
 - 32 • A designated transit stop shall be provided within the development.
33

34 **B. FINDING OF CONSISTENCY**
35

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

1
2 **C. CHANGES TO THE FUTURE LAND USE MAPS**
3

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

9 **D. CONFLICTING PROVISIONS**
10

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

16 **E. SEVERABILITY**
17

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

24
25 **F. APPLICABILITY OF ORDINANCE**
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27 This ordinance shall be applicable as stated in Paragraph A.
28
29

30 **G. FILING WITH THE DEPARTMENT OF STATE**
31

32 The Clerk is hereby directed forthwith to send a certified copy of this Ordinance to the
33 Bureau of Laws, Department of State, The Capitol, Tallahassee, Florida, 32304.
34

35
36 **H. FILING WITH THE DEPARTMENT OF COMMUNITY AFFAIRS**
37

38 The Growth Management Director shall send a certified copy of this Ordinance to the
39 Department of Community Affairs, 2555 Shumard Oak Boulevard Tallahassee, FL
40 32399-2100.
41

1 **I. EFFECTIVE DATE**

2
3 This Ordinance shall take effect upon the issuance by the State Land Planning Agency
4 of a Notice of Intent to find the adopted amendment in compliance in accordance with
5 Section 163.3184(9), or Section 125.66(4) (a), Florida Statutes.
6

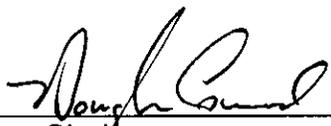
7 **J. ADOPTION**

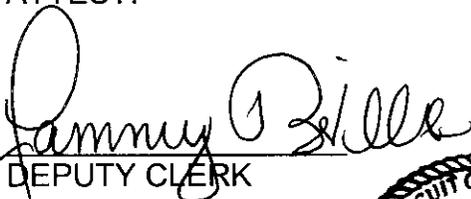
8
9 After motion and second, the vote on this resolution was as follows:

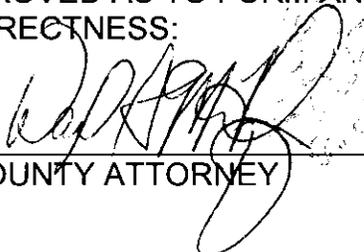
10		
11	Chairman Doug Coward	Nay
12		
13	Vice Chairman Chris Craft	Aye
14		
15	Commissioner Frannie Hutchinson	Aye
16		
17	Commissioner Paula A. Lewis	Aye
18		
19	Commissioner Joe Smith	Aye
20		

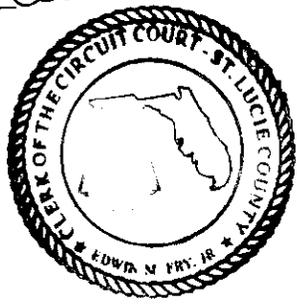
21
22 **PASSED AND DULY ADOPTED** this 2nd day of May 2006.
23

24
25 BOARD OF COUNTY COMMISSIONERS
26 ST. LUCIE COUNTY, FLORIDA
27

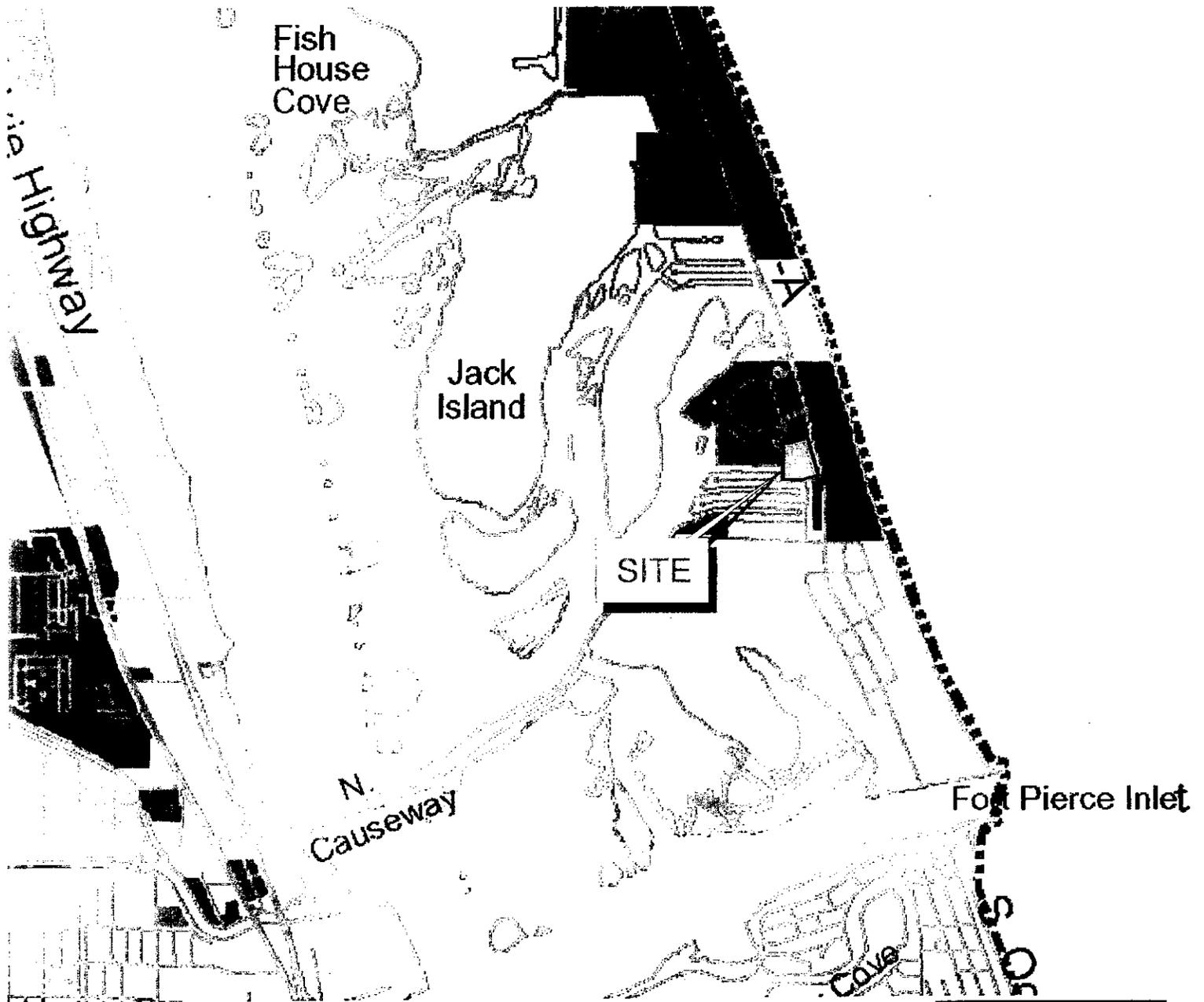
28
29
30 BY 
31 Chairman
32

33
34 ATTEST:
35
36 
37 DEPUTY CLERK
38
39
40

APPROVED AS TO FORM AND
CORRECTNESS:

COUNTY ATTORNEY



Proposed Future Land Use Map



MXD Sub-Area Policies

1. Residential land uses shall be limited to a maximum of 80 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 non-residential square footage is 10,000.
4. The commercial component of the project shall be integrated into the overall design through architecture, building materials, color and street orientation.
5. A designated transit stop shall be provided within the development.

Legend	
CPUD	IND
RUC	P.F
RE	T.U
RS	HST
RU	SD
RM	MXD (see map)
RH	Municipal Limits
AG-5	Urban Service Boundary
AG-2.5	Road and canal rights-of-way
COM	

Note: The map is a preliminary drawing and is not intended to be used for legal purposes. It is subject to change without notice.