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ORDINANCE No. 06-026
File Number PA-05-011

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. Mr. Charles Sabin, Sabin Companies, Inc. presented a petition for a change in Future Land Use Designation from COM (Commercial) to Residential Medium Density (RM – Orchid Place, Medium Intensity)
2. On April 20, 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 adopt the hereinafter described request for a change in Future Land Use Designation from COM (Commercial) to Residential, Medium for the property described in Part A below;
3. On May 16, 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 May 2, 2006 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 for the property described as follows:

THE WEST 742.98 FEET (8.9 ACRES) OF THE FOLLOWING DESCRIBED PARCEL:
THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 20,
TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, LESS AND

1 EXCEPTING THE EAST 560.0 FEET, AND THE NORTH 96 FEET FOR CANAL RIGHT OF WAY,
2 AND LESS THE RIGHT-OF-WAY FOR EDWARDS ROAD
3 TOGETHER WITH:

4 THE WEST 520.0 FEET OF THE EAST 560.0 FEET OF SOUTH 1/2 OF THE SOUTHEAST 1/4 OF
5 THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE
6 COUNTY, FLORIDA, LESS AND EXCEPTING THE SOUTH 40 FEET AND THE NORTH 96 FEET
7 FOR ROAD AND CANAL RIGHT OF WAY, AND THAT CERTAIN PARCEL CONVEYED TO THE
8 BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, FILED FOR
9 RECORD, OCTOBER 12, 1988 IN O.R.B. 607, PAGE 27, PUBLIC RECORDS OF ST. LUCIE
10 COUNTY, FLORIDA. ALSO LESS AND EXCEPTING THAT CERTAIN PARCEL OF LAND
11 DESCRIBED IN O.R.B. 1098, PG. 1842, AS RECORDED IN THE PUBLIC RECORDS OF S T.
12 LUCIE COUNTY, FLORIDA. (As shown in Exhibit A)

13
14
15 (Parcel Identification Number: 2420-443-0001-000/4.)

16
17 Containing 8.9 acres more or less.

18
19 Location: On the north side of Edwards Road approximately 500-feet west of 25th Street
20 as 25th Street intersects with Edwards Road.

21
22 Owned by Charles Sabin, Sabin Companies, Inc., is hereby changed from COM
23 (Commercial) to Residential Medium Density (RM – Orchid Place, Medium Intensity)

24 25 26 **B. FINDING OF CONSISTENCY**

27
28 This Board specifically determines that the approval of this change in the Future Land Use
29 Element is internally consistent with the policies and objectives contained in the St. Lucie
30 County Comprehensive Plan, specifically Policies 11.1.3.6 and 11.1.3.7 of the Capital
31 Improvements Element, which identify this approval as a Preliminary Development Order
32 and provide for the recognition that impacts of this approval on the public facilities of St.
33 Lucie County will not occur until such time as a Final Development Order is issued.

34 35 36 **C. CHANGES TO THE FUTURE LAND USE MAPS**

37
38 The St. Lucie County Growth Management Director is hereby authorized and directed
39 to cause these changes to be made in the Future Land Use maps of the Future Land
40 Use Element of the St. Lucie County Comprehensive Plan and to make notation of
41 reference to the date of adoption of this Ordinance.

42
43
44 May 16, 2006

Ordinance 06-026

1
2 **D. CONFLICTING PROVISIONS**
3

4 Special acts of the Florida Legislature applicable only to unincorporated areas of St.
5 Lucie County, County Ordinances and County Resolutions, or parts thereof, in conflict
6 with this Ordinance are hereby superseded by this Ordinance to the extent of such
7 conflict.
8

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10 **E. SEVERABILITY**
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12 If any portion of this Ordinance is for any reason held or declared to be unconstitutional,
13 inoperative or void, such holding shall not affect the remaining portions of this
14 Ordinance. If this Ordinance or any provision thereof shall be held to be inapplicable to
15 any person, property, or circumstances, such holding shall not affect its applicability to
16 any other person, property or circumstances.
17

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19 **F. APPLICABILITY OF ORDINANCE**
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21 This ordinance shall be applicable as stated in Paragraph A.
22

23
24 **G. FILING WITH THE DEPARTMENT OF STATE**
25

26 The Clerk is hereby directed forthwith to send a certified copy of this Ordinance to the
27 Bureau of Laws, Department of State, The Capitol, Tallahassee, Florida, 32304.
28

29
30 **H. FILING WITH THE DEPARTMENT OF COMMUNITY AFFAIRS**
31

32 The Growth Management Director shall submit a certified copy of this Ordinance to the
33 Department of Community Affairs, 2555 Shumard Oak Boulevard Tallahassee, FL
34 32399-2100.
35

36
37 **I. EFFECTIVE DATE**
38

39 This Ordinance shall take effect in compliance in accordance with Section
40 163.3187(1)(c)2.b, and Section 125.66(2), Florida Statutes and Rule 9J-11.015, F.A.C.
41 upon the Administration Commission issuing a final order finding the adopted amendment

1 in compliance in accordance with Section 163.3184(10).
2
3

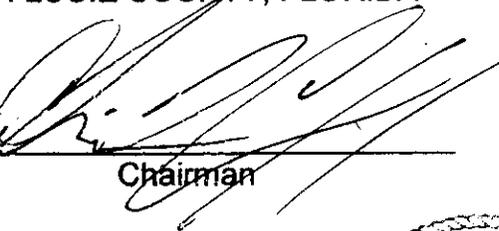
4
5 **J. ADOPTION**

6
7 After motion and second, the vote on this resolution was as follows:
8

9 Chairman Doug Coward	Yea
10 Vice Chairman Chris Craft	Yea
11 Commissioner Frannie Hutchinson	Yea
12 Commissioner Paula A. Lewis	Yea
13 Commissioner Joe Smith	Yea

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21 **PASSED AND DULY ADOPTED** this 16th day of May 2006.
22

23
24 **BOARD OF COUNTY COMMISSIONERS**
25 **ST. LUCIE COUNTY, FLORIDA**

26
27
28
29 BY 

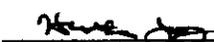
30 Chairman

31
32
33 **ATTEST:**

34
35
36 
37 DEPUTY CLERK



38
39 **APPROVED AS TO FORM AND
CORRECTNESS:**


A 816

COUNTY ATTORNEY

Orchid Place

Aerial Exhibit

EXHIBIT A



Prepared by: Houston Cuozzo Group, Inc.

Map prepared July 19, 2005