

ORDINANCE NO. 07-041

AN ORDINANCE OF ST. LUCIE COUNTY, FLORIDA, CORRECTING A SCRIVENERS ERROR IN THE EFFECTIVE DATE OF ORDINANCE NO. 06-017 WHICH ORDINANCE ADOPTED LAND DEVELOPMENT REGULATIONS TO APPLY TO PROPERTY GENERALLY LOCATED IN THE TOWNS VILLAGES AND COUNTRYSIDE (TVC) COMPREHENSIVE PLAN ELEMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR A CORRECTED EFFECTIVE DATE.

**WHEREAS**, the St. Lucie County Board of County Commissioners (the "Board") has for several years been in the preparation of comprehensive plan amendments ("amendments") to implement the results of the North St. Lucie County Charrette, and transmitted the Towns, Villages and Countryside comprehensive plan amendments to the Florida Department of Community Affairs on October 17, 2005; and

**WHEREAS**, on January 13, 2006, the Florida Department of Community Affairs provided Objections, Recommendations, and Comments regarding the proposed amendments; and

**WHEREAS**, the implementation of the aforesaid Charrette results and the comprehensive plan amendments by the adoption of land development regulations shall serve to further guide land use and development, so that the public health, welfare and safety is protected and the aesthetic, and environmental resources of the County are further enhanced and protected from impairment and suburban sprawl is avoided; and

**WHEREAS**, an important element of the County's growth management strategy includes development and implementation of balanced land development regulations to manage the emerging trend for extensive development activities arising within the northern part of the County that is the subject of the North County Charrette Master Plan and the TVC Element; and

**WHEREAS**, the draft land development regulations contained in Ordinance No. 06-017 that implement the proposed amendments were subject to a public workshop before the Board on February 7, 2006 and the regulations for transfer of development rights as a component of the implementing regulations were subject to a public workshop before the Board on March 7, 2006; and

WHEREAS, the County Local Planning Agency reviewed Ordinance No. 07-017 and determined that such regulations were consistent with the applicable provisions of the Comprehensive Plan of the County.

WHEREAS, the Board adopted Ordinance No. 06-017 on May 30, 2006; and

WHEREAS, Ordinance No. 06-017, as signed, contained a scrivener's error in the effective date of that Ordinance; and

WHEREAS, the Board desires to correct the scrivener's error to change the effective date to what was adopted by the Board on May 30, 2006.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AS FOLLOWS:

**Section 1. Recitals Adopted.** Each of the above stated recitals is hereby adopted and confirmed.

**Section 2. Adoption of Towns, Villages and Countryside Land Development Regulations.** The Towns, Villages and the Countryside Land Development Regulations, which were adopted as a part of the St. Lucie County Land Development Code in Ordinance No. 06-017 remain unchanged.

**Section 3. Severability.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 4. Effective Date of Ordinance No. 06-017.** Ordinance No. 06-017 effective date shall be the same date on which the Towns, Villages and Countryside Comprehensive Plan amendments shall become effective in accordance with Chapter 163, Part II, Florida Statutes. Such effective date is hereby declared to reflect the intent of the Board of County Commissioners in enacting Ordinance No. 06-017 on May 30, 2006, as demonstrated by the record of proceedings before the Board. Therefore, this Ordinance No. 07-041 is declarative of the intent of the Board of County Commissioners in its original enactment of No. Ordinance 06-017 and shall not be deemed to change the effective date of Ordinance No. 06-017; rather this ordinance is enacted merely to correct a scrivener's error in the copy of Ordinance No. 06-017 as filed with the Department of State, which error did not reflect the intent of the Board.

**Section 5. Effective Date of Ordinance No. 07-041.** Ordinance No. 07-041 shall be effective upon filing with the Secretary of State, and shall be deemed retroactive to May 30, 2006, the date of adoption of Ordinance No. 06-017.

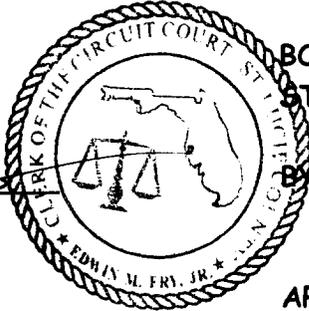
After motion and second, on second hearing and adoption, the vote on this ordinance was as follows:

Chairman Chris Craft	AYE
Vice Chairman Joseph E. Smith	AYE
Commissioner Doug Coward	AYE
Commissioner Paula A. Lewis	AYE
Commissioner Charles Grande	AYE

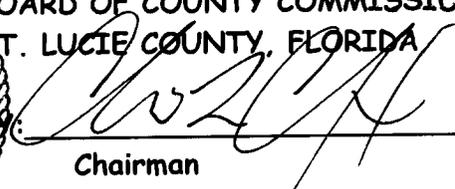
PASSED AND DULY ADOPTED this 4 day of September, 2007.

ATTEST:

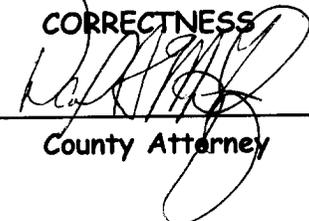
  
Deputy Clerk



BOARD OF COUNTY COMMISSIONERS  
ST. LUCIE COUNTY, FLORIDA

BY:   
Chairman

APPROVED AS TO FORM AND  
CORRECTNESS

  
County Attorney