

HB 0773

2005

1 A bill to be entitled
 2 An act relating to the City of Port St. Lucie, St. Lucie
 3 County; vacating and abandoning the development-of-
 4 regional-impact development orders for the Town Centre
 5 Development of Regional Impact and the Midport Development
 6 of Regional Impact; providing for governance of future
 7 development of such areas; providing for survival of
 8 certain development rights; providing an effective date.

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 10 WHEREAS, the Town Centre Development of Regional Impact
 11 development order expired on December 31, 1997, and

12 WHEREAS, the Midport Development of Regional Impact
 13 development order expired on December 31, 2004, and

14 WHEREAS, section 380.06(15)(g), Florida Statutes, states
 15 that a local government shall not issue permits for development
 16 within a development of regional impact subsequent to the
 17 termination or expiration date of that development order,
 18 subject to certain exceptions, and

19 WHEREAS, the Town Centre Development of Regional Impact and
 20 the Midport Development of Regional Impact do not qualify for
 21 the exceptions contained in section 380.06(15)(g), Florida
 22 Statutes, and

23 WHEREAS, the City of Port St. Lucie has in place, and in
 24 full force and effect, a comprehensive land use plan and
 25 regulations with appropriate zoning and development review
 26 regulations for the areas included in the Town Centre
 27 Development of Regional Impact and the Midport Development of
 28 Regional Impact, and

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29 WHEREAS, a community redevelopment area has been adopted
 30 that includes the Town Centre Development of Regional Impact and
 31 the Midport Development of Regional Impact, and the
 32 redevelopment plan has been adopted and approved therefor, and

33 WHEREAS, the property owners within the Town Centre
 34 Development of Regional Impact and the Midport Development of
 35 Regional Impact are denied their ability to develop their
 36 property due to the expired status of the development-of-
 37 regional-impact development orders, and

38 WHEREAS, the community redevelopment agency will be unable
 39 to carry out its redevelopment plan as a result of the expired
 40 status of the Town Centre Development of Regional Impact and
 41 Midport Development of Regional Impact development orders, and

42 WHEREAS, the expired development orders for the Town Centre
 43 Development of Regional Impact and the Midport Development of
 44 Regional Impact prohibit further development of the undeveloped
 45 properties within the affected areas and further obstruct the
 46 redevelopment of areas within the community redevelopment area,
 47 and

48 WHEREAS, it is the intent of this special act to protect
 49 property rights within the areas, NOW, THEREFORE,

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51 Be It Enacted by the Legislature of the State of Florida:

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53 Section 1. The development orders for the Town Centre
 54 Development of Regional Impact and the Midport Development of
 55 Regional Impact are hereby abandoned and vacated. Future
 56 development of the areas encompassed within the Town Centre
 57 Development of Regional Impact and the Midport Development of

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58 Regional Impact shall be governed by the Port St. Lucie
59 comprehensive land use plan and zoning code and other
60 regulations of the City of Port St. Lucie without regard to the
61 requirements of the development orders issued for the Town
62 Centre Development of Regional Impact and the Midport
63 Development of Regional Impact.

64 Section 2. Any development rights previously vested by the
65 approval of the Town Centre Development of Regional Impact and
66 Midport Development of Regional Impact development orders shall
67 survive the abandonment and vacation of those development orders
68 hereby provided.

69 Section 3. This act shall take effect upon becoming a law.