

**ORDINANCE NO. 16-003**

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **AMENDING THE FUTURE LAND USE MAP** OF THE COMPREHENSIVE PLAN TO CHANGE THE DESIGNATION OF PROPERTY GENERALLY LOCATED AT **1803 HARTMAN ROAD**, FROM RM, MEDIUM DENSITY RESIDENTIAL, TO NC, NEIGHBORHOOD COMMERCIAL; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City of Fort Pierce has adopted a Comprehensive Plan known as the City of Fort Pierce Comprehensive Plan adopted by Ordinance No. L-136, as subsequently amended; and

**WHEREAS**, changing the future land use designation requires an amendment to the Comprehensive Plan, pursuant to Section 163.3184, Florida Statutes; and

**WHEREAS**, the Fort Pierce City Planning Board having been duly designated as the Local Planning Agency pursuant to section 163.3174 et seq., Florida Statutes, and having held a public hearing thereon, has considered this proposed amendment to the Comprehensive Plan and submitted its recommendations thereon to the City Commission; and

**WHEREAS**, having considered the recommendations of the Planning Board, the City of Fort Pierce City Commission has prepared this amendment to the City's Comprehensive Plan and transmitted it to the Department of Economic Opportunity and other agencies as required by Section 163.3184; and

**WHEREAS**, two (2) public hearings with due notice have been held by the City Commission to inform the public and receive comments and objections; and

**WHEREAS**, the City of Fort Pierce desires to hereby formally adopt this amendment to the City's Comprehensive Plan.

**NOW, THEREFORE, BE IT ORDAINED** by the City Commission of the City of Fort Pierce, Florida as follows:

**SECTION 1.** The preceding "whereas" clauses are ratified and incorporated as the legislative intent of this ordinance.

**SECTION 2.** The Comprehensive Plan of the City of Fort Pierce is hereby amended as follows:

From and after the effective date hereof, the following properties legally described as:

2418-411-0001-000-8: 18 35 40 NE 1/4 OF NE 1/4 OF SE 1/4 AND E 1/2 OF W 1/2 OF NE 1/4 OF SE 1/4-LESS CANAL 6 R/W AND LESS RD R/W- (17.92 AC) (OR 3591-2830)

2418-414-0001-000-7: 18 35 40 N 1/2 OF SE 1/4 OF NE 1/4 OF SE 1/4-LESS RD AND CANAL R/W- (4.81 AC) (21)

(OR 3591-2830)

2418-414-0003-000-1: 18 35 40 W 112 FT OF E 137 FT  
OFS 135 FT OF SE 1/4 OF NE 1/4 OF SE 1/4 (22A) (0.35  
AC) (OR 3591-2830)

2418-414-0002-000-4: 18 35 40 S 1/2 OF SE 1/4 OF  
NE 1/4 OF SE 1/4-LESS W 112 FT OF E137 FT OF S 135 FT-  
(4.44 AC) (22)(OR 3591-2830)

2418-412-0002-000-8: 18 35 40 W 1/4 OF NE 1/4 OF  
SE 1/4-LESS N 320 FT- (23) (7.57 AC) (OR 3591-2812)

2418-412-0001-000-1: 18 35 40 N 320 FT OF W 1/4 OF  
NE1/4 OF SE 1/4-LESS CANAL 6 R/W ANDLESS RD R/W- (26)  
(1.84 AC) (OR 3591-2812)

shall be and the Future Land Use Designation is hereby changed from RM, Medium Density Residential, to NC, Neighborhood Commercial; said properties being generally located at 1803 HARTMAN ROAD in Fort Pierce, Florida.

**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.** Conflicts. All ordinances or parts of ordinances, resolution or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

**SECTION 5.** Effective Date. The effective date of this Comprehensive Plan Amendment shall be the date a final order is issued by the Department of Economic Opportunity or Administration Commission finding the amendment in compliance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If final a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming this effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity.

APPROVED AS TO FORM & CORRECTNESS:

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Robert V. Schwerer, Esq.,  
City Attorney

STATE OF FLORIDA)  
ST. LUCIE COUNTY)<sup>SS</sup>

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 16-003 was duly advertised in accordance with F.S. 163.3184 by display advertising in the St. Lucie News Tribune on \_\_\_\_\_, and on \_\_\_\_\_, 2016; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on February 16, 2016; and was duly introduced, read by title only, and passed on second and final reading on March, 21 2016, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the day of March 2016.

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MAYOR COMMISSIONER

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CITY CLERK

(CITY SEAL)