

ORDINANCE NO. 16-026

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; **REZONING** PROPERTY GENERALLY LOCATED AT **3798 SELVITZ ROAD**, FROM IH, INDUSTRIAL, HEAVY, A SAINT LUCIE COUNTY ZONING DESIGNATION, TO I-3, HEAVY INDUSTRIAL ZONE, A CITY OF FORT PIERCE ZONING DESIGNATION; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on December 20th, 2004, the City of Fort Pierce Commission adopted Ordinance K-310 for the purpose of extending the territorial limits of the City of Fort Pierce, Florida to include seven parcels of land generally located between Selvitz Road and 25th Street, North of NSLWCD #101; and

WHEREAS, Ordinance K-310 included in the annexation of Parcel 2432-122-0001-000-5, generally located at 3798 Selvitz Road and containing approximately 177.14 acres; and

WHEREAS, the subject property held a St. Lucie County zoning designation of IH, Industrial, Heavy, prior to annexation; and

WHEREAS, Ordinance K-310 assigned the subject property a zoning designation of I-1, Light Industrial Zone and a Future Land Use Designation of I, Industrial, because the City of Fort Pierce land development code did not feature comparable designations; and

WHEREAS, On June 4th, 2007, the City of Fort Pierce Commission adopted Ordinance L-493, which authorized the adoption of the 2007 Comprehensive Plan (Re-Write) which provides goals, policies, and objectives guiding and controlling future development within the City; and

WHEREAS, Ordinance L-493, adopted the 2007 Comprehensive Plan which assigned a newly established HI, Heavy Industrial, Future Land Use Designation to properties containing heavy industrial land uses (i.e., the use of the property at the time was heavy industrial), including said parcel; and

WHEREAS, on December 1st, 2008, the City of Fort Pierce Commission adopted Ordinance L-63, to create a Heavy Industrial (I-3) Zoning District and established applicable guidelines accordingly; and

WHEREAS, On December 5th, 2011, the City of Fort Pierce Commission adopted Ordinance L-226, a corrective ordinance, restoring the original zoning classification, of IH, Industrial, Heavy, held within St. Lucie County, which is consistent with general annexation policy of the City and the Florida Statutes; and

WHEREAS, the applicant seeks rezoning of a portion of Parcel 2432-122-0001-000-5, from IH, Industrial Heavy, a St. Lucie County designation, to Heavy Industrial (I-3) Zoning District, a City of Fort Pierce designation, to further consideration of development of the property pursuant to applicable land development regulations and Comprehensive Plan adopted by the City of Fort Pierce; and

WHEREAS, the proposed zoning atlas amendment (rezoning) is consistent with the comprehensive plan, will not have an adverse effect on the ability of the city to satisfy land and water use needs; and meet transportation demands and provide community facilities and services, and will promote and protect the public health, safety

and general welfare as required by City Code 22-131; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 11th, 2016 meeting, voted unanimously to recommend approval of the request;

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

SECTION 1. From and after the effective date hereof, the following properties legally described as:

Parcel ID: 2432-122-0001-000-5 (Southern Portion): A parcel of land lying in Section 32, Township 35 South, Range 40 East, St. Lucie, County, Florida, described as follows: Commence at the Southwest corner of the Northwest 1/4 of said Section 32; thence North 00'03'46" East, along the West line of said NW 1/4, a distance of 53.50 feet; thence South 89'56'27" East, departing said West line, 50.00 feet to the East right-of-way line of Selvitz Road and the North right-of-way line of North St. Lucie Water Control District Canal Number 101; thence continue South 89'56'27" East along said North right-of-way line, 1223.12 feet to the POINT OF BEGINNING: thence North 00'49'02" East, departing said North right-of-way line, 801.18 feet; thence North 51'03'36" West, 241.52 feet; thence North 00-49'02" East, 235.44 feet; thence South 89'56'27" East, 2869.36 feet; thence South 01'11'00" West, 1199.37 feet to the aforesaid North right-of-way line of Canal Number 101; thence North 89'56'27" West, along said North right-of-way line, 2631.54 feet; thence North 00'03'33" East, 11.00 feet; thence North 89'56'27" West, 40.00 feet to the POINT OF BEGINNING.

Said property containing 75.00 acres, more or less.

and further depicted on Exhibit "A", attached hereto and incorporated herein, shall be and the same is hereby rezoned from IH, Industrial, Heavy (St. Lucie County), to I-3, Heavy Industrial Zone; said properties being generally located at 3798 Selvitz Road in Fort Pierce, Florida.

SECTION 2. 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 shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 3. All ordinance or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This Ordinance is and the same shall become effective immediately upon final passage thereof.

APPROVED AS TO FORM & CORRECTNESS:

James M. Messer, Esq.
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

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. 16-026 was duly advertised by title only in the St. Lucie News Tribune on _____; 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 _____; and was duly introduced, read by title only, and passed on second and final reading _____, by the City Commission of the City of Fort Pierce, Florida.

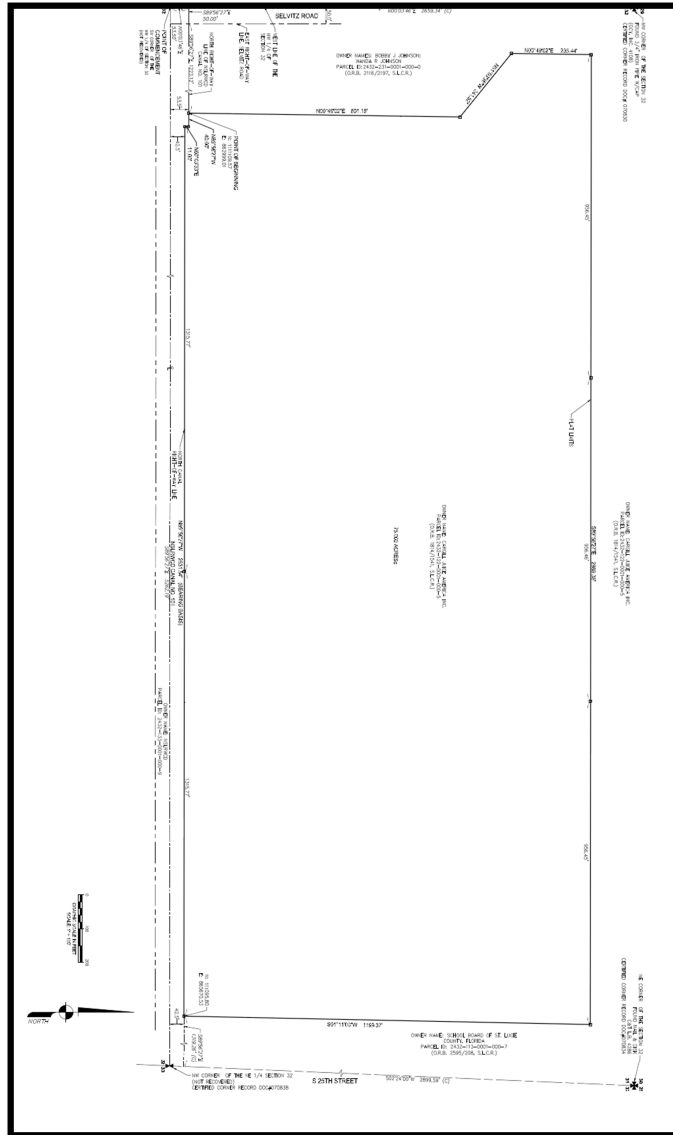
IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this _____.

MAYOR COMMISSIONER _____

CITY CLERK _____

(CITY SEAL)

EXHIBIT A-1
Sketch & Legal Description of Subject Property



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