

**ORDINANCE NO. 17-005**

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 LOCATED AT **2496 EDWARDS ROAD**; FROM RM, MEDIUM DENSITY RESIDENTIAL, TO GC, GENERAL COMMERCIAL; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; 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; and

**WHEREAS**, Ordinance K-478 annexed real property located at 2496 Edwards Road, totaling .92 acres of property, assigning a Future Land Use designation of RM, Medium Density Residential.

**WHEREAS**, the property owner has filed an application and support documentation petitioning approval of a small-scale comprehensive plan amendment, amending the future land use designation of property located at 2496 Edwards Road, totaling .92 acres, from RM, Medium Density Residential to GC, General Commercial.

**WHEREAS**, changing the future land use designation requires an amendment to the Comprehensive Plan, pursuant to Section 163.3184 and 163.187, Florida Statutes; and

**WHEREAS**, Staff reviewed the proposed amendment for consistency with the City of Fort Pierce Land Development Code and Comprehensive Plan, presenting the findings to the Fort Pierce City Planning Board;

**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, considered this proposed amendment to the Comprehensive Plan on January 10<sup>th</sup>, 2017, and submitted its recommendation of approval thereon to the City Commission; 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.** From and after the effective date hereof, the Comprehensive Plan of the City of Fort Pierce is hereby amended to reflect a change in the Future Land Use Designation from RM, Medium Density Residential, to GC, General Commercial for property located at 2496 Edwards Road in Fort Pierce, Florida, and legally described as:

Parcel ID: 2421-333-0003-000-3: The South 395.97 Feet, of the East 111.35 Feet, of the West One-Half, of the West One-half, of the Southwest One-quarter, of the Southwest One-quarter of Section 21, Township 35 South, Range 40 East, St. Lucie County, Florida. Less Right-of-way for Public Roads and Drainage Canals.

and further depicted on Exhibit "A", attached hereto and incorporated herein.

**SECTION 3.** 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 4.** All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

**SECTION 5.** The effective date of this Comprehensive Plan Amendment shall be thirty-one (31) days after the adoption by the City of Fort Pierce Commission unless a final order of noncompliance is issued by the Administration Commission.

**APPROVED AS TO FORM & CORRECTNESS:**

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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. 17-005 was duly advertised by title only in the St. Lucie News Tribune on February 6<sup>th</sup>, 2017; 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 21<sup>st</sup>, 2017 ; and was duly introduced, read by title only, and passed on second and final reading March 6, 2017 by the City Commission of the City of Fort Pierce, Florida.

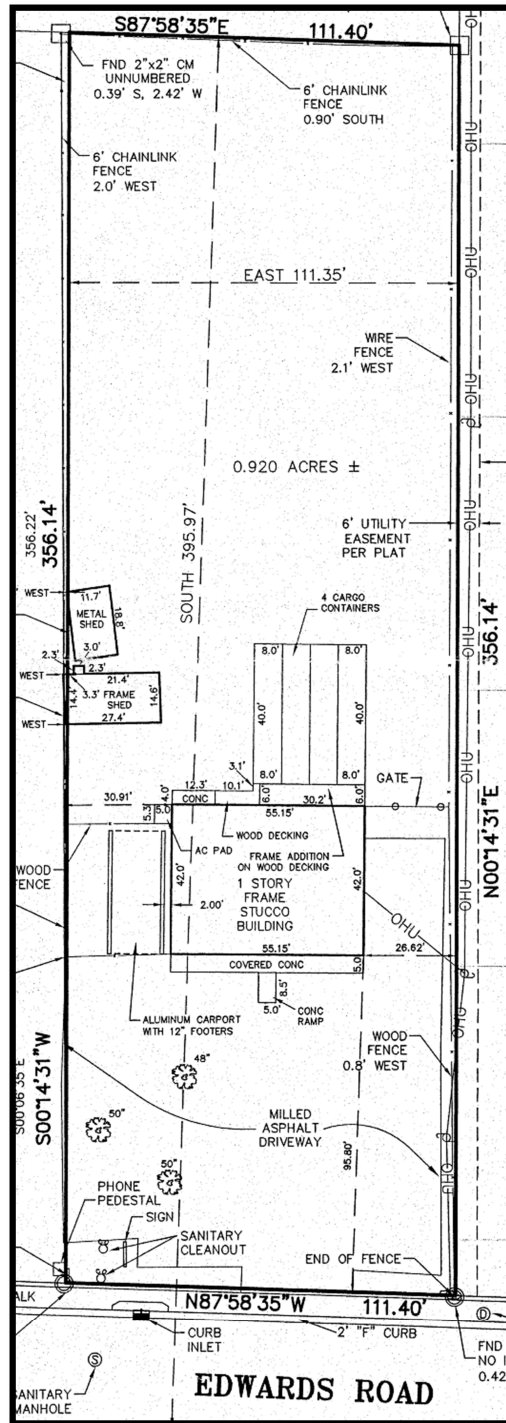
**IN WITNESS HEREWITH**, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 7<sup>th</sup> day of March, 2017.

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**MAYOR COMMISSIONER**

\_\_\_\_\_  
**CITY CLERK**

(CITY SEAL)

**EXHIBIT A**  
Sketch & Legal Description of Subject Property



**Parcel ID: 2421-333-0003-000-3):** The South 395.97 Feet, of the East 111.35 Feet, of the West One-half, of the West One-half, of the Southwest One-quarter, of the Southwest One-quarter of Section 21, Township 35 South, Range 40 East, St. Lucie County, Florida. Less Right-of-way for Public Roads and Drainage Canals.

Said property containing .92 acres, more or less.