

ORDINANCE NO. 17-012

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 GENERALLY BETWEEN **1000 AND 1190 AVENUE O** FROM RL, LOW DENSITY RESIDENTIAL, TO GC, GENERAL COMMERCIAL; AND NC, NEIGHBORHOOD COMMERCIAL; PROVIDING FOR A SEVERABILITY CLAUSE; 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; and

WHEREAS, the subject property is located between 1000 and 1190 Avenue O within the City of Fort Pierce, Florida, representing 4.42 acres of land.

WHEREAS, the subject site presently has a Future Land Use designation of RL, Low Density Residential; and

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 the subject 4.42 acre site, Parcel ID: 2404-144-0000-000-9 from RL, Low Density Residential to GC, General Commercial for the eastern 310 ft. of the site and NC, Neighborhood Commercial for the western 350 ft. of the site.

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 February 14th, 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, a municipal corporation, 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 RL, Low Density Residential, to GC, General Commercial and NC,

Neighborhood Commercial for property located between 1000 and 1190 Avenue O, respectively, in Fort Pierce, Florida as follows:

Parcel ID: 2404-144-0000-000-9: From the SE corner of the NE 1/4 of Section 4, Township 35 South, Range 40 East run North 0 deg. 18'58" West, 396 feet to the Point of Beginning of the lands herein described: From said Point of Beginning run South 89 deg. 41'02" West, 660.00 feet, thence North parallel to the East line of Section 0 deg. 18'58" West 332.28 feet more or less to South right of way of Avenue "O", thence North 89 deg: 41'02" East 207.62 feet to point of curvature to right, radius 542.96 feet, central angle 26 degrees 57' arc, 255.39 feet to a point; thence run South 63 deg. 21'58" East 85.61 feet to point of curvature, curve to left, radius 602.96 feet, are 138 feet more or less; thence South 0 degrees 18'58" east 185 feet more or less to the Point of Beginning.

All lying and being in Section 4, Township 35 South, Range 40 East, in St. Lucie County, Florida.

and further depicted on Exhibit "A", attached hereto and incorporated herein. The eastern 310 ft. of said property being amended from RL, Low Density Residential to GC, General Commercial; said property being generally located at 1000 Avenue O in Fort Pierce, Florida and the western 350 ft. of said property being amended from RL, Low Density Residential to NC, Neighborhood Commercial; said property being generally located at 1100 Avenue O in Fort Pierce, Florida.

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

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:

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. 17-012 was duly advertised by title only in the St. Lucie News Tribune on March 19th, 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 April 3rd, 2017; and was duly introduced, read by title only, and passed on second and final reading April 17th, 2017 by the City Commission of the City of Fort Pierce, Florida.

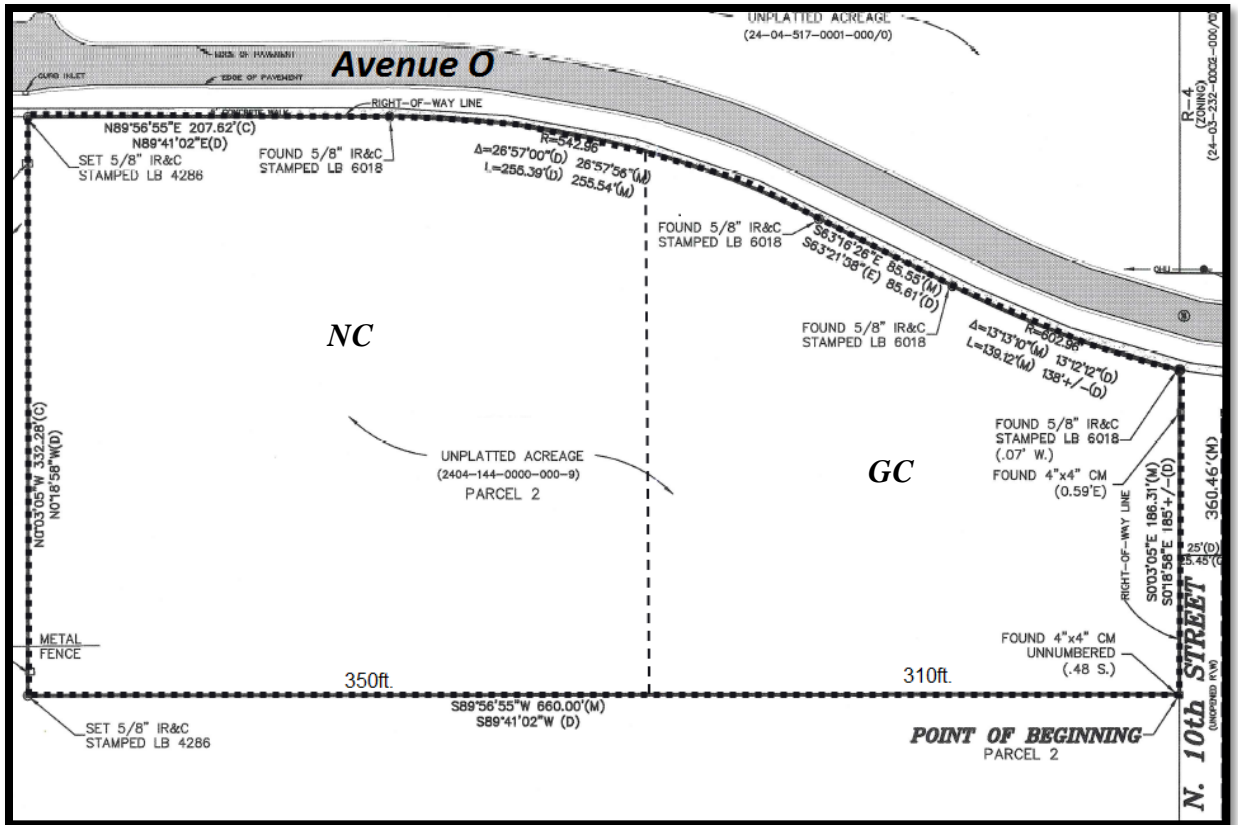
IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 18th day of April, 2017.

MAYOR COMMISSIONER

CITY CLERK

(CITY SEAL)

EXHIBIT A
Sketch & Legal Description
Parcel ID: 2404-144-0000-000-9



B. Parcel ID: 2404-144-0000-000-9: From the SE corner of the NE 1/4 of Section 4, Township 35 South, Range 40 East run North 0 deg. 18'58" West, 396 feet to the Point of Beginning of the lands herein described: From said Point of Beginning run South 89 deg. 41'02" West, 660.00 feet, thence North parallel to the East line of Section 0 deg. 18'58" West 332.28 feet more or less to South right of way of Avenue "O", thence North 89 deg: 41'02" East 207.62 feet to point of curvature to right, radius 542.96 feet, central angle 26 degrees 57' arc, 255.39 feet to a point; thence run South 63 deg. 21'58" East 85.61 feet to point of curvature, curve to left, radius 602.96 feet, are 138 feet more or less; thence South 0 degrees 18'58" east 185 feet more or less to the Point of Beginning.

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