

ORDINANCE NO. 17-034

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; **REZONING** PROPERTY LOCATED AT **3530 S. US HWY 1** FROM PD, PLANNED DEVELOPMENT, TO C-3, GENERAL COMMERCIAL; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the subject property is located at 3530 S. US Hwy 1 within the City of Fort Pierce, Florida, representing 4.04 acres of land; and

WHEREAS, On August 22, 1989, the subject property was annexed into the City of Fort Pierce and given a C-3, General Commercial zoning designation along with a GC, General Commercial Future Land-Use designation; and

WHEREAS, On November 20, 1989, the subject property was rezoned from C-3, General Commercial to PD, Planned Development; and

WHEREAS, the owner/applicant seeks rezoning of the subject property located at 3530 S. US Hwy 1 from PD, Planned Development to C-3, General Commercial; and

WHEREAS, the proposed zoning atlas map 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 10th, 2017 meeting, voted unanimously to recommend approval of the request; and

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

SECTION 1. From and after the effective date hereof, the following described properties are hereby rezoned as follows:

- A. **Parcel ID: 2434-121-0001-000-8:** 34 35 40 N 1/2 OF N 1/2 OF N 1/2 OF NW 1/4 OF NE 1/4-LESS RD R/W-(4.81 AC) (OR 3726-2390)

and further depicted on Exhibit "A", attached hereto and incorporated herein, shall be and the same is hereby rezoned from PD, Planned Development to C-3, General Commercial; said property being located at 3530 S. US Hwy 1 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 ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 4. This Ordinance shall be and become effective immediately upon final passage.

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. 17-034 was duly advertised by title only in the St. Lucie News Tribune on Sunday, October 22nd, 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 November 6th, 2017; and was duly introduced, read by title only, and passed on second and final reading November 20th, 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 20th day of November, 2017.

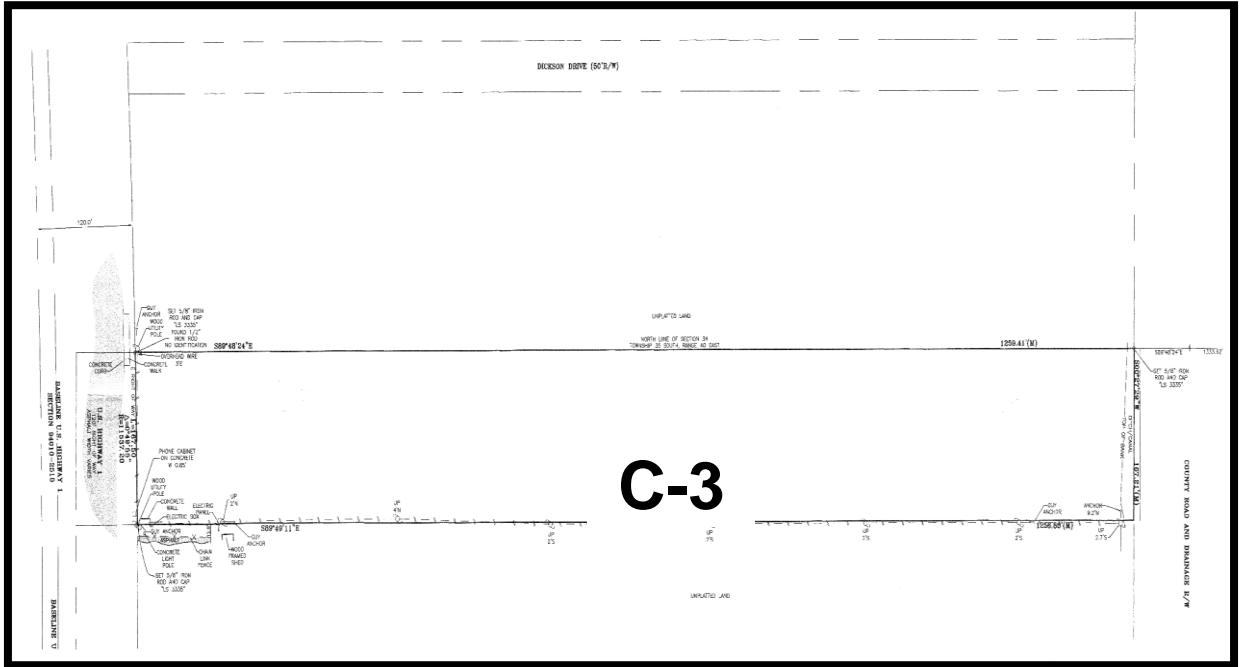
Linda Hudson
Mayor Commissioner

ATTEST:

Linda W. Cox
City Clerk

(CITY SEAL)

EXHIBIT A
Sketch & Legal Description
Parcel ID: 2434-121-0001-000-8



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