



THE SUNRISE CITY

FORT PIERCE
PLANNING DEPARTMENT
Florida

February 2, 2018

The Honorable Howard Tipton, MPA, County Administrator
Saint Lucie County
2300 Virginia Avenue
Fort Pierce, FL 34982

Dear Mr. Tipton,

The City of Fort Pierce, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, dated June 6, 2005, is providing written notification, to the Saint Lucie County Administrator and the Saint Lucie County Attorney, of an impending annexation of property located at 5450 South US Highway 1 (Parcel 3403-502-0292-000-0). The first reading of the prospective annexation is scheduled for March 5th, 2018.

The enclosed notification includes copies of the proposed annexation ordinance, staff report, and recommendation pertaining to this voluntary request by the Property Owner.

Feel free to contact me at 467-3730, with any questions you may have.

Sincerely,

Rebecca Grohall, AICP
Planning Director

c: Nicholas Mimms, PE, City Manager
Linda Cox, MBA, City Clerk & Deputy City Manager

ENCLS:

1. Proposed Ordinance
2. PB Staff Report.

ORDINANCE NO. 18-00X

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT **5450 SOUTH US HIGHWAY 1**, SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2018; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, set forth a procedure for Municipal Annexation;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality, and;

WHEREAS, the owner or owners have submitted an application petitioning the Fort Pierce to be annexed to the municipality; and

WHEREAS, the petition bears the signature of the owner of property in the area proposed to be annexed; and

WHEREAS, the City of Fort Pierce Planning Board, at their December 12, 2017 meeting, voted unanimously to recommend approval of the request;

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator's Office on February 1st, 2018, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners on February 2nd, 2018, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A", attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 3403-502-0292-000-0: THE SOUTH 1/2 OF LOT 227 OF WHITE CITY SUBDIVISION, SECTION 10, TOWNSHIP 36 SOUTH, RANGE 40 EAST ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 23, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LESS AND EXCEPT RIGHT OF WAY FOR U.S. HIGHWAY NO. 1 AND CANAL RIGHT OF WAY. LESS THE SOUTH 150.00 FEET OF LOT 227 OF WHITE CITY SUBDIVISION, SECTION 10, TOWNSHIP 36 SOUTH, RANGE 40 EAST. ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 23, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LESS AND EXCEPT RIGHT OF WAY FOR U.S. HIGHWAY NO. 1 AND CANAL RIGHT OF WAY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 227 AND ALSO THE NORTH QUARTER CORNER OF SECTION 10, TOWNSHIP 36 SOUTH, RANGE 40 EAST; THENCE S 00°18'04" EAST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10 A DISTANCE OF 661.91 FEET; THENCE N 89°54'04" E A DISTANCE OF 78.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 1, STATE ROAD NO. 5 AND THE POINT OF BEGINNING; THENCE CONTINUE N 89°54'04" E ALONG THE SOUTH LINE OF THE NORTH HALF OF LOT 227 A DISTANCE OF 560.54 FEET TO A POINT ON THE WEST LINE OF A 30' WIDE CANAL RIGHT -OF -WAY; THENCE S 00°14'12" E ALONG A LINE 30' WEST OF AND PARALLEL WITH THE EAST LINE OF SAID LOT 227 A DISTANCE OF 180.75 FEET TO A POINT AND THE NORTH LINE OF THE SOUTH 150 FEET OF SAID LOT 227; THENCE S 89°52'58" W ALONG SAID NORTH LINE A DISTANCE OF 558.34 FEET TO THE EAST RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 5; THENCE N 00°18'04" W A DISTANCE OF 175.03 FEET TO A POINT; THENCE S 89°41 '56" W A DISTANCE OF 2.00 FEET TO A POINT; THENCE N 00°18'04" WEST A DISTANCE OF 5. 91 FEET TO THE POINT OF BEGINNING. SAID LANDS SITUATE LYING AND BEING IN THE CITY OF FORT PIERCE, ST. LUCIE COUNTY, FLORIDA

Said property containing 2.32 acres, more or less.

and further depicted on Exhibit "B", attached hereto and incorporated herein; said properties being generally located at 5450 South US Highway 1 in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit A hereof as of January 1, 2018 and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That the City Clerk shall cause notice of this annexation to be published once each week for two consecutive weeks prior to final passage in the St. Lucie Tribune in Fort Pierce, Florida.

SECTION 4. That upon this ordinance becoming effective, the land herein described on Exhibit A and annexed to the territorial limits of the City of Fort Pierce shall be and the same is zoned C-3, General Commercial, and assigned a future land use designation GC, General Commercial, as depicted on Exhibit "C" attached hereto and incorporated herein.

SECTION 5. 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 6. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 7. 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. 18-00X was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on and; 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 March 5th, 2018; 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 on March 19th, 2018.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 20th day of March, 2018.

MAYOR COMMISSIONER

CITY CLERK

(CITY SEAL)

EXHIBIT A
Territorial Limits Extension

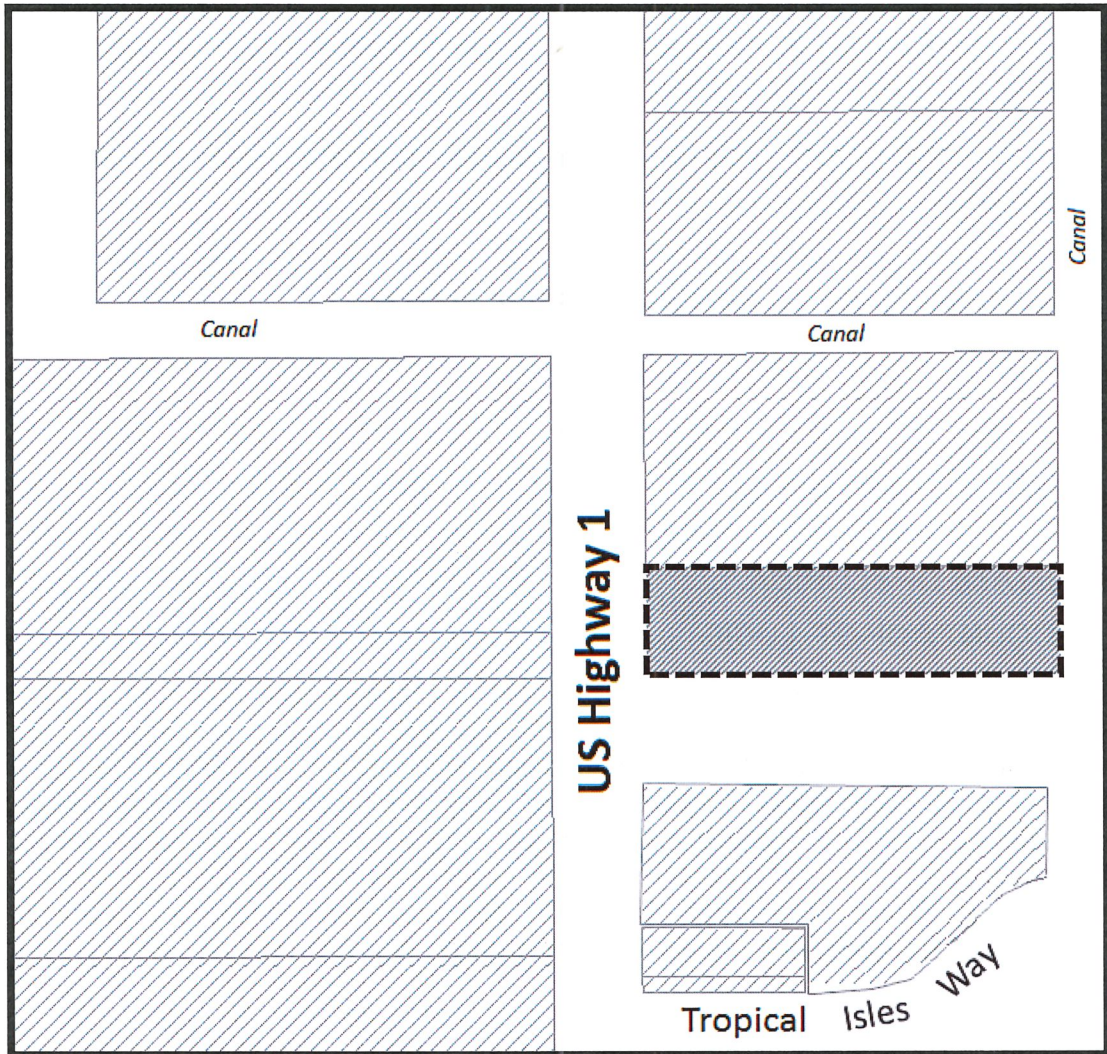
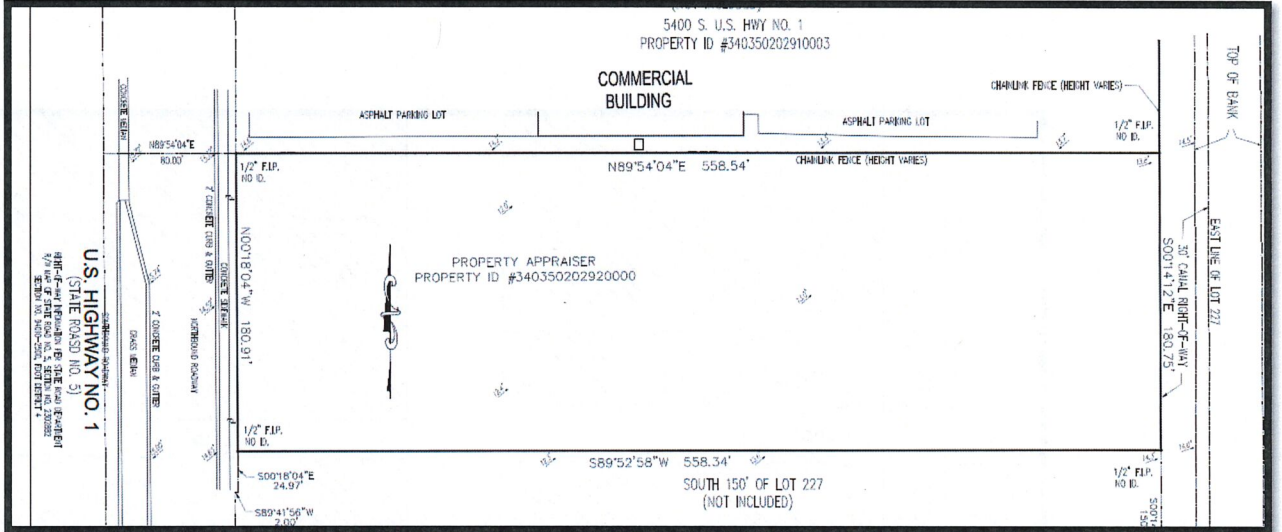


EXHIBIT B
Sketch & Legal Description of Subject Property



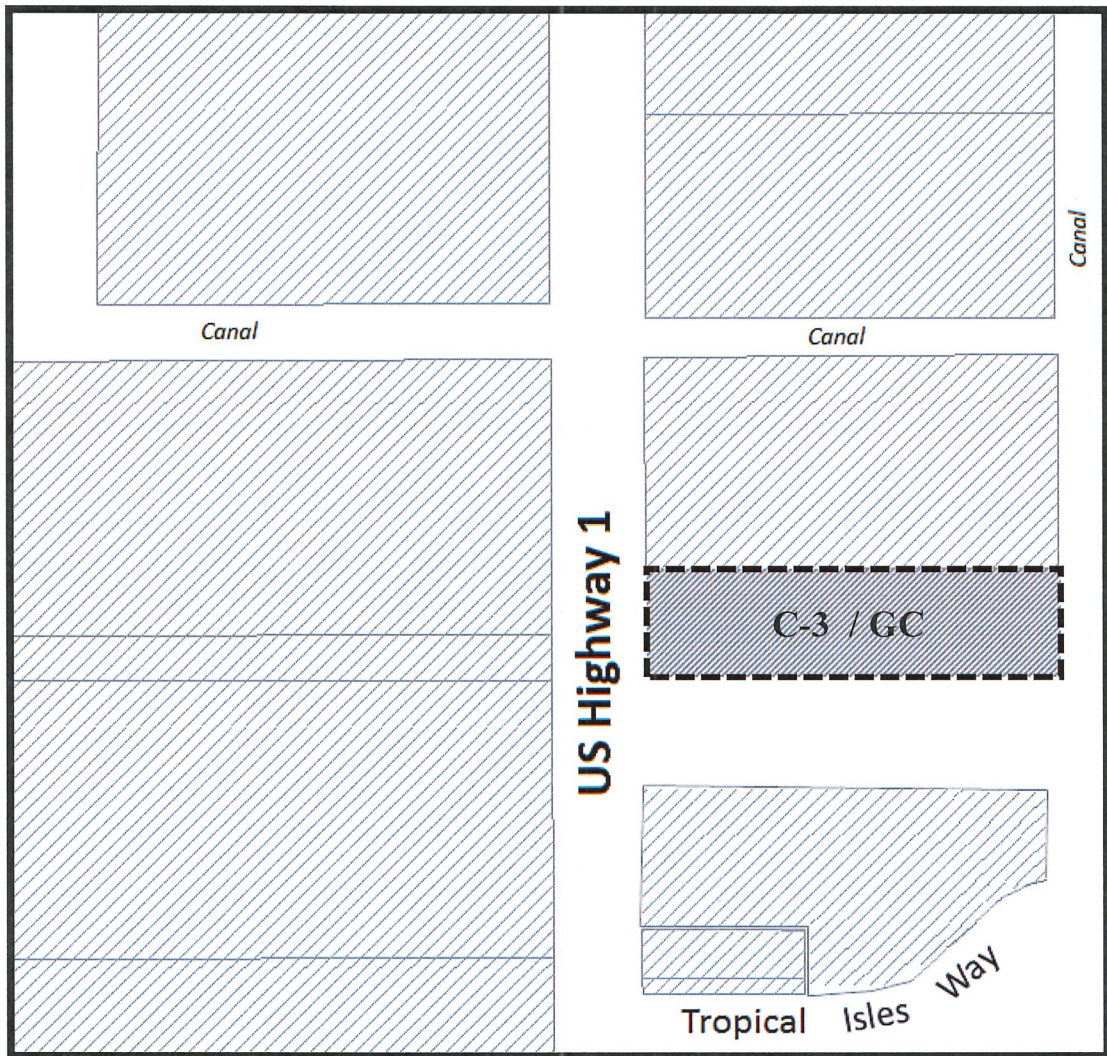
Parcel ID: 3403-502-0292-000-0:

THE SOUTH 1/2 OF LOT 227 OF WHITE CITY SUBDIVISION, SECTION 10, TOWNSHIP 36 SOUTH, RANGE 40 EAST ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 23, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LESS AND EXCEPT RIGHT OF WAY FOR U.S. HIGHWAY NO. 1 AND CANAL RIGHT OF WAY. LESS THE SOUTH 150.00 FEET OF LOT 227 OF WHITE CITY SUBDIVISION, SECTION 10, TOWNSHIP 36 SOUTH, RANGE 40 EAST. ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 23, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LESS AND EXCEPT RIGHT OF WAY FOR U.S. HIGHWAY NO. 1 AND CANAL RIGHT OF WAY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 227 AND ALSO THE NORTH QUARTER CORNER OF SECTION 10, TOWNSHIP 36 SOUTH, RANGE 40 EAST; THENCE S 00°18'04" EAST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10 A DISTANCE OF 661.91 FEET; THENCE N 89°54'04" E A DISTANCE OF 78.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 1, STATE ROAD NO. 5 AND THE POINT OF BEGINNING; THENCE CONTINUE N 89°54'04" E ALONG THE SOUTH LINE OF THE NORTH HALF OF LOT 227 A DISTANCE OF 560.54 FEET TO A POINT ON THE WEST LINE OF A 30' WIDE CANAL RIGHT -OF -WAY; THENCE S 00°14'12" E ALONG A LINE 30' WEST OF AND PARALLEL WITH THE EAST LINE OF SAID LOT 227 A DISTANCE OF 180.75 FEET TO A POINT AND THE NORTH LINE OF THE SOUTH 150 FEET OF SAID LOT 227; THENCE S 89°52'58" W ALONG SAID NORTH LINE A DISTANCE OF 558.34 FEET TO THE EAST RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 5; THENCE N 00°18'04" W A DISTANCE OF 175.03 FEET TO A POINT; THENCE S 89°41 '56" W A DISTANCE OF 2.00 FEET TO A POINT; THENCE N 00°18'04" WEST A DISTANCE OF 5. 91 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE LYING AND BEING IN THE CITY OF FORT PIERCE, ST. LUCIE COUNTY, FLORIDA.

said properties being generally located at 5450 South US Highway 1 in Fort Pierce, Florida. Said property containing 2.32 acres, more or less.

EXHIBIT C
Zoning & Future Land Use Designation Assignment





TO: Members of the City of Fort Pierce Planning Board

THROUGH: Rebecca Grohall, AICP, Planning Director

FROM: Kori Benton, Senior Planner

RE: **Voluntary Annexation – JAWS Fort Pierce**
5450 South US Highway 1

DATE: December 4, 2017

STAFF REPORT

Owners/Applicant: Jaws Fort Pierce LLC
 315 N Federal HWY
 Hollywood, FL 33020-4616

Representative: W. Lee Dobbins, Esq.
 Dean, Mead, Minton & Zwemer
 1903 South 25th Street
 Suite 200, Fort Pierce, Florida 34947

Requested Action: Voluntary Annexation of 2.32 acres of land into the City Limits

Location: 5450 S U SHighway 1

Parcel IDs: 3403-502-0292-000-0

Zoning: CG, Commercial General

Future Land Use: COM, Commercial

Surrounding FLU & Zoning:

North	East	South	West
C-3, GC	PUD/RU	CG/COM	C-3, GC

Parcel(s) Size: 2.32 acres

Utilities: Located within the FPUA Water & Waste Water Service Area

Staff Analysis:

The applicant is requesting voluntary annexation of a 2.32 acre parcel of land located at 5450 S US Highway 1. The subject site is located on the east side of US Highway 1, south of Enterprise Rental and across from Sunrise Ford.

This property is currently zoned CG, General Commercial with a COM, Commercial future land use. Once annexed, this property will receive an equivalent General Commercial (C3) and General Commercial (GC) future land use.

It has been confirmed that the property is located within an unincorporated part of St. Lucie County (SLC) and that the parcel is contiguous to the municipal boundary.

Comprehensive Plan

Consistent with Objective 1.11, and Policies 1.11.5 and 1.11.6, of the City Comprehensive Plan the City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery.

The proposed annexation offers the provision of public services at a level equal to or better than that available from the current service providers, assists in eliminating an unincorporated island, and does not adversely impact the ability of the City to provide public services at the City's adopted levels of service.

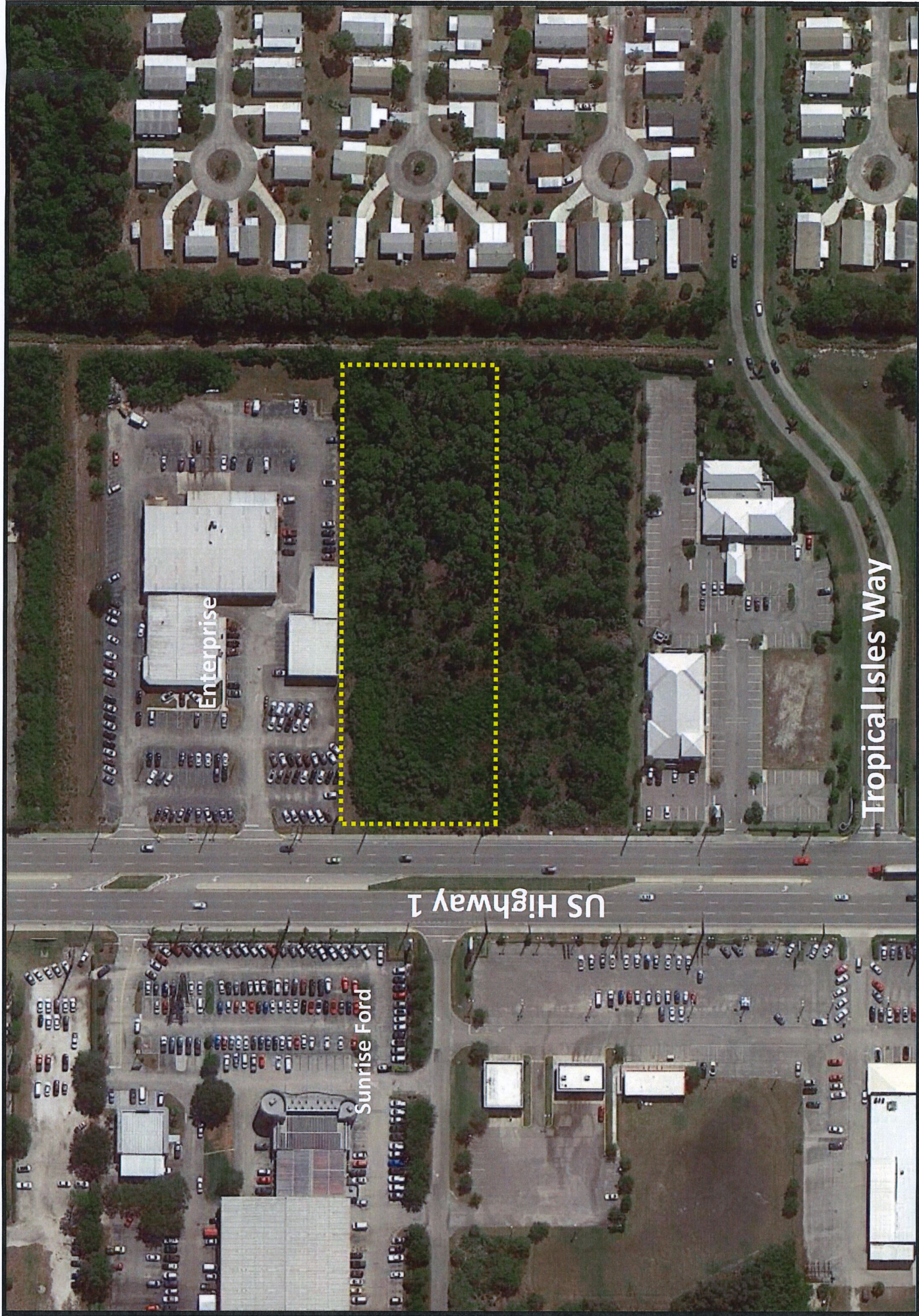
Furthermore, properties annexed shall receive a Future Land Use designation compatible with the SLC future land use designation assigned, unless otherwise approved by the City Commission. In addition, general City policy is that annexed properties shall receive a zoning classification consistent with the SLC zoning classification; if the City Code does not provide such a classification, the SLC classification will remain until the request is made by the property owner for a zoning change to a City classification. The equivalent designations are available and will be assigned upon approval of annexation.

Technical Review Committee:

All affected departments have reviewed and approved the application.

Staff Recommendation:

The proposed annexation is consistent with the Comprehensive Plan, therefore Staff recommends that the Planning Board forward a recommendation of **approval**.



5450 S US Highway 1

Aerial

