

ORDINANCE NO. 18-007

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; **REZONING PROPERTIES** GENERALLY LOCATED AT **3180 SOUTH JENKINS ROAD**, FROM MEDIUM DENSITY RESIDENTIAL (R-4), TO PLANNED DEVELOPMENT (PD); FURTHER **APPROVING A DEVELOPMENT PLAN** PURSUANT TO SECTION 22-58, PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the subject property is located at 3180 South Jenkins Road within the City of Fort Pierce, Florida, representing 56.035 acres of land; and

WHEREAS, the subject site is presently designated Medium Density Residential Zone (R-4); and

WHEREAS, the applicant seeks rezoning of the subject 56.035 acre site, Parcel ID: 2430-212-0001-000-5, from Medium Density Residential Zone (R-4) to Planned Development zone (PD); and

WHEREAS, the applicant has concurrently filed a proposed development plan pursuant to City Code Sections 22-40 (c)(2) and 22-58 to adjoin the proposed rezoning; and

WHEREAS, the proposed zoning atlas amendment (rezoning) and coupled development plan are consistent with the comprehensive plan, and 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 its December 12th, 2017 meeting, voted unanimously to recommend approval of the request with conditions applied to the development plan, said conditions being fulfilled.

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 following property legally described as:

Parcel 2430-212-0001-000-5: THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4, LESS THE EAST 33 FEET THEREOF; AND THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4, LESS THE SOUTH 33 FEET THEREOF; AND THE NORTHWEST 1/4 OF THE NORTHWEST 1/4, LESS THE WEST 40 FEET THEREOF AND LESS THE SOUTH 33 FEET THEREOF; ALL IN SECTION 30, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA. CONTAINING 56.035 ACRES, MORE OR LESS.

said properties being located at 3180 South Jenkins Road in Fort Pierce, Florida shall be and the same is hereby rezoned from Medium Density Residential (R-4) to Planned Development (PD).

SECTION 3. The Development Plan for the subject Planned Development as depicted on Exhibit "B" which is attached hereto and incorporated herein by reference, be and the same are hereby approved, and shall serve as the Development Plan associated with the subject Planned Development.

SECTION 4. 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 5. 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 6. This Ordinance is and the same shall become effective immediately upon final passage.

SECTION 7. The effective date of this rezoning shall be the date a final order is issued by the Department of Economic Opportunity or Administration Commission finding the concurrent Comprehensive Plan amendment is in compliance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

APPROVED AS TO FORM & CORRECTNESS:

James M. Messer
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. 18-007 was duly advertised accordance with F.S. 166.041 by legal advertising in the St. Lucie News Tribune on February 17th, 2018; 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 March 19th, 2018, 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 19th day of March, 2018.

Linda Hudson
Mayor Commissioner

ATTEST:

Linda W. Cox
City Clerk

(City Seal)

EXHIBIT A-2

Legal Description of Subject Property

Parcel ID: 2430-212-0001-000-5: THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4, LESS THE EAST 33 FEET THEREOF; AND THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4, LESS THE SOUTH 33 FEET THEREOF; AND THE NORTHWEST 1/4 OF THE NORTHWEST 1/4, LESS THE WEST 40 FEET THEREOF AND LESS THE SOUTH 33 FEET THEREOF; ALL IN SECTION 30, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA. CONTAINING 56.035 ACRES, MORE OR LESS.

EXHIBIT B-2

Development Plan Overview & Phasing Plan

