

ORDINANCE NO. 18-016

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 PROPERTIES GENERALLY LOCATED AT 411 N. 25th STREET INCLUDING PARCELS 2408-507-0133-000-5 and 2408-507-0097-000-0, FROM LOW DENSITY RESIDENTIAL, RL, TO GENERAL COMMERCIAL, GC;** PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the subject properties are generally located at 411 N. 25th Street, within the City of Fort Pierce, Florida, representing approximately 2.55 acres of land; and

WHEREAS, the subject properties are included in a proposed site plan for a 5,610 sq. ft. church facility; and

WHEREAS, the subject properties are included in zoning atlas amendment and right-of-way abandonment applications for the proposed 5,610 sq. ft. church facility sit plan; and

WHEREAS, Parcel ID: 2408-507-0133-000-5 has split future land use designations; and

WHEREAS, Within Parcel ID: 2408-507-0133-000-5; Lots 1, 2, 3, and 4 of Block 15 are designated as GC, General Commercial and Lot 5 of Block 15 is designated as RL, Low Density Residential; and

WHEREAS, Parcel ID: 2408-507-0097-000-0 is presently designated RL, Low Density Residential; and

WHEREAS, the applicant seeks a future land use amendment of the subject parcels, Parcel ID(s): 2408-507-0133-000-5 and 2408-507-0097-000-0, from RL, Low Density Residential to GC, General Commercial; and

WHEREAS, the proposed future land use amendment is 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 their May 8th, 2018 meeting, voted unanimously to recommend approval of the proposed Future Land Use Amendment for Ordinance 18-016.

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

WHEREAS, changing the future land use designation requires an amendment to the Comprehensive Plan, pursuant to Section 163.3187, Florida Statutes; and

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, has considered this proposed amendment to the Comprehensive Plan and submitted its recommendations 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. The Comprehensive Plan of the City of Fort Pierce is hereby amended as follows:

From and after the effective date hereof, the following properties legally described as:

Generally Located at 411 N. 25th Street, Parcel ID(s): 2408-507-0133-000-5, 2408-507-0097-000-0

LEGAL DESCRIPTION:

LOT 5, BLOCK 15, FORT PIERCE HEIGHTS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 39, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

TOGETHER WITH

LOT 8 AND 9, LESS THE EAST 10 FEET, AND ALL OF LOTS 10, 11 AND 12, BLOCK 11, FORT PIERCE HEIGHTS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 39, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

Said properties being generally located at 411 N. 25th Street in Fort Pierce, Florida shall be and the Future Land Use Designation is hereby changed from Low Density Residential, RL, to General Commercial, GC, as 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. This Ordinance is and the same shall not become effective until 31 days after adoption.

SECTION 6. The effective date of this Comprehensive Plan Amendment shall be the date a final order is issued by the Department of Economic Opportunity or Administration Commission finding the amendment in compliance with Section 163.3187, 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. If final a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming this effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity.

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- 016 was duly advertised accordance with F.S. 163.3187 by display advertising in the St. Lucie News Tribune on May 20th, 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 June 4th, 2018; and was duly introduced, read by title only, and passed on second and final reading June 18th, 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 June, 2018.

Linda Hudson
Mayor Commissioner

ATTEST:

Linda W. Cox
City Clerk

(City Seal)

EXHIBIT A
Proposed Future Land Use
General Commercial, GC

