

ORDINANCE NO. 22-041

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 GENERALLY LOCATED AT OR NEAR 3000 VIRGINIA AVE, FROM GENERAL COMMERCIAL, GC, TO MEDIUM DENSITY RESIDENTIAL, RM;** 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 generally located at or near 3000 Virginia Ave, within the City of Fort Pierce, Florida, representing approximately 32.0 acres of land; and

WHEREAS, the subject property is included in a proposed site plan for a multi-family development; and

WHEREAS, the subject property is also included in a zoning atlas amendment; and

WHEREAS, the subject property, generally located at or near 3000 Virginia Ave, is presently designated GC, General Commercial; and

WHEREAS, the City seeks a future land use amendment of the subject property, generally located at or near 3000 Virginia Ave, from GC, General Commercial to RM, Medium Density Residential; 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 section 125-136; and

WHEREAS, the City of Fort Pierce Planning Board, at their November 14th, 2022, meeting, voted to recommend approval of the proposed Future Land Use Amendment for this parcel; and

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 City of Fort Pierce 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 property legally described respectively as:

Parcel IDs: 2419-111-0002-000-7 & 2419-113-0001-000-6

LEGAL DESCRIPTIONS:

19 35 40 THAT PART OF N 3/4 OF NE 1/4 OF NE 1/4 LYG S OF CANAL 7-LESS VIRGINIA AV AND HARTMAN RD R/W- AND THAT PART OF SE 1/4 OF NW 1/4 OF NE 1/4 LYG S OF CANAL 7 AND E OF CANAL 29 (17.83 AC)

AND

19 35 40 S 1/2 OF S 1/2 OF NE 1/4 OF NE 1/4-LESS HARTMAN RD R/W- AND NW 1/4 OF SE 1/4 OF NE 1/4 LYG N AND E OF FIVE MILE CREEK(14.17 AC) (OR 3631-594)

Containing 32.0 acres, more or less

Said property being generally located at or near 3000 Virginia Ave, in Fort Pierce, Florida shall be and the Future Land Use Designation is hereby changed from GC, General Commercial to RM, Medium Density Residential, 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, which 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 shall become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

Tanya M. Earley, 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.22-XXX was duly advertised accordance with section 163.3187, Florida Statutes by display advertising in the St. Lucie News Tribune on XXX, 2022; 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 XXX, 2022; and was duly introduced, read by title only, and passed on second and final reading XXX, 2022, 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 Xth day of XXXX 2022.

Linda Hudson
Mayor Commissioner

ATTEST:

Linda W. Cox
City Clerk

(City Seal)

EXHIBIT A

Proposed Zoning Map Amendment General Commercial, GC to Medium Density Residential, RM

