

**ORDINANCE NO. 22-042**

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; **REZONING THE PROPERTY GENERALLY LOCATED AT OR NEAR 3000 VIRGINIA AVE, FROM GENERAL COMMERCIAL (C-3) TO MEDIUM DENSITY RESIDENTIAL (R-4)**; 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 32.93 acres of land; and

**WHEREAS**, The City of Fort Pierce has applied for rezoning of the subject property generally located at Virginia Ave from General Commercial, C-3 to Medium Density Residential, R-4; 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 125-136; and

**WHEREAS**, the City of Fort Pierce Planning Board, at their November 14<sup>th</sup> 2022, meeting, voted to recommend approval of the request; 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 14<sup>th</sup> 2022, meeting, voted 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 property is hereby rezoned 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 Zoning Designation is hereby changed from General Commercial, C-3 to Medium Density Residential, R-4, as depicted on Exhibit "A", attached hereto and incorporated herein.

**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, which 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 of ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

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

**APPROVED AS TO FORM & CORRECTNESS:**

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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 XXXX, 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 XXXX, 2022; and was duly introduced, read by title only, and passed on second and final reading XXXX, 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 XX day of XXXX 2022.

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Linda Hudson  
Mayor Commissioner

ATTEST:

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Linda W. Cox  
City Clerk

(City Seal)

## **EXHIBIT A**

Coming soon