

**ORDINANCE NO. 23-041**

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; **REZONING THE PROPERTY GENERALLY LOCATED AT OR NEAR THE SOUTHERN 4.88 ACRES OF 1910 S. JENKINS ROAD, FROM MEDIUM DENSITY RESIDENTIAL (R-4) TO PLANNED DEVELOPMENT (PD);** PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the subject property are generally located at or near the southern 4.88 acres of 1910 S. Jenkins Road, within the City of Fort Pierce, Florida, representing approximately 4.88 acres of land; and

**WHEREAS**, the subject property, generally located at or near the southern 4.88 acres of 1910 S. Jenkins Road, are presently designated R-4, Medium Density Residential; and

**WHEREAS**, the City seeks a rezoning of the subject properties, generally located at or near the southern 4.88 acres of 1910 S. Jenkins Road, from R-4, Medium Density Residential to PD, Planned Development; 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 May 25, 2023, meeting, voted to recommend approval of the proposed request for these parcels; and

**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 respectively as:

Parcel IDs: 2418-322-0001-000-5

**LEGAL DESCRIPTIONS:**

A PARCEL OF LAND BEING A PORTION OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3458, PAGE 167 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LYING IN SECTION 18, TOWNSHIP 35 SOUTH, RANGE 40 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST QUARTER (1/4) CORNER OF SAID SECTION 18; THENCE SOUTH 00°15'46" EAST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 18, A DISTANCE OF 1324.89 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 18; THENCE NORTH 89°08'14" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 40.00 FEET TO THE POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF SOUTH JENKINS ROAD (80' WIDE PUBLIC RIGHT-OF-WAY) AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 94631-2604, SAID POINT BEING THE POINT OF BEGINNING.

THENCE CONTINUE NORTH 89°08'14" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 614.25 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF (1/2) OF THE NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 18; THENCE NORTH 00°08'26" WEST, ALONG SAID EAST LINE, A DISTANCE OF 342.92 FEET; THENCE SOUTH 89°44'04" WEST, LEAVING SAID EAST LINE, A DISTANCE OF 614.94 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE OF SOUTH JENKINS ROAD; THENCE SOUTH 00°15'46" EAST,

ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 349.32 FEET TO THE POINT OF BEGINNING.

CONTAINING 212716.39 SQUARE FEET (4.883 ACRES), MORE OR LESS.

Said properties being generally located at or near the southern 4.88 acres of 1910 S. Jenkins Road, in Fort Pierce, Florida shall be and the Zoning Designation is hereby changed from R-4, Medium Density Residential to PD, Planned Development, as depicted on Exhibit "A" and made subject to the Conditions of Development depicted on Exhibit "B", 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:**

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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.23-041 was duly advertised accordance with section 163.3187, Florida Statutes by display advertising in the St. Lucie News Tribune on June 4, 2023; 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 20, 2023; and was duly introduced, read by title only, and passed on second and final reading July 17, 2023, 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 18th day of July 2023.

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Linda Hudson  
Mayor Commissioner

ATTEST:

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Linda W. Cox  
City Clerk

(City Seal)

**EXHIBIT A**

Proposed Zoning Atlas Map Amendment

Medium Density Residential, R-4, to Planned Development, PD.



Parcel ID: 2418-322-0001-000-5  
4.88 +/- Acres  
Proposed Zoning: PD, Planned Development

## **EXHIBIT B**

### Conditions of Development (PD Zoning)

1. The parcels subject of this Planned Development Ordinance, shall conform to the following:
  - a. Resurrection Life Multi-Family Preliminary Development Plan 23-117
2. Prior to development, a Final PD site plan application shall be submitted as a Major Amendment to the PD zoning.
3. The Final PD plan shall conform to the requirements of the City Code of Ordinances and be subject to the general standards for approval of Planned Development Zoning.
4. Prior to submittal of Final PD site plan, a state wetland jurisdictional determination shall be conducted to determine the exact boundaries of the wetlands located on site. Further wetland evaluation and assessment shall be conducted to further determine mitigation options available for this site.
5. Prior to submittal of Final PD site plan, a Gopher Tortoise Survey shall be carried out on site.
6. A detailed stormwater and drainage plan and statement shall be submitted at time of Final PD site plan.
7. The Final PD site plan shall be in unified control and property ownership. All land intended to be included in the planned development shall be under the legal control of the applicant.
8. The Final PD site plan shall include a development phasing schedule indicating the approximate date when construction of the project can be expected to begin and the number of phases in which the project will be built and the approximate date when construction of each phase can be expected to begin and completed.
9. The Final PD site plan shall include a general description of the buildings and streetscapes including standards for height, building coverage, parking areas, and public improvements proposed for each phase of the development.
10. The Final PD site plan shall include quantitative data for the total number and type of dwelling units; parcel sizes; proposed lot coverage of buildings and structures; residential gross densities; total amount of open space; and the total amount of nonresidential acreage.

11. The Final PD site plan shall include all agreements, provisions and covenants which govern the use, maintenance, and continued protection of the planned development and any of its common open space or other shared areas. This material shall include material which binds successors in title to any commitments concerning completion of the project and its maintenance and operation.
  
12. The Final PD site plan shall contain the following information, at minimum:
  - a. A Landscape and irrigation plan per section 125-314. c. of the City Ordinance.
  - b. Proposed lot lines and other divisions of land for management, use or allocation purposes.
  - c. The location, size and height of present and proposed buildings and structures.
  - d. The location and size of all areas proposed to be conveyed, dedicated, or reserved for streets, parks, playgrounds, public and semi-public buildings, and similar uses.
  - e. The existing and proposed vehicular circulation system, including off-street parking, and loading areas.
  - f. The pedestrian circulation system, including its interrelationships with the vehicular circulation system, within the development to adjacent streets, showing all curb cuts and sidewalks.
  - g. The existing and proposed utility systems, including sanitary sewers, storm sewers and water, electric and gas lines.
  - h. The proposed buffering treatment of the perimeter of the planned development, refuse stations, storage areas, or loading areas, including materials and techniques used such as screens, fences, and walls.
  
13. A Unity of Title with the St. Lucie County Clerk of Courts and a Parcel Combination with the St. Lucie County Property Appraiser shall be completed prior to the issuance of any Building Permit.
  
14. After completion of the Unity of Title and Lot Combination, a General Address Request Form for the newly created Parcel ID and for any and each proposed building or residential unit shall be submitted to the Planning Department.