

ORDINANCE NO. 25-014

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; **AMENDING THE CITY’S ZONING ATLAS AND REZONING ONE (1) PARCEL GENERALLY LOCATED AT OR NEAR 1038 SOUTH 37TH STREET, CONTAINING APPROXIMATELY 5.28 ACRES OF LAND, MORE OR LESS, FROM RESIDENTIAL SINGLE FAMILY (E-3) TO PLANNED DEVELOPMENT (PD)**; APPROVING A MASTER PD SITE PLAN; APPROVING A PLANNED DEVELOPMENT ZONING AGREEMENT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the subject proposal incorporates one (1) parcel generally located at or near 1038 South 37th Street, within the City of Fort Pierce, Florida, representing approximately 5.28 acres of land; and

WHEREAS, a map depicting the subject property is attached hereto as Exhibit “A”; and

WHEREAS, the subject property, generally located at or near 1038 South 37th Street, is presently designated Residential Single Family (E-3); and

WHEREAS, the Applicant seeks a rezoning of the subject property, generally located at or near 1038 South 37th Street 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, pursuant to City Code 125-212, PD zoning is permitted in the City subject to a Planned Development Zoning Agreement; and

WHEREAS, the City of Fort Pierce Planning Board, at their December __, 2024, meeting, voted 5 to 0 to recommend approval of the proposed request for these parcels.

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 parcel legally described respectively as:

PARCEL ID#	LEGAL DESCRIPTION
2417-213-0001-000-7	17 35 40 SW 1/4 OF NE 1/4 OF NW 1/4-LESS N 445 FT AND LESS W 40 FT - AND NW 1/4 OF SE 1/4 OF NW 1/4-LESS S 500 FT AND LESS W 40 FT- (5.28 AC)

Containing 5.28 acres, more or less

Said properties being generally located at or near 1038 Soth 37th Street in Fort Pierce, Florida, shall be rezoned with the Zoning Designation hereby changed from Residential Single Family (E-3) to Planned Development (PD), as depicted on Exhibit “A”, and made subject to the Master Site Plan depicted within Exhibit “B” and the Planned Development Zoning Agreement within Exhibit “C”.

SECTION 3. The Planned Development Zoning Agreement at Exhibit “C”, attached hereto and incorporated herein, is approved.

SECTION 4. This Ordinance does not create any right on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the City for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

SECTION 5. 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 6. 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 7. This Ordinance shall become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

Sara Hedges
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.25-014 was duly advertised accordance with section 163.3187, Florida Statutes by display advertising in the St. Lucie News Tribune on February 2, 2025; 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, 2025; and was duly introduced, read by title only, and passed on second and final reading XXX, 2025, 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 NNth day of NNN 2025.

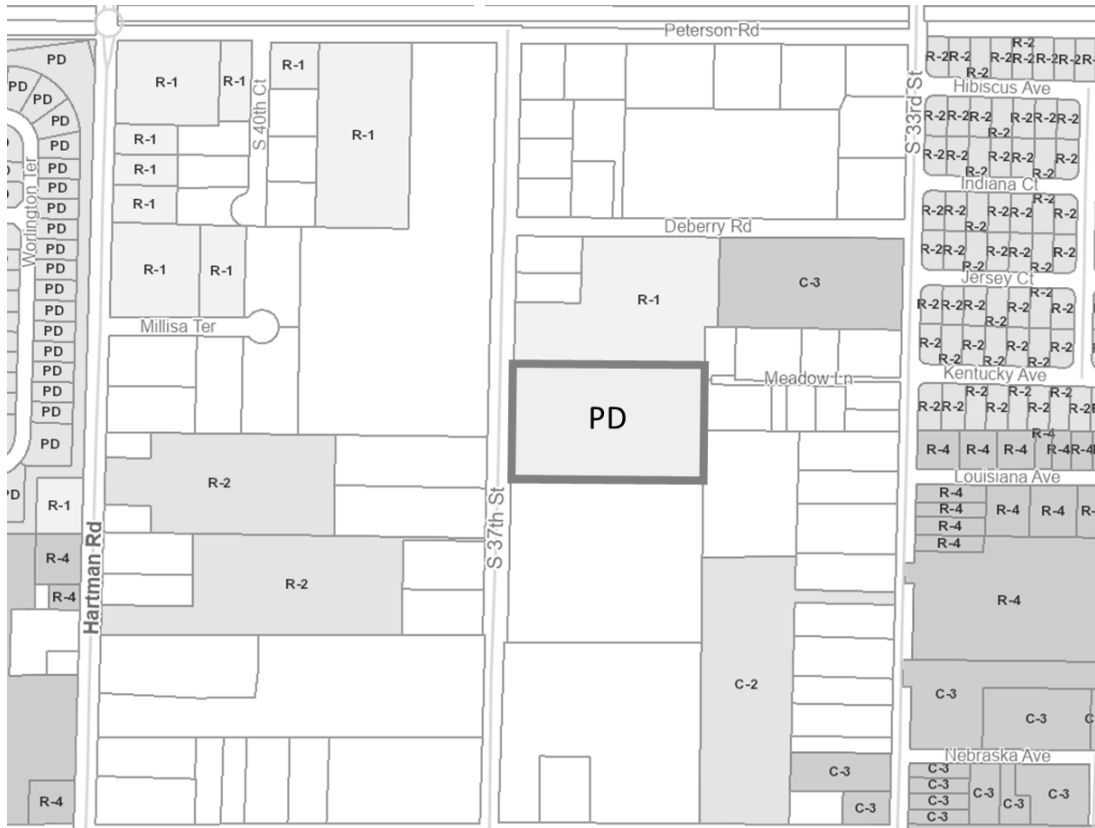
Linda Hudson
Mayor Commissioner

ATTEST:

City Clerk

(City Seal)

EXHIBIT A
ZONING ATLAS MAP AMENDMENT



Parcel 2417-213-0001-000-7
5.28+/- Acres

Rezoning Residential Single Family (E-3) to Planned Development (PD).

EXHIBIT C
DEVELOPMENT AGREEMENT
{to be attached}