ORDINANCE NO. 25-020

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; **AMENDING THE CITY'S ZONING ATLAS FOR ONE(1) PARCEL CONTAINING APPROXIMATELY 11.54 ACRES, MORE OR LESS, AND BEING LOCATED AT OR NEAR 3804 SUNRISE BOULEVARD IN FORT PIERCE, FLORIDA FROM (R-3) SINGLE FAMILY MODERATE DENSITY ZONE TO PLANNED DEVELOPMENT (PD)**; ESTABLISHING THE SUNRISE LAKES PLANNED DEVELOPMENT ZONE WITH A FINAL DEVELOPMENT SITE PLAN AND CONDITIONS OF DEVELOPMENT**;** 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, 3804 Sunrise Boulevard within the City of Fort Pierce, Florida, containing approximately 11.54 acres of land; and

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

WHEREAS, the subject property, is presently designated as (R-3) Single family moderate density zone with a Future Land Use of Medium Density Residential (RM), and

WHEREAS, the Applicant, has applied for rezoning of the subject property from (R-3) Single family moderate density zone to PD, Planned Development Zone, 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 May 12, 2025, meeting, voted 5 to 0 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:

33 35 40 S 546 FT OF NW 1/4 OF NE 1/4 LYG E OF SUNRISE BV (11.34 AC)

Parcel ID: 2433-123-0001-000-1

Said property being generally located at or near at or near 3804 Sunrise BLVD, Fort Pierce, Florida shall be rezoned, and the Zoning Designation is hereby amended from (R-3) Single family moderate density zone to Planned Development, PD, as depicted at **Exhibit "A"** and the Sketch & Legal Description at **Exhibit "B".**

SECTION 3. The Final PD site plan at **Exhibit "C"**, the Conditions of Development (PD Zoning) at **Exhibit "D"**, and the Planned Development Zoning Agreement at **Exhibit "E"**, are all attached hereto and incorporated herein, are 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.25-020 was duly advertised accordance with section 163.3187, Florida Statutes by display advertising in the St. Lucie News Tribune on July 6, 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 _____, 2025; and was duly introduced, read by title only, and passed on second and final reading _____, 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 ____th day of ____ 2025.

_____
Linda Hudson
Mayor Commissioner

ATTEST:

_____
Linda W. Cox
City Clerk

(City Seal)

EXHIBIT A

Parcel subject of Rezoning Map Amendment

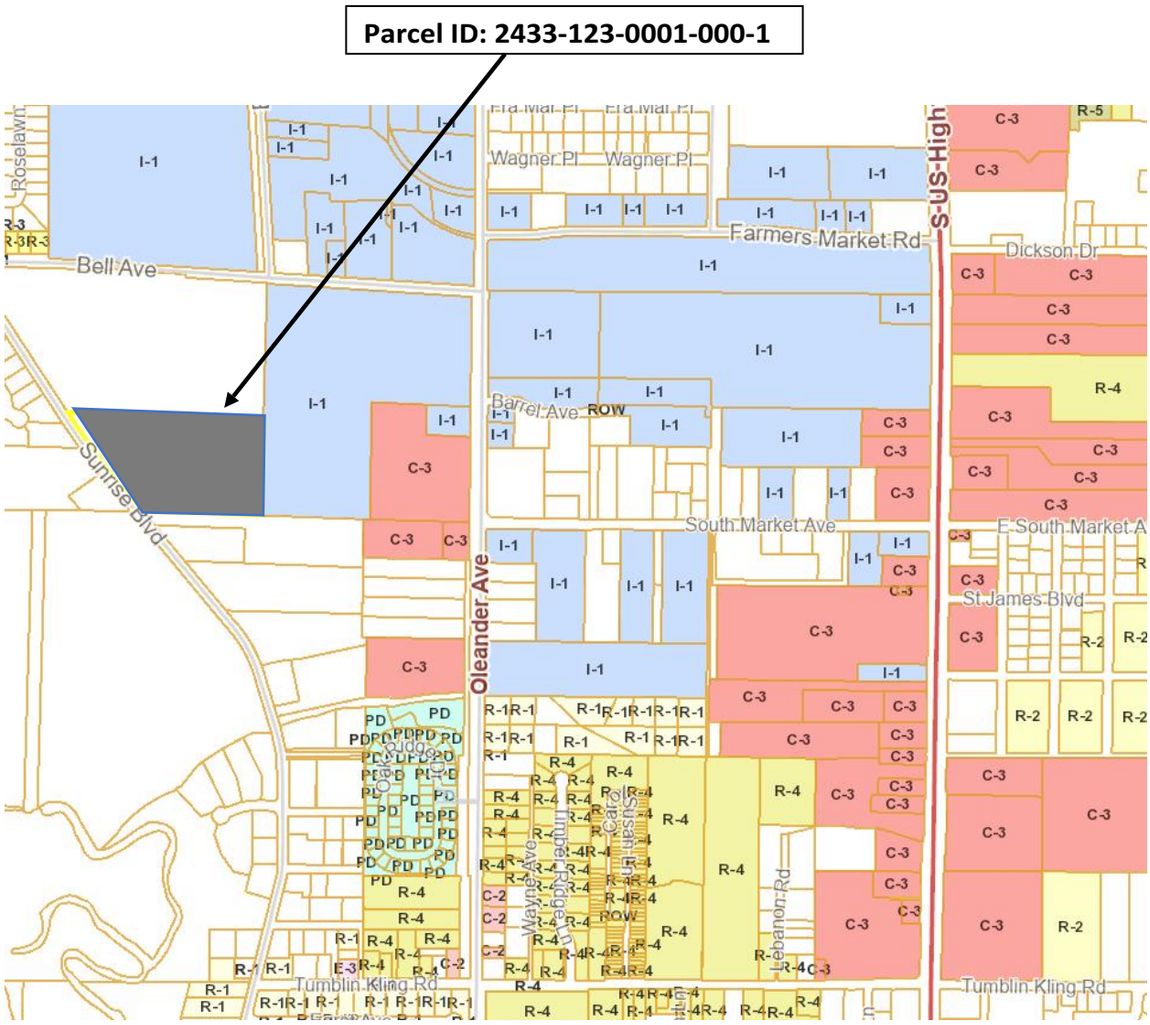
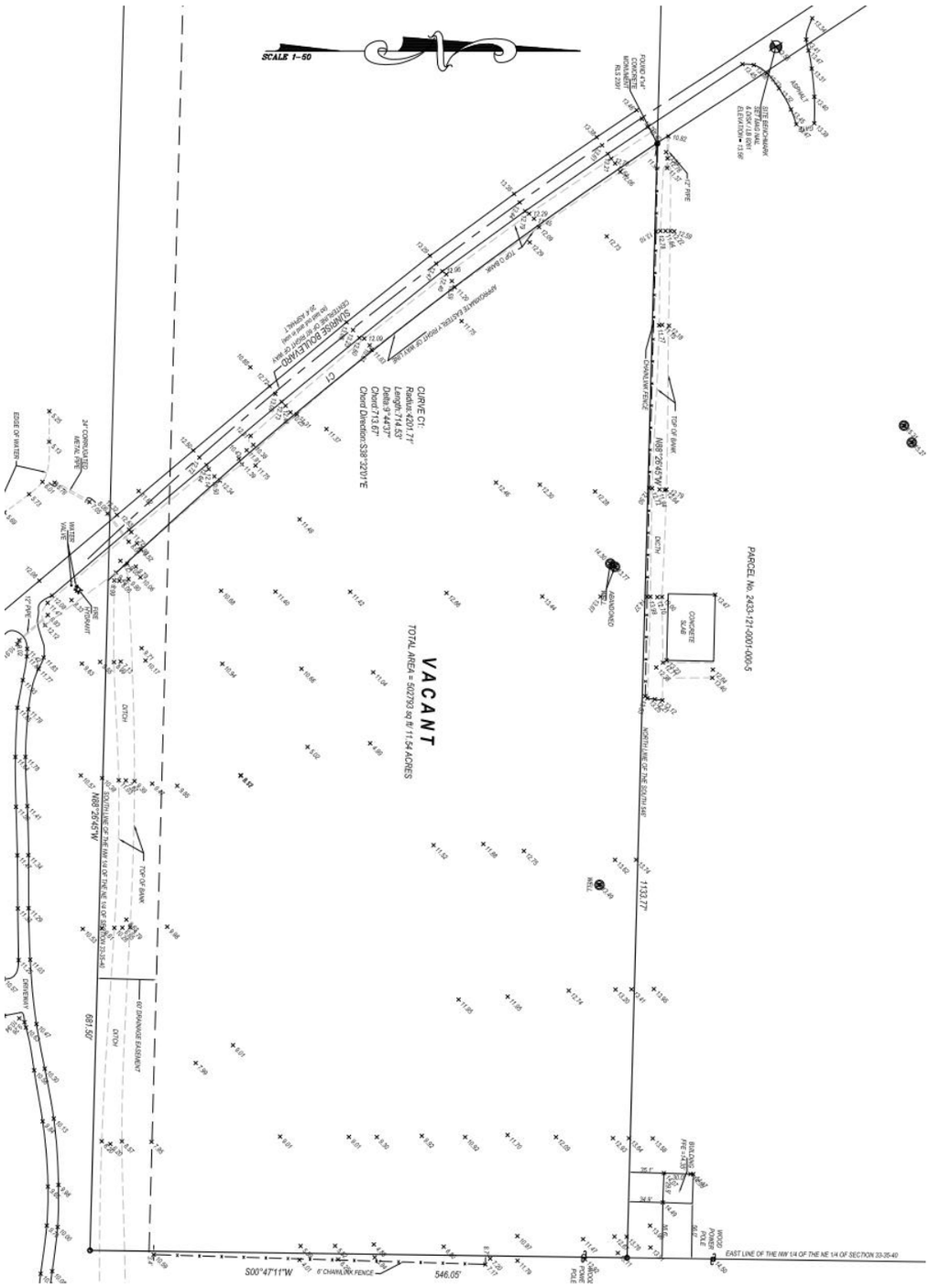


EXHIBIT B

Sketch & Legal Description



33 35 40 S 546 FT OF NW 1/4 OF NE 1/4 LYG E OF SUNRISE BV (11.34 AC)

EXHIBIT C

Final PD Site Plan

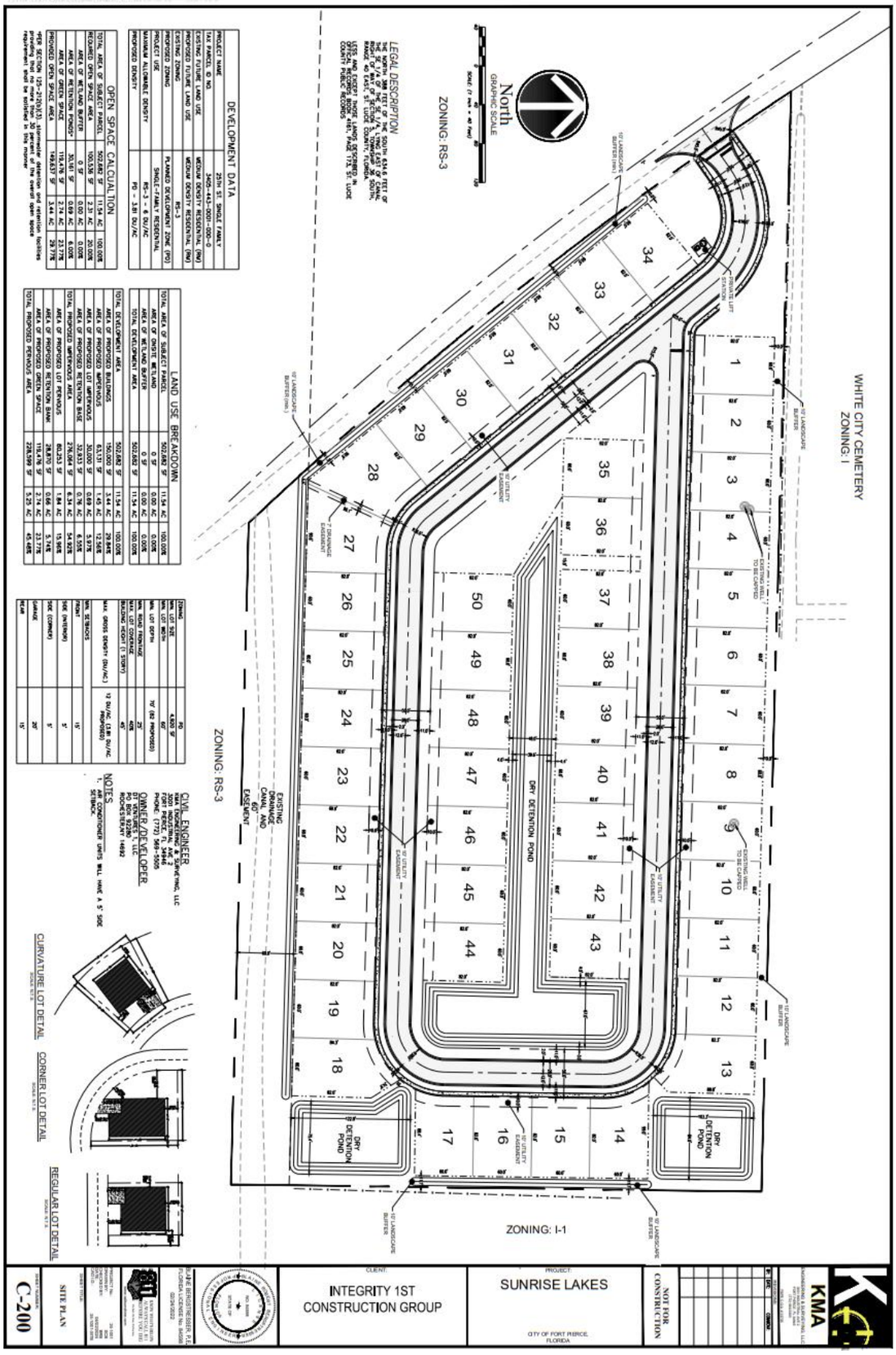


EXHIBIT D

Conditions of Development (PD Zoning)

1. All infrastructure, including the private lift station, school district bus stop, and stormwater system, shall be completed prior to the issuance of first certificate of occupancy for a residential building.

2. A plat of the property shall be required prior to application for a building permit for a residential building.

3. The minimum Open Space shall be 23% of the Final PD site area.

4. The development shall comply with the permitted density, intensity and residential lot and building heights as outlined within the approved Sunrise Lakes Development Agreement and Final PD site plan.

5. The Final PD Plan shall be governed by 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 shall include the binding of successors in title to any commitments concerning completion of the project and its maintenance and operation.

6. A detailed stormwater and drainage plan and statement shall be submitted at the time of Building Permit.

7. A tree mitigation calculation shall be submitted and approved prior to issuance of a site clearing or vegetation removal permit.

8. A landscape maintenance agreement shall be required prior to final certificate of occupation.

9. A revised final site plan, architectural elevations and landscaping plan shall be submitted for the proposed amenity center.

10. All applicable state or federal permits shall be obtained before commencement of the development.

NOTE:
Issuance of a development permit or development order by a municipality does not create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality 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.

EXHIBIT E

PD Development Agreement

TO BE INSERTED