

**ORDINANCE NO. 25-021**

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; **AMENDING THE MILLCREEK PLANNED DEVELOPMENT (PD) ZONING IN RESPECT OF ONE (1) PARCEL OF APPROXIMATELY 62.51 ACRES OF LAND, MORE OR LESS, AND GENERALLY LOCATED NORTH OF ORANGE AVE AND WEST OF 41ST STREET; APPROVING MILLCREEK PD POD 2 FINAL SITE PLAN THROUGH THE FINAL PLANNED DEVELOPMENT (PD) ZONING PROCESS; APPROVING A PLANNED DEVELOPMENT ZONING AGREEMENT; AMENDING ORDINANCE 23-011 AS TO FINAL SITE PLAN APPROVAL, SEPARATION OF PODS, UNIFIED CONTROL, AND UNITY OF TITLE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the subject property, generally located at or near Orange Avenue and 41st Street, was rezoned to the **Millcreek** Planned Development (PD), by Ordinance 23-011 by the City Commission at their meeting of February 21, 2023; and

**WHEREAS**, insofar as Ordinance 23-011 addressed unified control and unity of title, the City Commission desires that to be per POD within the **Millcreek** Planned Development (PD); and

**WHEREAS**, the **Millcreek** Planned Development (PD) comprises 80.7 Acres, and

**WHEREAS**, the property comprising approximately 62.51 acres of land and subject of this ordinance, is a single parcel located within the **Millcreek** Planned Development (PD), and subject to the Millcreek PD conceptual site plan; and

**WHEREAS**, the applicant seeks an amendment to the existing Planned Development (PD) zoning, to incorporate the '**Millcreek PD POD 2 Final Site Plan**' as a Final Planned Development (PD); and

**WHEREAS**, a map depicting the **Millcreek PD POD 2 Final Site Plan** is attached hereto as "**Exhibit A**"; and

**WHEREAS**, the proposed amendment 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 March 10, 2025, meeting, voted 6 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 property being generally located north of Orange Avenue and west of 41<sup>st</sup> Street in Fort Pierce, Florida and having a zoning designation of Planned Development (PD) and parcel ID: 2407-124-0001-000-3, and having the legal description in "**Exhibit B**" shall hereby have its zoning amended to incorporate and approve **the Millcreek PD POD 2 Final Site Plan**, as depicted at "**Exhibit A**", and the **Millcreek PD POD 2 Development Agreement** and conditions thereof, at "**Exhibit C**", attached hereto and incorporated herein.

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

**SECTION 4.** Ordinance 23-011 is amended so that each POD within the **Millcreek** Planned Development (PD) shall be treated separately for the approval of final site plans for each POD, with neither POD affecting the other POD's available entitlements, and any references to unified control and unity of title shall be understood to be per POD within the **Millcreek** Planned Development (PD).

**SECTION 5.** 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 6.** 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 7.** 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 8.** 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.25-021 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 July 21, 2025; and was duly introduced, read by title only, and passed on second and final reading August 4, 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 Seal)



## EXHIBIT B

### Millcreek PD POD 2 Legal Description

#### PARCEL A:

A PARCEL OF LAND LYING IN SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE S 1/2 OF THE SE 1/4 OF THE NE 1/4 OF THE NE 1/4; AND THE SW 1/4 OF THE NE 1/4 OF THE NE 1/4; AND SE 1/4 OF THE NW 1/4 OF THE NE 1/4; LESS THE NORTH 50 FEET THEREOF; AND SE 1/4 OF THE NE 1/4, LESS THE NORTH 254.5 FEET SOUTH 294.5 FEET OF THE EAST 300 FEET OF THE SE 1/4 OF THE SE 1/4 OF THE NE 1/4; AND THE EAST 791.25 FEET OF THE SW 1/4 OF THE NE 1/4; LESS RIGHTS OF WAY FOR PUBLIC ROADS AND DRAINAGE CANALS AS TO ALL OF SAID PARCELS; ALL IN SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA. LESS AND EXCEPT THE SOUTH 600.00 FEET THEREOF.

#### PARCEL B:

A PARCEL OF LAND LYING IN SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 725.27 FEET OF THE SOUTH 600.00 FEET OF THE FOLLOWING DESCRIBED PROPERTY: THE EAST 791.25 FEET OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 7, LESS RIGHT-OF- WAY FOR PUBLIC ROADS AND DRAINAGE CANALS.

LESS AND EXCEPT THE FOLLOWING PARCEL:

A PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 7; THENCE NORTH 00°00'56" EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 7, FOR 40.00 FEET; THENCE SOUTH 89°42'09" WEST ALONG A LINE 40 FEET NORTH FROM AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 7, FOR 65.98 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°42'09" WEST ALONG SAID PARALLEL LINE FOR 157.17 FEET; THENCE NORTH 00°17'51" WEST, FOR 92.93 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE SOUTHWEST, SAID CURVE HAVING A RADIUS OF 206.46 FEET AND A CENTRAL ANGLE OF 34°44'37"; THENCE NORTHWESTERLY ALONG SAID CURVE FOR 125.20 FEET TO A POINT OF TANGENCY; THENCE NORTH 35°02'28" WEST, FOR 109.91 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE EAST, SAID CURVE HAVING A RADIUS OF 280.00 FEET AND A CENTRAL ANGLE OF 39°48'56"; THENCE NORTHERLY ALONG SAID CURVE FOR 194.58 FEET TO A POINT OF TANGENCY, THENCE NORTH 04° 46'28" EAST, FOR 18.58 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE EAST, SAID CURVE HAVING A RADIUS OF 477.11 AND A CENTRAL ANGLE OF 11°47'43" THENCE NORTHERLY ALONG SAID CURVE FOR 98.22 FEET; THENCE NORTH 89°42'09" EAST ALONG A LINE 640 FEET NORTH FROM AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 7, FOR 288.42 FEET; THENCE SOUTH 00°00'56" WEST ALONG THE EAST LINE OF THE WEST 725.27 FEET OF THE EAST 791.25 FEET OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 7, FOR 600.01 FEET TO THE POINT OF BEGINNING.

AND FURTHER EXCEPTING ANY PART LYING WITHIN THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 3210, PAGE 468, OF THE PUBLIC RECORDS OF SAID COUNTY.

SUBJECT TO EXISTING EASEMENTS, RIGHTS-OF-WAY, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD, IF ANY.

SAID LANDS LYING AND SITUATE IN ST LUCIE COUNTY, FLORIDA.

**EXHIBIT D**

Millcreek PD Phase 1 Development Agreement  
{TO BE ATTACHED}