

ORDINANCE NO. 25-035

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; **AMENDING THE CITY'S ZONING ATLAS AND REZONING TWO (2) PARCELS GENERALLY LOCATED AT OR NEAR 4945 EDWARDS ROAD, CONTAINING APPROXIMATELY 17.58 ACRES OF LAND, MORE OR LESS, FROM AN EXISTING PLANNED UNIT DEVELOPMENT (PUD) AND MEDIUM DENSITY RESIDENTIAL (R-4) 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 two (2) parcels generally located at or near 4945 Edwards Road, within the City of Fort Pierce, Florida, representing approximately 17.58 acres of land; and

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

WHEREAS, the subject properties are presently designated as a Planned Unit Development (PUD) zoning (Parcel ID: 2430-244-0001-000-4) and Medium Density Residential (R-4) zoning (Parcel ID: 2430-243-0001-000-1); and

WHEREAS, the City commission approved Ordinance L-08 in 2008, to rezone one (1) parcel of the subject property (Parcel ID: 2430-244-0001-000-4) to a Planned Unit Development (PUD) zone; and

WHEREAS, the Applicant seeks a rezoning of the subject properties, generally located at or near 4945 Edwards Road 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 May 12, 2025, 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 parcels legally described in **Exhibit "A"** as:

PARCEL ID#
2430-244-0001-000-4
2430-243-0001-000-1

Containing 17.58 acres, more or less

Said properties being generally located at or near 4945 Edwards Road in Fort Pierce, Florida, shall be rezoned with the Zoning Designation hereby changed from Planned Unit Development (PUD) zoning and Medium Density Residential (R-4) zoning, respectively, to Planned Development (PD), as depicted on **Exhibit "B"**, and are made subject to the Master PD Site Plan depicted within **Exhibit "C"**, the Planned Development

Zoning Agreement within **Exhibit “D”**, and the Special Conditions of Development within **Exhibit “E”**, all attached hereto and incorporated herein.

SECTION 3. The Planned Development Zoning Agreement at **Exhibit “D”**, 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.25-035 was duly advertised accordance with section 163.3187, Florida Statutes by display advertising in the St. Lucie News Tribune on _____; 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:

City Clerk

(City Seal)

EXHIBIT A

LEGAL DESCRIPTION

COMMENCE AT THE NORTHWEST CORNER OR THE SOUTH 1/2 OF SAID NORTHWEST 1/4 OF SECTION 30; THENCE RUN NORTH 89°02'18" EAST, ALONG THE NORTH LINE OF SAID SOUTH 1/2, A DISTANCE OF 2024.51 FEET, TO AN INTERSECTION WITH THE WEST LINE OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 30, ALSO BEING THE NORTHERLY EXTENSION OF THE EAST LINE OF WESTGLEN, A SUBDIVISION AS RECORDED IN PLAT BOOK 14, PAGE 51 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE SOUTH 00°34'45" WEST, ALONG SAID WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, A DISTANCE OF 21.73 FEET, TO THE SOUTHERLY RIGHT OF WAY LINE OF EDWARDS ROAD, AS LAID OUT AND NOW IS USE FOR THE POINT OF BEGINNING; THENCE RUN NORTH 88°43'09" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE A DISTANCE OF 60.02 FEET TO A POINT; THENCE SOUTH 00°19'48" WEST ALONG A LINE 50 FEET EAST OF AND PARALLEL TO THE EAST LINE OF TRACT "A" AND LOT 7 OF WESTGLEN SUBDIVISION, PLAT BOOK 14, PAGE 51, ST. LUCIE COUNTY, FLORIDA, A DISTANCE OF 394.11 FEET; THENCE NORTH 89°30'46" EAST ALONG A LINE 60 FEET NORTH OF AND PARALLEL TO THE NORTH LINE OF LOT 8 OF SAID WESTGLEN SUBDIVISION, A DISTANCE OF 259.73 FEET; THENCE SOUTH 00°21'56" WEST ALONG A LINE 60 FEET EAST OF AND PARALLEL TO THE EAST LINE OF SAID WESTGLEN SUBDIVISION, A DISTANCE OF 247.76 FEET; TO THE NORTH LINE OF THE SE 1/4 OF THE SE 1/4 OF THE NW 1/4; THENCE RUN SOUTH 88°53'19" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 60.02 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID WESTGLEN SUBDIVISION; THENCE RUN NORTH 00°37'24" EAST ALONG SAID EAST LINE OF WESTGLEN SUBDIVISION, A DISTANCE OF 188.33 FEET, TO THE NORTHERLY LINE OF LOT 8 OF SAID WESTGLEN SUBDIVISION; THENCE RUN SOUTH 89°22'14" WEST ALONG SAID NORTHERLY LINE OF SAID WESTGLEN SUBDIVISION, A DISTANCE OF 259.69 FEET, TO A POINT OF INTERSECTION WITH THE SAID WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, ALSO BEING THE EASTERLY LINE OF SAID WESTGLEN SUBDIVISION; THENCE RUN NORTH 00°34'45" WEST ALONG SAID WEST LINE 453.29 FEET TO A POINT OF INTERSECTION WITH SAID SOUTHERLY RIGHT OF WAY LINE OF EDWARDS ROAD AND THE POINT OF BEGINNING.

AND

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 35 SOUTH, RANGE 40 EAST, EXCEPTING THEREFROM CANAL RIGHT OF WAY. SAID PROPERTY LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.

AND

THE EAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, LESS WEST GLEN AS IN PLAT BOOK 14, PAGE 51, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, ALL LYING AND BEING IN SECTION 30, TOWNSHIP 35 SOUTH, RANGE 40 EAST.

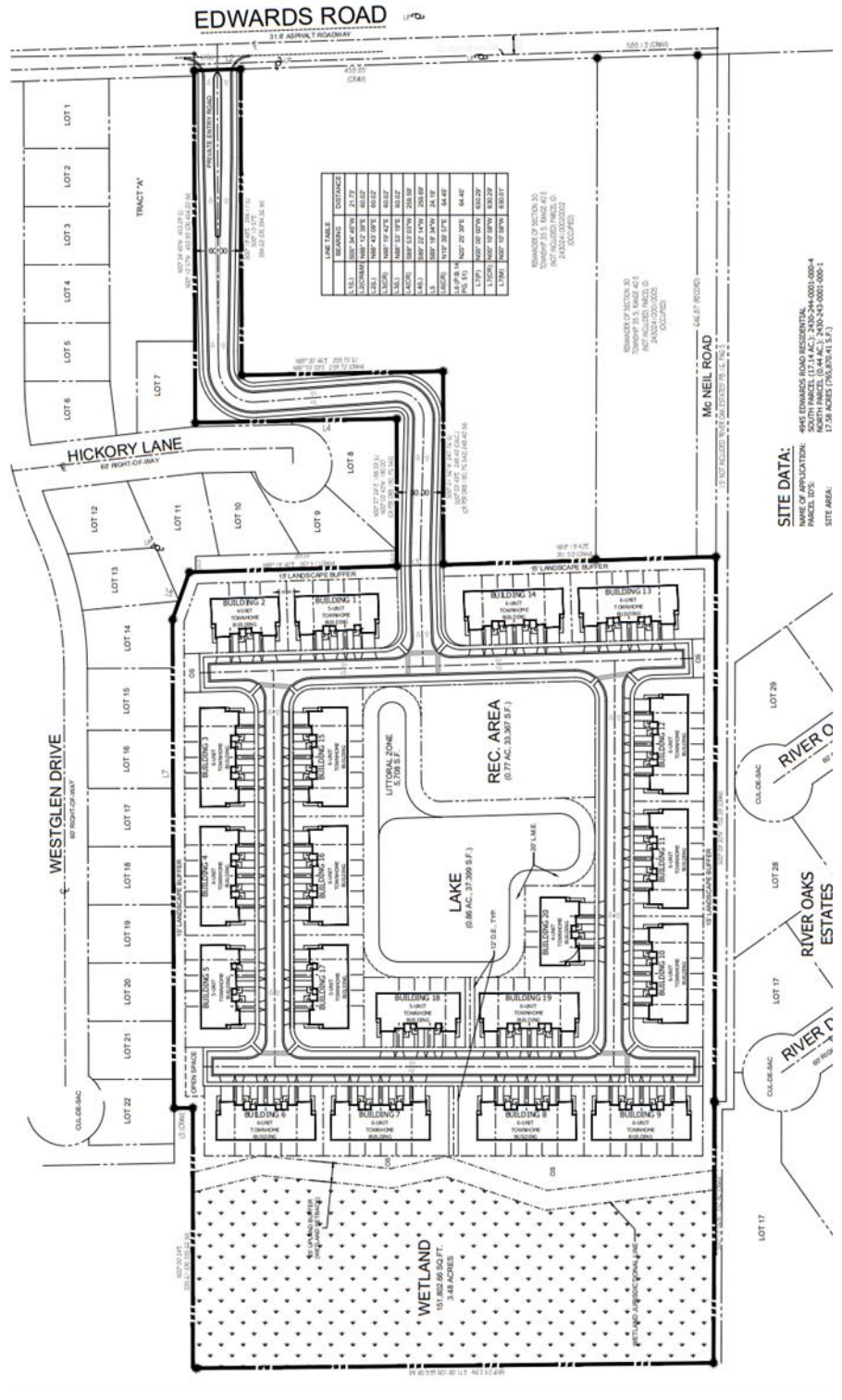
EXHIBIT B

ZONING ATLAS MAP AMENDMENT



PARCEL ID#
2430-244-0001-000-4
2430-243-0001-000-1

EXHIBIT C MASTER PD SITE PLAN



SITE DATA:
 4945 EDWARDS ROAD RESIDENTIAL
 NAME OF APPLICATION: RIVER OAKS ESTATES
 PARCEL I.D.S.: 10-44-000-0000-0000-0000
 17.58 ACRES (788,870 S.F.)
 SITE AREA:



EXHIBIT D
DEVELOPMENT ZONING AGREEMENT
{to be attached}

EXHIBIT “E”

SPECIAL CONDITIONS OF DEVELOPMENT

1. A Final PD shall be required prior to any development activities associated with the Master Site Plan by Litterick Landscape Architecture, dated 10/30/24.
2. 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.
3. The Final PD site plan submittal shall include a wetland jurisdictional survey.
4. Prior to issuance of any site clearing permit a Gopher Tortoise Survey shall be carried out on site.
5. A detailed stormwater and drainage plan and statement shall be submitted at the time of Final PD site plan application.
6. 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.
7. 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 the development.
8. The Final PD site plan shall include quantitative data for the parcel sizes; proposed lot coverage of buildings and structures; total amount of open space.
9. 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.

10. The Final PD site plan shall contain the following information, at minimum:

- i. A Landscape and irrigation plan per section 125-314. c. of the City Ordinance.
- ii. Proposed lot lines and other divisions of land for management, use or allocation purposes.
- iii. The location, size and height of present and proposed buildings and structures.
- iv. The existing and proposed vehicular circulation system, including off-street parking, and loading areas.
- v. The pedestrian circulation system, including its interrelationships with the vehicular circulation system, within the development to adjacent streets, showing all curb cuts and sidewalks along Edwards Road.
- vi. The existing and proposed utility systems, including sanitary sewers, storm sewers and water, electric and gas lines.

11. Any required sidewalk or roadway improvements to Edwards Road shall be identified through the Final PD site plan process.

12. Any required ROW donation shall be identified through the Final PD site plan process.

13. All other applicable state or federal permits be obtained before commencement of the development.

14. The 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 City of Fort Pierce for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations

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imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.