

ORDINANCE 21-03

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF PORT ST. LUCIE TO INCLUDE A LARGE SCALE AMENDMENT TO THE FUTURE LAND USE MAP AT THE REQUEST OF MIDWAY GLADES DEVELOPERS, LLC FOR PROPERTY LEGALLY DESCRIBED AS TRACT D OF LTC RANCH WEST; LOCATED SOUTH OF MIDWAY ROAD AND WEST OF INTERSTATE 95 (P20-180) AS FOLLOWS:

- (I) CHANGE 52.7 ACRES OF LAND DESIGNATED AS RESIDENTIAL, OFFICE, INSTITUTIONAL (ROI) TO OPEN SPACE RECREATION/INSTITUTIONAL (OSR/I); AND**
- (II) CHANGE 55 ACRES OF LAND DESIGNATED AS OPEN SPACE RECREATION/INSTITUTIONAL (OSR/I) TO RESIDENTIAL, OFFICE, INSTITUTIONAL (ROI); AND**
- (III) REALIGN THE ARTERIAL A, E/W #5 AND E/W #2 ROAD RIGHTS-OF-WAY;**

PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida, has adopted a comprehensive plan known as the City of Port St. Lucie Comprehensive Plan adopted by Ordinance 97-50, as subsequently amended; and

WHEREAS, the City is committed to planning and managing the growth of the City; and

WHEREAS, the City has the authority to amend its Comprehensive Plan pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the City Council of the City of Port St. Lucie desires to amend the Future Land Use Map portion of the Comprehensive Plan to guide and control the future development of the City and to preserve, promote and protect the public's health, safety and welfare; and

WHEREAS, the City has received an application from Midway Glades Developers, LLC (P20-180) for property located south of Midway Road and west of Interstate 95, and more particularly described as Tract D of LTC Ranch West, for a large scale comprehensive plan

amendment to change the Future Land Use Map of the City of Port St. Lucie Comprehensive Plan as follows:

- (I) Change 52.7 acres of land designated as Residential, Office, Institutional (ROI) to Open Space Recreation/Institutional (OSR/I); and
- (II) Change 55 acres of land Designated as Open Space Recreation/Institutional (OSR/I) to Residential, Office, Institutional (ROI); and
- (III) Realign the Arterial A, E/W #5 and E/W #2 road rights-of-way

WHEREAS, the changes to the future land use map are shown with more particularity in attached Exhibit “A” (current Future Land Use Map) and attached Exhibit “B” (proposed changes to the Future Land Use Map); and

WHEREAS, the City of Port St. Lucie Planning and Zoning Board has been duly designated as the local planning agency pursuant to Section 163.3174 et. seq., Florida Statutes;

WHEREAS, the Planning and Zoning Board met on January 2, 2019 at a duly noticed public meeting, and pursuant to the procedures of Chapter 163, Florida Statutes, Part II, reviewed and heard testimony concerning the proposed amendment (P20-180) to the City’s Comprehensive Plan, and submitted its recommendations thereon to the City Council; and

WHEREAS, the City Council held the first reading (Transmittal Hearing) of the Ordinance at a public hearing on January 25, 2021; and

WHEREAS, the City Council held the second reading (Adoption Hearing) of the Ordinance at a public hearing on , 2021; and

WHEREAS, the amendment was submitted to and reviewed by the state land planning agency on , 2021; and

WHEREAS, the said public hearings were held with all required public notice for the purposes of hearing and considering the recommendations and comments of the general public, the

Local Planning Agency, other public agencies and other jurisdictions prior to final action on the Comprehensive Plan Amendment set forth herein; and

WHEREAS, the City Council has considered to amend the City’s Comprehensive Plan and based on substantial and competent evidence, including the recommendations of staff and the Planning and Zoning Board, the City Council has determined to amend the Comprehensive Plan Future Land Use Map as provided herein; and

WHEREAS, all conditions required for adoption of this large scale Comprehensive Plan Amendment have been met, including the necessary hearings and public notices.

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Ratification of Recitals. The City Council of the City of Port St. Lucie, Florida, hereby adopts and ratifies those matters as set forth in the foregoing recitals.

Section 2. The Comprehensive Plan of the City of Port St. Lucie for the property described as Tract A of LTC Ranch Residential Plat 1 is hereby amended in the following respect:

- (IV) Change 52.7 acres of land designated as Residential, Office, Institutional (ROI) to Open Space Recreation/Institutional (OSR/I); and
- (V) Change 55 acres of land Designated as Open Space Recreation/Institutional (OSR/I) to Residential, Office, Institutional (ROI); and
- (VI) Realign the Arterial A, E/W #5 and E/W #2 road rights-of-way

The changes to the future land use map changes are shown with more particularity in attached Exhibit “A” (current Future Land Use Map) and attached Exhibit “B” (proposed changes to the Future Land Use Map).

Section 3. Future Land Use Map Adopted. The Future Land Use Map of the City of Port St. Lucie is hereby amended and shall be conformed to be consistent with Exhibit “B” to this Ordinance as set forth by this Comprehensive Plan Amendment.

Section 4. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

Section 5. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 6. Effective Date. The effective date of this plan amendment shall be thirty-one (31) days after the state land planning agency notifies the City that the plan amendment package is complete, pursuant to Section 163.3184(3)(c)(4), Florida Statutes. If timely challenged, this amendment does not become effective until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which shall be sent to the state land planning agency.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this

_____ day of _____, 2021.

CITY COUNCIL

CITY OF PORT ST. LUCIE, FLORIDA

BY: _____
Gregory J. Oravec, Mayor

ATTEST:

Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney