

## **RESOLUTION 22-R72**

**A RESOLUTION OF CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING MAP H TO REFLECT A CHANGE TO THE FUTURE LAND USE DESIGNATION FOR 9.09 ACRES OF PROPERTY FROM THE FUTURE LAND USE DESIGNATION OF GENERAL COMMERCIAL (CG) TO RESIDENTIAL MEDIUM DENSITY (RM) FOR THE ST. LUCIE WEST DEVELOPMENT OF REGIONAL IMPACT APPROVED BY RESOLUTION 21-R39 ON MAY 10, 2021, MAKING FINDINGS OF FACT AND DETERMINING CONCLUSIONS OF LAW PERTAINING TO THE ST. LUCIE WEST DEVELOPMENT OF REGIONAL IMPACT, AND PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, the City of Port St. Lucie, a municipality incorporated under the laws of the State of Florida previously adopted a Development Order for the St. Lucie West Development of Regional Impact (“St. Lucie West DRI”); and

**WHEREAS**, Resolution 21-R39 is the currently controlling development order for the St. Lucie West DRI; and

**WHEREAS**, on January 28, 2021, FAR 2, LLC, filed an application to amend the development order for the St. Lucie West DRI, pursuant to Section 380.06 (7)(a), Florida Statutes, providing for an amendment to Map H, the DRI Development Plan, to reflect a change to the future land use designation for 5.052 acres of property from the future land use designation of Open Space Recreation (OSR) to the future land use designation of General Commercial (CG); and

**WHEREAS**, FAR 2, LLC is the owner of the 9.09 acres of property affected by the application for DRI amendment; and

**WHEREAS**, Section 380.06(7)(a), Florida Statutes, requires any proposed change to a previously approved DRI to be reviewed by the local government based on the standards and procedures in its adopted local comprehensive plan and adopted local land development regulations; and

**WHEREAS**, the public notice requirements of the City of Port St. Lucie Code of Ordinances have been satisfied; and

**WHEREAS**, on June 7th, 2022, the Planning and Zoning Board of the City of Port St. Lucie held a duly noticed public hearing on the proposed amendment to Map H of development order, considered the evidence and testimony taken at the hearing, and recommended approval of the changes to Map H of the St. Lucie West DRI as set forth in revised Exhibit "D" attached hereto; and

**WHEREAS**, on August 8th, 2022, the City Council of the City of Port St. Lucie held a duly noticed public hearing to consider the proposed amendments to Map H of development order and the DRI Development Plan, has considered the evidence and testimony taken at the hearing, and afforded all interested persons an opportunity to be heard and present evidence, and has determined to approve

the proposed amendments to Map H of the St. Lucie West DRI as set forth in revised Exhibit “D” attached hereto.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PORT ST. LUCIE, FLORIDA:**

Section 1. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Resolution.

Section 2. Findings of Fact/Conclusions of Law. The amendment to Map H of the St. Lucie West DRI Development Order is consistent with the local comprehensive plan and local land development regulations.

Section 3. Amendment to Map H. Exhibit “D” to the Existing Development Order (Resolution 21-R39) is hereby replaced and superseded in its entirety by the revised Exhibit “D” attached hereto. Other than as hereby amended, the Existing Development Order shall remain unchanged and in full force and effect.

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

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

Section 6. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2022.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

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Shannon M. Martin, Mayor

ATTEST:

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Sally Walsh, City Clerk

APPROVED AS TO FORM:

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James Stokes, City Attorney