

**ORDINANCE 24-02**

**AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, REZONING A 0.76-ACRE PROPERTY, LOCATED AT THE SOUTHEAST CORNER OF SW PORT ST. LUCIE BOULEVARD AND SW McCALL ROAD, FROM INSTITUTIONAL (I) ZONING DISTRICT TO MULTI-FAMILY RESIDENTIAL (RM-5) FOR PROPERTY LEGALLY DESCRIBED AS PORT ST. LUCIE SECTION 21, BLOCK 2084, LOTS 1, 2 AND 3 (P23-178); PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, Holiday Builders, Inc., seeks to rezone a 0.76-acre property located at 3911 SW Port St. Lucie Boulevard, at the southeast corner of SW Port St. Lucie Boulevard and SW McCall Road, and within the City of Port St. Lucie, from Institutional (I) Zoning District to Multi-family Residential (RM-5) Zoning District; and

**WHEREAS**, the City of Port St. Lucie Planning and Zoning Board held a public hearing on December 5, 2023, to consider the rezoning application (P23-178), notice of said hearing to adjoining property owners for a radius of seven hundred and fifty (750) feet having been given and advertising of public hearing having been made; and

**WHEREAS**, the City Council held a public hearing on January 10, 2024, to consider the rezoning application (P23-178), advertising of the public hearing having been made; and

**WHEREAS**, the City Council has reviewed the relationship of the rezoning application (P23-178) to all applicable elements of the Comprehensive Plan; and

**WHEREAS**, the proposed zoning is consistent with all applicable elements of the City's adopted Comprehensive Plan and complies with the City's Code of Ordinances; and

**WHEREAS**, the City Council has considered the rezoning application (P23-178) based on substantial and competent evidence and the City Council has determined to rezone the property

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legally described as Port St. Lucie Section 21, Block 2084, Lots 1, 2 and 3, as recorded in Plat Book 13, Pages 27, 27A-27F, of the Public Records of St. Lucie County, as provided herein.

**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. Rezoning.** The property located at 3911 SW Port St. Lucie Boulevard, at the southeast corner of SW Port St. Lucie Boulevard and SW McCall Road, and legally described as Port St. Lucie Section 21, Block 2084, Lots 1, 2, and 3, as recorded in Plat Book 13, Pages 27, 27A-27F, of the Public Records of St. Lucie County, is hereby rezoned from Institutional (I) Zoning District to Multi-family Residential (RM-5) Zoning District.

**Section 3. Conflict.** If any ordinance, or parts of ordinances, or if any sections, or parts of sections, of the ordinances of the City of Port St. Lucie, Florida, are in conflict herewith, this Ordinance shall control to the extent of the conflicting provisions.

**Section 4. 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 5. Effective Date.** This Ordinance shall become effective ten (10) days after its final adoption.

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

\_\_\_\_\_ day of \_\_\_\_\_ 2024.

CITY OF PORT ST. LUCIE, FLORIDA

BY: \_\_\_\_\_  
Shannon M. Martin, Mayor

ATTEST:

\_\_\_\_\_  
Sally Walsh, City Clerk

APPROVED AS TO FORM:

BY: \_\_\_\_\_  
Richard Berrios, Interim City Attorney