

ORDINANCE 23-__

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF PORT ST. LUCIE TO INCLUDE A SMALL-SCALE AMENDMENT TO THE FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.79 ACRES FROM OSR (OPEN SPACE RECREATION) TO RL (LOW DENSITY RESIDENTIAL) FOR A PARCEL LEGALLY DESCRIBED AS PORT ST. LUCIE SECTION 31, TRACT B, AND GENERALLY LOCATED NORTH OF SW GATLIN BOULEVARD ON THE WEST SIDE OF FONDURA ROAD (P23-061); PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING 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 and Ordinance 12-19, 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 of Port St. Lucie has initiated a small-scale amendment (P23-061) for G. Callas Holdings, LLC, for property legally described as Port St. Lucie Section 31, Tract B, and located on north of SW Gatlin Boulevard on the west side of SW Fondura Road, to amend the Future Land Use Map of the City of Port St. Lucie Comprehensive Plan in accordance with Section 163.3187, Florida Statutes, to change approximately 1.79 acres from the future land use designation of OSR (Open Space Recreation) to RL (Low Density Residential) future land use designation; and

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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; and

WHEREAS, the Planning and Zoning Board met on May 2, 2023, 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 (P23-061) to the City’s Comprehensive Plan, and submitted its recommendations thereon to the City Council; and

WHEREAS, the City Council held a public hearing on June 12, 2023, to consider the proposed small-scale amendment, advertising of the public hearing having been made; and

WHEREAS, the City Council has considered to the testimony and evidence, as well as the recommendation of staff and the Planning and Zoning Board, the City Council has determined that the proposed amendment is consistent with the intent and direction of the City’s Comprehensive Plan and wishes to amend the Comprehensive Plan Future Land Use Map as provided herein; and

WHEREAS, all the necessary hearings and public notices, in conformity with procedural and substantive requirements of Florida Statutes and the Comprehensive Plan have been complied with.

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 is hereby amended in the following respect:

The Future Land Use Map is hereby amended to designate approximately 1.79 acres of land legally described as Port St. Lucie Section 31, Tract B, from the future land use designation of OSR (Open Space

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Recreational) to RL (Low Density Residential) future land use designation, which said amendment consists of modifications to the Future Land Use Map as provided in this amendment.

Section 3. **Future Land Use Map Adopted.** The Future Land Use Map of the City of Port St. Lucie is hereby amended from the future land use designation of OSR (Open Space Recreation) to RL (Low Density Residential) future land use designation. The official Future Land Use Map of the City of Port St. Lucie Comprehensive Plan shall be conformed as set forth by this Comprehensive Plan Amendment.

Section 4. **Conflict.** If any ordinances, 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 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 adoption, pursuant to Section 163.3187(5)(c), Florida Statutes. If challenged within thirty-one (31) days after adoption, this amendment may not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted amendment is in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

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

_____ day of _____ 2023.

CITY OF PORT ST. LUCIE, FLORIDA

BY: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

BY: _____
James D. Stokes, City Attorney