

ORDINANCE 23-43

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF PORT ST. LUCIE TO PROVIDE A LARGE-SCALE AMENDMENT CONSISTING OF TEXT AMENDMENTS TO THE FUTURE LAND USE ELEMENT BY AMENDING FIGURE 1-6 AS REQUESTED BY ACR ACQUISITION, LLC (P21-128); PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; 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, 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 of Port St. Lucie has received an application from ACR Acquisition, LLC, for a large-scale amendment consisting of a text amendment to the Future Land Use Element by amending Figure 1-6 of the City of Port St. Lucie Comprehensive Plan, as depicted in Exhibit “A” and adding Policy 1.2.11.6 to the City of Port St. Lucie Comprehensive Plan as outlined in Exhibit “B”, in accordance with Section 163.3184, Florida Statutes; with additions shown as underlined and deletions shown as ~~strickethrough~~; and

WHEREAS, the City of Port St. Lucie Planning and Zoning Board having 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 June 6, 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 (P21-128) to the City’s Comprehensive Plan, and submitted its recommendations thereon to the City Council; and

WHEREAS, having considered the recommendations of the Planning and Zoning Board, the Port St. Lucie City Council has prepared this amendment to the City’s Comprehensive Plan as a Large-Scale Amendment in accordance with Section 163.3184, Florida Statutes, and the proposed amendment has been reviewed by the State Land Planning Agency; and

WHEREAS, the City Council held the first reading (Transmittal Hearing) of the Ordinance at a public hearing on June 26, 2023; and

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WHEREAS, the City Council held the second reading (Adoption Hearing) of the Ordinance at a public hearing on _____, 2023; and

WHEREAS, the amendment was submitted to and reviewed by the state land planning agency on _____, 2023;

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 Future Land Use Element of the City’s Comprehensive Plan 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 is hereby amended in the following respect and subject to the following condition:

- The text of the Future Land Use Element is hereby amended as shown on the attached Exhibits “A” and Exhibits “B” with additions shown as underlined and deletions shown as ~~strikethrough~~.
- The developer shall reimburse the City for the City’s consultant to conduct a monitoring analysis when a monitoring analysis is deemed necessary by the City for the developer’s obligated roadways.

Section 3. Conflict. 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.

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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. The effective date of this plan amendment shall be as provided by law.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this _____ day of _____, 2023.

CITY COUNCIL
CITY OF PORT ST. LUCIE

BY: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney