

## ORDINANCE 23-

**AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, REZONING 1.01-ACRE PROPERTY LOCATED, SOUTH OF SW DWYER AVENUE AND WEST OF SW BAYSHORE BOULEVARD, FROM SINGLE-FAMILY RESIDENTIAL (RS-2) TO GENERAL COMMERCIAL (CG) ZONING DISTRICT FOR PROPERTY LEGALLY DESCRIBED AS S LOTS 9 THROUGH 12, BLOCK 237, PORT ST. LUCIE SECTION TWENTY- EIGHT, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 14, PAGE 7, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. (P23-123); PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, Bayshore Commons, LLC, seeks to rezone a 1.01-acre property located, south of SW Dwyer Avenue and west of SW Bayshore Boulevard, and within the City of Port St. Lucie, from Single-Family Residential (RS-2) Zoning District to General Commercial (CG) Zoning District; 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 of Port St. Lucie Planning and Zoning Board held a public hearing on August 1, 2023 to consider the rezoning application (P23-123), 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 October 9, 2023, to consider the rezoning application (P23-123), advertising of the public hearing having been made; and

**WHEREAS**, the City Council has considered the rezoning application (P23-123) based on substantial and competent evidence and the City Council has determined to rezone the property legally described as Lots 9 Through 12, Block 237, Port St. Lucie Section Twenty- Eight, According to The Map or Plat Thereof, As Recorded In Plat Book 14, Page 7, of The Public

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Records of St. Lucie County, Florida, 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.** That the property located, south of SW Dwyer Avenue and west of SW Bayshore Boulevard, and legally described as Lots 9 Through 12, Block 237, Port St. Lucie Section Twenty- Eight, According to The Map or Plat Thereof, As Recorded In Plat Book 14, Page 7, of The Public Records of St. Lucie County, Florida, of the Public Records of St. Lucie County, be rezoned from Single-Family Residential (RS-2) Zoning District to General Commercial (CG) Zoning District; and

**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.** That 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 \_\_\_\_\_ 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