

RESOLUTION 23 – R 122

**A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING MAP H TO REFLECT CHANGES TO THE WETLAND AND CONSERVATION AREAS, CHANGES TO THE LOCATIONS FOR PROPOSED WATER MANAGEMENT TRACTS, AND CHANGES TO THE LOCATIONS FOR SCHOOL, FIRE STATION AND PARK SITES; MAKING FINDINGS OF FACT AND DETERMINING CONCLUSIONS OF LAW PERTAINING TO THE WESTERN GROVE DEVELOPMENT OF REGIONAL IMPACT AND PROVIDING FOR AN EFFECTIVE DATE (P23-170).**

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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 Western Grove Development of Regional Impact (“Western Grove DRI”); and

**WHEREAS**, Resolution 21-R06 is the currently controlling development order for the Western Grove DRI; and

**WHEREAS**, on September 20, 2023, Mattamy Palm Beach, LLC, filed an application to amend the development order for the Western Grove DRI, pursuant to Section 380.06 (7)(a), Florida Statutes, providing for an amendment to Map H (Exhibit “B” to Exhibit 1 of Resolution 21-R06), the DRI Development Plan, to change the wetland and conservation areas, change the locations for proposed Water Management Tracts, and change the locations for the K-8 school site, fire station site, and a park site as depicted in attached Exhibit “A” with additions shown as underlined and deletions shown as ~~striketrough~~; and

**WHEREAS**, Mattamy Palm Beach, LLC, is the owner of all land affected by the application for DRI amendment; and

**WHEREAS**, Section 380.06(7)(a), Florida Statutes, requires any proposed changed 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

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**WHEREAS**, on January 4, 2024, 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 Western Grove DRI as set forth in revised Exhibit "A" attached hereto with additions shown as underlined and deletions shown as ~~striketrough~~: and

**WHEREAS**, on January 22, 2024, 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 Western Grove DRI as set forth in revised Exhibit "A" 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 Western Grove DRI Development Order is consistent with the local comprehensive plan and local land development regulations.

Section 3. Amendment to Map H. Exhibit "B" to Exhibit 1 of Resolution 21-R06 is hereby replaced and superseded in its entirety as depicted in Exhibit "A" attached hereto with additions shown as underlined and deletions shown as ~~striketrough~~. 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

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unconstitutional by a Court of competent jurisdiction, the remainder of this Resolution shall remain in full force and effect.

Section 6. Notice of the adoption of this Amendment to the Development Order shall be recorded by the Developer, in accordance with Sections 28.222 and 380.06(4)(c), Florida Statutes, with the Clerk of the Circuit Court of St. Lucie County, Florida. The notice shall specify that this Development Order runs with the land and is binding on the Developer, its agents, lessees, successors or assigns. A copy of such notice shall be forwarded to the Port St. Lucie Planning and Zoning Department within seven days after recordation.

Section 7. 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 \_\_\_\_\_, 2024.

PASSED AND ADOPTED on this \_\_\_\_ day of \_\_\_\_\_, 2024. .

CITY COUNCIL OF THE CITY OF  
PORT ST. LUCIE, FLORIDA

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

ATTEST:

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Sally Walsh, City Clerk

APPROVED AS TO FORM:

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Richard Berrios, Interim City Attorney