

**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 FOR PROPERTY OWNED BY BRIZON INVESTMENTS, LLC, TO CHANGE THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.06-ACRES FROM RESIDENTIAL, OFFICE, AND INSTITUTIONAL (ROI) TO COMMERCIAL GENERAL (CG) FOR A PROPERTY LEGALLY DESCRIBED AS PORT ST. LUCIE SECTION 41- BLOCK 2894 LOTS 10,11,12 AND 13, AND LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF SW AVIATION AVENUE AND SW PORT ST. LUCIE BOULEVARD (P22-364); PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, the City of Port St. Lucie, Florida (“City”), has adopted a comprehensive plan known as the City of Port St. Lucie Comprehensive Plan adopted by Ordinance 97-50 and subsequently amended via Ordinance 12-19 and Ordinance 20-28; 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 applicant has submitted a small-scale amendment (P22-364) 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 1.06-acres located on the northeast corner of the intersection of SW Aviation Way and SW Port St. Lucie Boulevard, and within the City of Port St. Lucie, from the future land use designation of Residential, Office and Institutional (ROI) to

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Commercial General (CG) for property legally described as Lots 10, 11, 12 and 13, Block 2894, Port St. Lucie Section Forty One, according to the plat thereof, as recorded in Plat Book 15, Page 35, 35A to 351 of the Public Records of St. Lucie County; and

**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 March 7, 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 (P22-364) 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 August 28, 2023, to consider the proposed small-scale amendment, advertising of the public hearing having been made; and

**WHEREAS**, the City Council has considered the testimony and evidence, as well as the recommendations of staff and the Planning and Zoning Board, and 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 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 City of Port St. Lucie desires to hereby formally adopt this amendment (P22-

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364) to the City’s Comprehensive Plan, which said amendment consists of modifications to the Future Land Use Map as provided in this amendment. The amendment includes a change to approximately 1.06-acres of property located on the northeast corner of SW Aviation Way and SW Port St. Lucie Boulevard, and within the City of Port St. Lucie, from the future land use designation of Residential, Office and Institutional (ROI) to Commercial General (CG) as reflected on Exhibit “A” and subject to the following condition:

1. Any application for a special exception use shall be subject to transportation mitigation measures as determined by Staff as part of the review of the Special Exception Use application.

**Section 3. Future Land Use Map Adopted.** The Future Land Use Map of the City of Port St. Lucie is hereby amended to change approximately 1.06-acres of property located on the northeast corner of the intersection of SW Aviation Way and SW Port St. Lucie Boulevard, and within the City of Port St. Lucie, and legally described as Lots 10, 11, 12 and 13, Block 2894, Port St. Lucie Section Forty One, according to the plat thereof, as recorded in Plat Book 15, Page 35, 35A to 351 of the Public Records of St. Lucie County from the future land use designation of Residential, Office and Institutional (ROI) to Commercial General (CG). 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.

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**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 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, FLORIDA

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

ATTEST:

\_\_\_\_\_  
Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
James D. Stokes, City Attorney