

ORDINANCE 19-??

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 THE VF, II, LLC PROPERTY (P19-103) TO CHANGE THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 2.90-ACRES FROM CG (COMMERCIAL GENERAL), COMMERCIAL HIGHWAY (CH), AND RESIDENTIAL, OFFICE, INSTITUTIONAL (ROI) TO COMMERCIAL SERVICE (CS) FOR A PARCEL LEGALLY DESCRIBED IN EXHIBIT “A” AND GENERALLY LOCATED ON THE SOUTH SIDE OF BECKER ROAD, EAST OF FLORIDA’S TURNPIKE, AND WEST OF SE VERANDA PLACE; 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 received a small-scale amendment (P19-103) from VF, II, LLC, for property legally described in Exhibit “A” and located on the south side of Becker Road, east of Florida’s Turnpike, and west of SE Veranda Place 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 2.90 acres from the future land use designations of CG

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(Commercial General); CH (Commercial Highway), ROI (Residential, Office, Institutional) to CS (Commercial Service) future land use designation as reflected on Exhibit “B”; 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 October 1, 2019, 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 (P19-103) 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 October, __, 2019 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 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:

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The Future Land Use Map is hereby amended to designate approximately 2.90-acres of land legally described in Exhibit “A” (attached) and located on the south side of Becker Road, east of Florida’s Turnpike, and west of SE Veranda Place from the future land use designations of CG (Commercial General); CH (Commercial Highway), and ROI (Residential, Office, Institutional) to CS (Commercial Service) future land use designation as reflected on Exhibit “B”, which said amendment consists of modifications to the Future Land Use Map as provided in this amendment.

Section 3. Conditions of Approval. Notwithstanding anything to the contrary within this Ordinance, this Comprehensive Plan amendment is conditioned upon all development of the 2.90-acre parcel be required to meet the Citywide Design Standards for the Commercial General future land use designation, specifically sections IV.A and IV.B. All sides of the building shall be treated as required by these sections of the Citywide Design Standards.

Section 4. Future Land Use Map Adopted. The Future Land Use Map of the City of Port St. Lucie is hereby amended as depicted in Exhibit “B” (attached hereto and incorporated herein by this reference). 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 5. 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 6. 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

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full force and effect.

Section 7. 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.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this _____ day of _____, 2019.

CITY COUNCIL
CITY OF PORT ST. LUCIE, FLORIDA

BY: _____
Gregory J. Oravec, Mayor

ATTEST:

Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney

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EXHIBIT A

LEGAL DESCRIPTION:

Being a parcel of land lying in a portion of Parcel 8, according to the plat of VERANDA PLAT NO. 2, as recorded in Plat Book 68, Page 29, Public Records of St. Lucie County, Florida, more particularly described as follows;

Commence at the Northwesterly corner of Parcel 9, according to the plat of VERANDA PLAT NO. 2, as recorded in Plat Book 68, Page 29; thence South 65°41'42" West, a distance of 223.33 feet to the POINT OF BEGINNING of the following described parcel;

Thence continue South 65°41'42" West, a distance of 9.67 feet; thence South 24°18'18" East, a distance of 225.42 feet; thence South 40°35'38" West, a distance of 16.78 feet; thence South 17°35'27" West, a distance of 18.47 feet; thence South 65°41'42" West, a distance of 256.50 feet; thence North 79°56'28" West, a distance of 1.87 feet; thence North 63°52'55" West, a distance of 66.82 feet; thence South 44°34'22" West, a distance of 1.99 feet; thence North 24°18'18" West, a distance of 317.50 feet to a point on the Southerly Right-Of-Way of Becker Road: thence along said Right-Of-Way the following 3 courses and distances; 1) Northeasterly along a curve to the left containing the following elements, Radius 1575.00 feet, Central Angle 3°51'21", Arc Length 106.00 feet, Chord Bearing N67°37'23"E, a Chord Distance of 105.98 feet; 2) North 24°18'18" West, a distance of 25.00 feet; 3) North 65°41'42" East a distance of 233.75 feet; thence South 24°18'18"E, departing said right-of-way, a distance of 144.50 feet to the POINT OF BEGINNING.

Containing 2.90 acres, more or less.

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