

ORDINANCE 20-__

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 ST. LUCIE COUNTY FIRE DISTRICT PROPERTY (P20-190) TO CHANGE THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY .52-ACRES FROM I (INSTITUTIONAL) TO ROI (RESIDENTIAL, OFFICE, INSTITUTIONAL) FOR A PARCEL LEGALLY DESCRIBED AS A PORTION OF TRACT K, SOUTH PORT ST. LUCIE UNIT FIVE, AND MORE PARTICULARLY DESCRIBED IN EXHIBIT A, AND GENERALLY LOCATED ON THE SOUTH SIDE OF SE PORT ST. LUCIE BOULEVARD BETWEEN SE SIDONIA STREET AND SE MONTAUK STREET; 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 (P20-190) from the St. Lucie County Fire District, for property legally described as a portion of Tract K, South Port St. Lucie Unit Five and more particularly described in Exhibit A, according to Official Records Book 393, Page 2117 of the Public Records of St. Lucie County, Florida, and located on the south side of SE Port St. Lucie Boulevard between SE Sidonia Street and SE Montauk Street 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

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approximately .52-acres from the future land use designation of I (Institutional) to ROI (Residential, Office, Institutional) future land use designation; 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 November 3, 2020, 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 (P20-190) 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 December __, 2020 to consider the proposed small-scale amendment, advertising of the public hearing having been made; and

WHEREAS, the City Council has considered to 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 .52-acres of land legally described as a portion of Tract K, South Port St. Lucie Unit Five and more particularly described in Exhibit A, according to Official Records Book 393, Page 2117, and located on the south side of SE Port St. Lucie Boulevard between SE Sidonia Street and SE Montauk Street from the future land use designation of I (Institutional) to ROI (Residential, Office, Institutional) future land use designation, which said amendment consists of modifications to the Future Land Use Map as provided in this amendment.

Section 3. Future Land Use Map Adopted. The Future Land Use Map of the City of Port St. Lucie is hereby amended from the future land use designation of I (Institutional) to ROI (Residential, Office, Institutional) future land use designation. 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.

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 thirty-one (31) days after adoption, pursuant to Section 163.3187(5)(c), Florida Statutes. If challenged within thirty (30) 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

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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 _____, 2020.

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

That portion of Tract “K,” in South Port St. Lucie, Unit Five, Plat Book 14, Page 12, of the Public Records of St. Lucie County, Florida, being more particularly described as follows:

From the intersection of Sidonia Street and Port St. Lucie Boulevard as shown on said plat of South Port St. Lucie, Unit Five, run South $89^{\circ} 57' 21''$ East along the Centerline of said Port St. Lucie Boulevard for a distance of 195' thence run South $00^{\circ} 02' 39''$ East for a distance of 50' to a point on the Southerly line of said Port St. Lucie Boulevard; said point being the Point of Beginning of the parcel of land to be hereinafter described; Thence run South $89^{\circ} 57' 21''$ East along said Southerly line for a distance of 125' to a point of curvature; Thence Southeasterly and Southwesterly along a circular curve to the line having for its elements, a radius of 25', a central angle of $90^{\circ} 00' 00''$ for a distance of 39.27' to a point to tangency; Thence run South $00^{\circ} 02' 39''$ West for a distance of 125'; thence run north $89^{\circ} 57' 21''$ for a distance of 150'; Thence run North $00^{\circ} 02' 39''$ East for a distance of 150' to the Point of Beginning. All land lying in the City of Port St. Lucie, St. Lucie County, Florida, and containing 0.51 acres, more or less.