

ORDINANCE 20 - 57

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF PORT ST. LUCIE TO PROVIDE A LARGE-SCALE AMENDMENT CONSISTING OF TEXT AMENDMENTS TO THE FUTURE LAND USE ELEMENT BY AMENDING FIGURE 1-5 AS REQUESTED BY RIVERLAND ASSOCIATES I & III, LLLP; RIVERLAND/KENNEDY II, LLC (P20-161); PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; 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, 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 of Port St. Lucie has received an application from Riverland Associates I & III, LLLP; Riverland/Kennedy II, LLC for a large-scale amendment consisting of a text amendment to the Future Land Use Element by amending Figure 1-5 of the City of Port St. Lucie Comprehensive Plan, in accordance with Section 163.3184, Florida Statutes; as depicted in Exhibit "A" with additions shown as underlined and deletions shown as ~~strikethrough~~; and

WHEREAS, the City of Port St. Lucie Planning and Zoning Board having been duly designated as the local planning agency pursuant to Section 163.3174, et seq., Florida Statutes;

WHEREAS, the Planning and Zoning Board met on October 6, 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 (P20-161) to the City's Comprehensive Plan, and submitted its recommendations thereon to the City Council; and

WHEREAS, having considered the recommendations of the Planning and Zoning Board, the Port St. Lucie City Council has prepared this amendment to the City's Comprehensive Plan as a Large-Scale Amendment in accordance with Section 163.3184, Florida Statutes, and the proposed amendment has been reviewed by the State Land Planning Agency; and

WHEREAS, the City Council held the first reading (Transmittal Hearing) of the Ordinance

at a public hearing on October 26, 2020; and

WHEREAS, the City Council held the second reading (Adoption Hearing) of the Ordinance at a public hearing on _____; and

WHEREAS, the amendment was submitted to and reviewed by the state land planning agency on _____;

WHEREAS, the said public hearings were held with all required public notice for the purposes of hearing and considering the recommendations and comments of the general public, the Local Planning Agency, other public agencies and other jurisdictions prior to final action on the Comprehensive Plan Amendment set forth herein; and

WHEREAS, the City Council has considered to amend the City’s Comprehensive Plan and based on substantial and competent evidence, including the recommendations of staff and the Planning and Zoning Board, the City Council has determined to amend the Future Land Use Element of the City’s Comprehensive Plan as provided herein; and

WHEREAS, all conditions required for adoption of this large-scale Comprehensive Plan Amendment have been met, including the necessary hearings and public notices.

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:

- The text of the Future Land Use Element is hereby amended as shown on the attached Exhibit “A”.

Section 3. Conflict. 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 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. Codification. The provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Port St. Lucie, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; the word “ordinance” may be changed to “section” or other appropriate word as may be necessary.

Section 6. Effective Date. The effective date of this plan amendment shall be thirty-one (31) days after the state land planning agency notifies the City that the plan amendment package is complete, pursuant to Section 163.3184(3)(c)(4), Florida Statutes. If timely challenged, this amendment does not become effective until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which shall be sent to the state land planning agency.

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