



CITY OF FORT PIERCE

PLANNING DEPARTMENT

REBECCA GROHALL, AICP, PLANNING MANAGER
COMPREHENSIVE PLANNING ♦ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ♦ URBAN DESIGN ♦ URBAN FORESTRY ♦ ZONING

TO: Members of the City of Fort Pierce Planning Board

THRU: Rebecca Grohall, AICP, Planning Manager

FROM: Kori Benton, Historic Preservation Officer

RE: Proposed Amendment to Section 22-22. Allowed uses.
Consolidation of Uses – Elementary, Middle, or High schools, Public & Private

DATE: May 6, 2014

STAFF REPORT

Requested Action:

Review and advancement of a recommendation to the City Commission regarding a proposed Ordinance amending City Code Section 22-22. Allowed uses; eliminating the differentiation of public and private elementary, middle or high schools.

Staff Analysis:

The City Commission, on November 4th, 2013, adopted Ordinance L-295, which relocated all of the permitted and conditional uses for all of the zoning districts into a single, combined Use Table. The Use Table is located in a newly created Section of the Code, offering a “one-stop-shop” for reviewing uses permitted within the City. The adopted table also provides several additional uses that were not previously listed within the City Code, further expanding some of the existing listed uses into additional zoning districts.

Prior to the adoption of Ordinance L-295, the City of Fort Pierce Code of Ordinances referred to both public and private educational facilities as schools and providing the same opportunity as semi-restricted and conditional use permission in select districts. The adoption of Ordinance L-295 effectively separated public and private educational facilities into separate use categories. The published table restricts application for private educational facilities in the E-1, C-1, C-2, C-4, C-5, C-6, and CP zoning districts, while public educational facilities were provided the capacity for conditional use consideration in these districts.

St. Andrew's Episcopal Academy, Inc. is seeking a Zoning Text Amendment to Section 22-22(e) of the City of Fort Pierce Code of Ordinances to eliminate the differentiation of allowable uses for public and private educational facilities created by the adoption of Ordinance L-295. The proposed amendment seeks to grant private educational facilities the same zoning privileges provided to public educational facilities.

Prior to the adoption of Ordinance L-295, the provisions of Chapter 22-Zoning did not distinguish between public and private schools. Schools were presented as either semi-restricted or conditional uses permitted in various zoning districts schools, and occasionally coupled with churches and daycare centers.

The applicant has provided excerpts of Land Development Regulations for neighboring municipalities such as Vero Beach, Jupiter, and Sebastian. In reviewing these excerpts in addition to other municipalities, it is evident that many jurisdictions couple private and public schools together, without differentiation. In examples such as Port St. Lucie and St. Lucie County, where a differentiation was made, the degree of distinction varied. For example, St. Lucie County limits public schools from locating within their established General Commercial Zone; however private educational service establishments were permitted. In Port St. Lucie, the differentiation occasionally limited private schools to consideration via a Special Exception, while public schools were permitted. Schools, both public and private were maintained predominantly as Conditional Uses or Special Exceptions to allow jurisdiction to consider specific requests with respect to their location and plan.

Furthermore, it is noted that the existing site of St. Andrew's K-8 School is located within the C-4, Central Commercial Zoning District. The adopted Use Table has rendered a classification of this school as a non-conforming use. This classification limits the capacity of the existing school facility to be reconstructed if the structure incurs damage exceeding fifty (50) per cent of the replacement value at the time of damage or be enlarged without a limit of not more than twenty (20) per cent and upon conditional use approval.

The proposed amendment would enable the Planning Board and City Commission to consider private elementary, middle, and high schools as conditional use within the E-1, C-1, C-2, C-4, C-5, C-6, and CP zoning districts. This classification grants the ability to consider whether to allow, when desirable, this use, which would not be appropriate generally or without restriction throughout the listed zoning districts, but which, if controlled as to number, area, location or relation to the neighborhood, would not adversely affect the public health, safety, comfort, good order, appearance, convenience and the general welfare.

Staff Recommendation:

Staff recommends the Planning Board review the proposed Ordinance and forward a recommendation of approval of the requested amendment.