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**TO:** Nicholas Mimms, PE, City Manager

**THROUGH:** Rebecca Grohall, AICP, Planning Director

**FROM:** Kori Benton, Senior Planner

**SUBJECT:** Ordinance 17-032: Amending Chapter 22-22 Allowed Uses  
Permitting Wholesale Trade in the Commercial Parkway Zone (CP-1)

**DATE:** August 5, 2017

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### STAFF REPORT

**Applicant:** Fort Pierce Business Center LLC  
10 Wall Street  
Norwalk CT 06850

**Representative:** Daniel Sorrow, AICP  
Coteleur & Hearing  
1934 Commerce Lane, Suite 1  
Jupiter, FL 33458

#### Requested Action:

Review and approval of Ordinance 17-032, Amending City Code Section 22-22 - Allowed Uses, specifically within the Commercial Parkway Zone (CP-1) ; to classify Wholesale Trade as a permitted use within the subject district.

#### Staff Analysis:

The applicant and representative have filed a request for a Text Amendment to Chapter 22-Zoning, to allow Wholesale Trade as a permitted use in the Commercial Parkway Zone (CP-1). zoning district, whereas Wholesale Trade is not currently permitted, or eligible as a Conditional Use, in the CP-1 district.

The City's land development code defines wholesale trade as follows (Sec. 22-3.):

*Wholesale trade establishments:* Businesses which generally have substantial quantities of merchandise on the premises and which are primarily engaged in selling merchandise to other wholesalers, retailers, manufacturers, other businesses, governments or institutions.

The proposal, as presented, would permit *Wholesale trade establishments* within the Commercial Parkway Zone (CP-1) provided that the uses will not violate basic use standards specified in each zoning district, other applicable use standards, additional zoning ordinance provisions and other city laws.

The CP-1 district is established for the purpose of providing space for large lot development along principal vehicular approaches into the city. This is a mixed use district which should provide for certain types of office, commercial, and industrial operations which are typically characterized by a business park setting. This district may function as a transition zone between commercial/light industrial activities and uses which may be sensitive to nuisance such as residential land uses.

The CP-1 District at this time is exclusively coupled with the General Commercial (GC) land use designation. The General Commercial designation provides for higher intensity commercial developments or horizontal and vertical mixed-use developments. Uses allowed within this designation include multifamily residential, intensive and general commercial, retail, service, offices, tourist/entertainment facilities, hotels/motels, parks and recreation, along with compatible public, quasi-public, and special uses. This land use designation allows for a maximum density of 15 dwelling units per acre and a maximum FAR of 1.0. Development shall include either commercial or mixed uses fronting major roadway corridors with higher intensity near major intersections. Residential uses may comprise up to 20% of the total floor area of the General Commercial future land use designation.

The CP-1 district may function as a transition zone between commercial/light industrial activities, the integration of Wholesale Trade within the district is consistent with the purpose of the district and parameters of the land use designation.

The district is currently established entirely south of State Road 70 (Okeechobee Road), in between the Florida Turnpike and Interstate 95. The district is generally adjacent to commercial uses and several hospitality venues, therefore "Wholesale Trade" is most suitable when appropriately placed within a developed facility, or establishment, with adherence to the following use standards adopted for the district:

**Sec. 22-35.1. - Commercial Parkway Zone (CP-1).**

**(e) Other applicable use standards.**

(4) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.

Placement of substantial quantities of merchandise on the premises by the user should generally be accommodated within an establishment, or considered for placement outside of the establishment only in an organized and finished state with review of other safeguards oriented to not detract from the open space character of an uncovered or unenclosed area or adjacent users.

***Basic amendment standards (City Code Section 22-131)***

*Before an amendment is approved, findings will be made that the following standards are satisfied:*

- (1)The amendment is consistent with the comprehensive plan;*
- (2)The amendment will not have an adverse affect on the ability of the city to:*
  - a. Satisfy land and water use needs; and*
  - b. Meet transportation demands and provide community facilities and services; and*
- (3)The amendment will promote and protect the public health, safety and general welfare.*

The City of Fort Pierce Comprehensive Plan advances a variety of goals, policies, and objectives centered on economic development and diversity of industry through appropriate siting and integration of targeted industries with surrounding districts, as presented below:

*1.10 Objective:*

*The City shall promote economic growth through commercial and industrial development to create employment opportunities and increase the City's tax and economic base.*

The presented amendment is in accordance with the policies of the comprehensive plan and generally consistent with the basic amendment standards adopted by the City land development code.

Wholesale trade is a similar use to other permissible uses in this district, with comparable demands for public facilities. Traffic generated by this use is comparable to other permissible uses in the district such as Light Industrial Service and Warehouse and Freight.

The proposed amendment does not present adverse impacts to the public health, safety, or welfare of the community, when proper site development standards are integrated such as landscaping, lighting, and other provisions to provide site buffering and security.

#### **Technical Review Committee**

All affected departments have reviewed and approved the proposed amendment with regards requirements of the City Code.

#### **Planning Board**

The Planning Board, at their August 8<sup>th</sup>, 2017 meeting, voted unanimously to recommend approval of the presented amendment.

#### **Staff Recommendation:**

Staff recommends **approval** of the proposed Ordinance to enact an amendment to Section 22-22 - Allowed Uses, providing wholesale trade as a permitted use within the Commercial Parkway Zone (CP-1) based upon the presented consistency with City Code Section 22-131 and the Comprehensive Plan.