

Text Amendment

Property address or Location 601 Seaway Drive
 Parcel ID #(s) 2402-312-0001-000-5 & 2402-331-0002-000-1
 Project description Removal of the parcels referenced above from the "South Beach Overlay", City of Fort Pierce Code of Ordinances, Section 22-16
 See attached Exhibit "A" for further narrative describing the reason for the proposed amendment

G. Flash G.P., Inc, a Florida corporation, as Trustee
Property Owner(s)
 601 Seaway Drive
 Street Address
 Fort Pierce FL 34989
 City State Zip
 561-267-2636
 Phone Number
 bizashon@gmail.com
 Email Address

James H. (Mac) McCarty, Jr., Esq.
Applicant/Representative, Title, Company
 2630 NW 41st Street, STE A
 Street Address
 Gainesville FL 32606-6666
 City State Zip
 352-240-1226
 Phone Number
 mac@lawgators.com
 Email Address

Property Owner(s) Acknowledgements: - This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application. The property owner's signature below shall also authorize the Applicant (if other than the property owner) and/or Representative to act in his/her behalf for the purposes of seeking approval for the application described herein.

Ashton De Peyster, President
 Property Owner(s) Signature(s)

STATE OF NEW YORK N-- Suffolk COUNTY

The foregoing instrument was acknowledged before me this 1 day of September 2017 by Frederic Ashton De Peyster III who is personally known to me or has produced Florida State Drivers License as identification.

[Signature]
 Signature of Notary

(seal)

AMY E. WILCOX
 No. 01W16224680
 Notary Public, State of New York
 Qualified in Westchester County
 My Commission Expires July 6, 2018

INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772) 467-3729

TO BE COMPLETED BY STAFF

Zoning	Future Land Use	Total Acres	Historic District	Historic Designation	
				Contributing	Individual
				Non-Contributing	None

Pre-Application Meeting Date _____ Fees _____ Control # _____ B. Permit # _____
 Intake Planner _____
 Planner Assigned _____
 Approved By _____ Date _____
 Comments _____

Intake Date Stamp

TEXT AMENDMENT

Submit one (1) original & seven (7) hard copies and one (1) CD of the following. Additional copies will be required of subsequent submittals.

- Complete notarized application
- Narrative describing the reason for the proposed amendment
- Draft Ordinance specifying changes

Application Type:

- Text Amendment to the Land Development Regulations (Zoning Code)
- Text Amendment to the Comprehensive Plan

Sec. 22-131. - Basic amendment standards.

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 effect 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.

Application Outlook



Exhibit "A"

The proposed text amendment to Section 22-16 of the City of Fort Pierce Code of Ordinances is designed to remove Parcel ID Numbers 2402-312-0001-000-5 and 2402-331-0002-000-1 (hereinafter referenced as the "Parcels") from the shaded sections of "Figure 1" of Section 22-16. Figure 1 is the map of the South Beach Overlay referenced in Section 22-16 which defines all parcels covered by the requirements of the South Beach Overlay.

The Parcels in this proposed text amendment are commonly referenced as the "Causeway Cove" or the "former Causeway Mobile Home Park" parcels. Currently, a marina is under construction on the Parcels as a partial use replacement for the mobile home park, which was destroyed in the 2004 hurricanes.

By way of Ordinance 15-051, passed by the Fort Pierce City Commission, the uplands portions of the Parcels were rezoned in 2015 from Zoning Classification R-3, Single-Family Moderate Density, to C-5, Tourist Commercial. That zoning atlas amendment was consistent with the findings and recommendation of the South Beach Charrette.

Removal of the Parcels from the South Beach Overlay as shown in Figure 1 of Section 22-16 is also in line with the South Beach Charrette and will allow for planning consistent with possible future uses of the Parcels in conjunction with the parcel currently used as the Fort Pierce Utilities Authority's Waste Water Treatment Plant, which abuts the Parcels to the west. The height and density limitations of the current C-5 zoning designation for the Parcels are consistent with the South Beach Charrette's findings and recommendations without any further restrictions as imposed by the South Beach Overlay. The unique location and nature of the Parcels minimizes any differences between the current C-5 zoning with or without the South Beach Overlay particularly due to the Parcels proximity to the Peter P. Cobb Bridge over the Intracoastal Waterway--the height and location of which substantially impact the Parcels—and the Waste Water Treatment Plant's parcel.

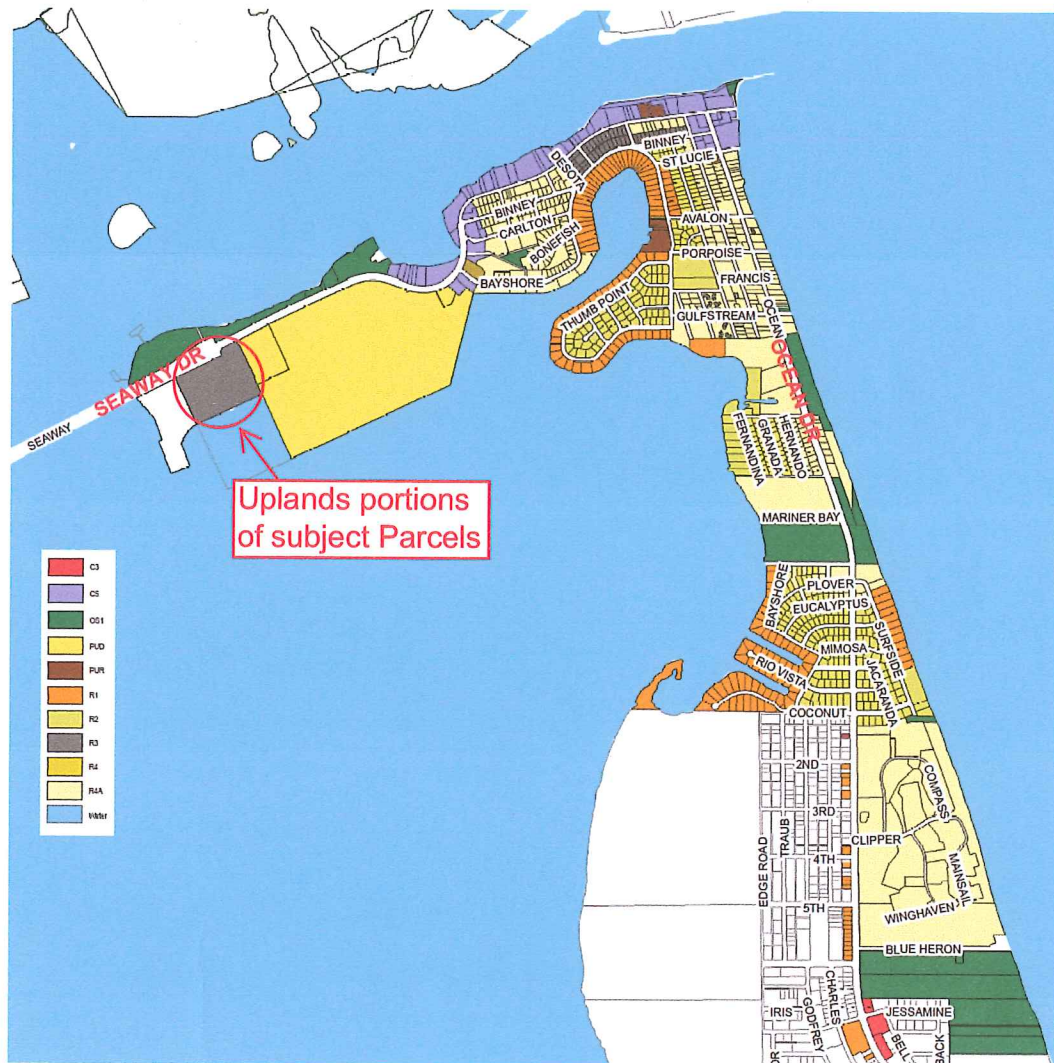
It is anticipated that future development of the Parcels would be in conjunction with development of the Fort Pierce Waste Water Treatment Plant's parcel upon relocation of the plant at an indefinite time in the future.

Sec. 22-16. - Designation of overlay districts.

The city's overlay zoning districts stipulate special provisions that, along with the provisions of the basic zoning district and other ordinance regulations, govern the use of property within the city limits.

(a) *South Beach Overlay District.*

(1) *Applicability and purpose.* The purpose of the South Beach Overlay District is to promote good planning and site design that produces quality development that is functional, an asset to the community and in keeping with the general character of South Hutchinson Island. By way of this overlay district, the city seeks to preserve, protect and enhance the unique barrier island environment through regulation of development and redevelopment of lots within the district.



SOUTH BEACH OVERLAY DISTRICT

The standards allow for and promote design integration of the man-made improvements to the land with the natural elements of the land. All new development and changes to existing development in the district that require site plan or building permit approval are subject to the overlay district requirements in addition to other applicable regulations in this Code.

Due to ever-accumulating knowledge about the dynamics of a barrier island community, and new and better information about site design, the city's land development regulations will be monitored and reviewed on an on-going basis in order to assess their reasonability and effectiveness in promoting these purposes.

(2) *Delineation of the district.* The South Beach Overlay District includes all parcels designated in the shaded area as indicated in Figure 1. The boundary of the South Beach Overlay District shall be deemed to automatically adjust pursuant to any annexation approval on South Hutchinson Island.

(3) *District regulations.*

a. *Density.*

1. *Residential.* Residential density shall be based on the requirements of the underlying zoning district except that in no instance shall residential density in the South Beach Overlay District exceed eight (8) units per acre.

2. *Non-residential.* Non-residential density shall be based on the requirements of the underlying zoning district.

3. *Mixed use.* The residential component of a mixed use development shall not exceed eight (8) units per acre. The non-residential component of a mixed use development shall be based on the requirements of the underlying zoning district while factoring the affect and impacts of the residential component on the site.

b. *Height.*

	OS-1	R-1	R-2	R-3	R-4A	C-3	C-5
Maximum height							
- Single family	-	28	28	28	45	-	-
- Duplex	-	-	-	28	45	-	-
- Triplex	-	-	-	-	45	-	-
- Quadraplex	-	-	-	-	45	-	-
- Multifamily	-	-	-	-	45	45	45
- Other	35	28	28	28	45	45	45
1. Maximum height may be extended up to 35' in the R-1, R-2 and R-3 zoning districts subject to conditional use approval.							
2. No habitable space is permitted above the maximum height specified in the zoning district.							
Not to Exceed							
- Single family	-	-	-	-	-	-	-
- Duplex	-	-	-	-	-	-	-
- Triplex	-	-	-	-	-	-	-
- Quadraplex	-	-	-	-	-	-	-

ORDINANCE NO. 17-

ORDINANCE NO. 17-_____ - AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, REMOVING PROPERTIES GENERALLY LOCATED AT 601 SEAWAY DRIVE FROM FIGURE 1 OF SECTION 22-16 OF THE CITY OF FORT PIERCE CODE OF ORDINANCES REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida, a municipal corporation, as follows:

SECTION 1. From and after the effective date hereof, the following properties legally described as:

Parcel IDs: 2402-312-0001-000-5 & 2402-331-0002-000-1 (uplands):

A PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT REFERENCE POINT IN EAST END OF SOUTH BRIDGE, SAID POINT BEING A CROSS IN DECK OF AFORESAID BRIDGE RUN NORTH 64° 50' 00" E EAST ALONG CENTER LINE OF SEAWAY DR A DISTANCE OF 525 FT, THENCE SOUTH 25' 09" A DISTANCE OF 154.91 FT TO SOUTH RIGHT OF WAY OF SEAWAY DR AND POINT OF BEGINNING, THENCE CONTINUE SOUTH A DISTANCE OF 656.44 FT TO HWM OF INDIAN RIVER, THENCE, MEANDER SHORE NORTH 70' 49" EAST A DISTANCE OF 564.9 FT, THENCE NORTH 55° 30' 00" EAST A DISTANCE OF 482.41 FT, THENCE NORTH 25° 10' 00" WEST A DISTANCE OF 159.50 FT, THENCE NORTH 64° 50' 00" EAST A DISTANCE OF 12 FT, THENCE NORTH 25° 10' 00" WEST A DISTANCE OF 500 FT, THENCE CONTINUE SOUTH 64° 50' 00" WEST A DISTANCE OF 12 FT, THENCE NORTH 25 10' 00" WEST A DISTANCE OF 73.5 FT TO SOUTH RIGHT OF WAY LINE OF SEAWAY DR, THENCE SOUTH 62° 52' 16" WEST ALONG SOUTH RIGHT OF WAY LINE A DISTANCE OF 294.42 FT, THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 50.34 FT, THENCE SOUTHERLY ALONG RIGHT OF WAY LINE A DISTANCE OF 49.64 FT, THENCE SOUTH WESTERLY ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 708.38 FT TO POINT OF BEGINNING (OR 1674-1067).

Containing 17.04 acres, more or less. I

TOGETHER WITH:

A PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE BASELINE OF SURVEY FOR SEAWAY DRIVE AT STATION: 51+67.21, AS SHOWN ON THE MAP PREPARED BY FLORIDA DEPARTMENT OF TRANSPORTATION, SECTION 94050-2509, SHEET 1 OF 6, DATED 11-07-69 AND THE NORTHERLY EXTENSION OF THE EAST LINE OF THE CITY OF FORT PIERCE UTILITIES AUTHORITY PROPERTY; THENCE SOUTH 25°28'28" EAST, ALONG SAID NORTHERLY EXTENSION, A DISTANCE OF 766.77 FEET TO THE POINT OF BEGINNING; THENCE NORTH 70°30'13" EAST, DEPARTING SAID EAST LINE, A DISTANCE OF 564.95 FEET; THENCE NORTH 55°11'19" EAST, A DISTANCE OF 156.79 FEET TO A POINT, SAID POINT ALSO KNOWN AS REFERENCE POINT "A"; THENCE SOUTH 13°24'23" WEST, A DISTANCE OF 24.33 FEET; THENCE SOUTH 62°05'49" WEST, A DISTANCE OF 58.43 FEET; THENCE SOUTH 59°09'13" WEST, A DISTANCE OF 75.90 FEET; THENCE SOUTH 45°44'33" WEST, A DISTANCE OF 28.96 FEET; THENCE SOUTH 68°03'20" WEST, A DISTANCE OF 93.99 FEET; THENCE SOUTH 64°05'22" WEST, A DISTANCE OF 131.22 FEET; THENCE SOUTH 65°50'33" WEST, A DISTANCE OF 123.03 FEET; THENCE SOUTH 64°49'33" WEST, A DISTANCE OF 76.95 FEET; THENCE SOUTH 68°25'21" WEST, A DISTANCE OF 115.25 FEET TO THE SAID EAST LINE OF THE CITY OF FORT PIERCE UTILITIES AUTHORITY; THENCE NORTH 25°28'28" WEST, ALONG SAID EAST LINE, A DISTANCE OF 55.39 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

LAND LYING IN SECTION 2, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE AFOREMENTIONED REFERENCE POINT "A"; THENCE NORTH 55°11'19" EAST, A DISTANCE OF 3.71 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 55°11'19" EAST, A DISTANCE OF 321.96 FEET TO THE WEST LINE OF HARBOUR ISLE AT HUTCHINSON ISLAND AS RECORDED IN PLAT BOOK 43, PAGES 31A AND 31B, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE SOUTH 25°27'28" EAST, ALONG SAID WEST LINE, A DISTANCE OF 196.21 FEET; THENCE NORTH 67°36'11" WEST, DEPARTING SAID WEST LINE, A DISTANCE OF 24.64 FEET; THENCE NORTH 75°56'23" WEST, A DISTANCE OF 65.84 FEET; THENCE NORTH 81°49'27" WEST, A DISTANCE OF 62.56 FEET; THENCE NORTH 89°18'33" WEST, A DISTANCE OF 83.36 FEET; THENCE SOUTH 80°11'48" WEST, A DISTANCE OF 66.03 FEET; THENCE SOUTH 59°18'05" WEST, A DISTANCE OF 60.11 FEET TO THE POINT OF BEGINNING.

Containing .98 acres, more or less.

CONTAINING IN ALL 18.02 ACRES, MORE OR LESS.

and further depicted on Exhibit "A", attached hereto and incorporated herein, shall be and the same is hereby removed from the shaded portions of Figure 1 of Section 22-16 of the City of Fort Pierce

Code of Ordinances and thereby being removed from the South Beach Overlay set forth in Section 22-16 of the City of Fort Pierce Code of Ordinances and all provisions or restrictions set forth in said Section 22-16, said properties being located at 601 Seaway Drive in Fort Pierce, Florida.

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 3. This Ordinance is and the same shall become effective immediately upon final passage thereof.

APPROVED AS TO FORM AND CORRECTNESS:

James Messer, Esq.
City Attorney

STATE OF FLORIDA)
ST. LUCIE COUNTY)

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 17-_____ was duly advertised by title only in the St. Lucie News Tribune on _____, 2017; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November ____, 2017; and was duly introduced, read by title only, and passed on second and final reading on November ____, 2017, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the _____ day of November, 2017.

MAYOR COMMISSIONER

CITY CLERK

(CITY SEAL)

EXHIBIT A

Sketch of Subject Property

[NOTE TO SCRIVENER: UTILIZE SAME EXHIBIT A AS INCLUDED IN ORDINANCE 15-051]