

CITY OF FORT PIERCE

CITY COMMISSION AGENDA

Regular Meeting - Monday, July 2, 2018 - 6:30 p.m.

City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**
2. **OPENING PRAYER** - Reverend John Quarterman, Triumph the Kingdom of God in Christ
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL**
5. **APPROVAL OF MINUTES**
 - a. Approval of the minutes from the June 18, 2018 Regular Meeting.
6. **PROCLAMATIONS**
 - a. Proclamation recognizing Charles C. Hayling Jr.
7. **LETTERS TO COMMISSION**
8. **COMMENTS FROM THE PUBLIC ON AGENDA ITEMS NOT REQUIRING PUBLIC HEARINGS**

Any person who wishes to comment on an agenda item which is not under Public Hearings on the Agenda may be heard at this time and must sign up to speak in advance. Please limit your comments to three (3) minutes or less, as directed by the Mayor, as this section of the Agenda is limited to thirty minutes. The City Commission will not be able to take any official actions under Comments from the Public. Speakers will address the Mayor, Commissioners, and the Public with respect. Inappropriate language will not be tolerated.
9. **ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA**
10. **MISCELLANEOUS REPORTS**
11. **CONSENT AGENDA**

- a. Approve emergency repair of parking garage in an amount not to exceed \$151,450.00 by Finrock Construction, Inc.
- b. Approve Property Owner Agreement for mural to be placed at 728 Avenue D.
- c. Request approval of Johnson-Davis, Inc. Change Order No. 1 in the amount of \$43,234.51 for the Avalon Avenue Drainage Improvement project.

12. **PUBLIC HEARINGS**

- a. **(PLEASE CONTINUE TO JULY 16, 2018 AT THE REQUEST OF THE APPLICANT'S REPRESENTATIVE)** Quasi-Judicial Hearing - Application for Development Review of a Conceptual Site Plan submitted by property owner, OCD Kids, Inc. and Applicant Michael Jacquin, President of Paul Jacquin & Sons, to construct a 2,796 sq. ft. building addition to an existing Pre-School at 2706 Sunrise Boulevard, Fort Pierce, FL. The property is zoned Single-Family Intermediate Density Zone (R-2). Parcel ID: 2421-513-0014-000-5.
- b. Legislative Hearing - Ordinance 18-022 annexing property located at 2850 S Jenkins Road. FIRST READING
- c. (PLEASE CONTINUE TO THE JULY 16, 2018 MEETING AT THE REQUEST OF THE APPLICANT) Legislative Hearing - Ordinance 18-023 - Affirming the Prior Approval for the Planned Development for Mayfair at Lawnwood – [2416-504-0199-000-1](#), [2416-504-0199-050-6](#) & [2416-504-0199-200-3](#) FIRST READING
- d. Legislative Hearing - Ordinance 18-024, Amending Chapter 22 to add Amusement Arcade as an eligible Conditional Use under the C-3, General Commercial zoning district. FIRST READING
- e. Quasi-Judicial Hearing - Application for Conditional Use with No New Construction submitted by property owners, Wilbur & Karen Cox and Applicant Coldwell Banker Paradise, to establish a Dwelling Rental, offering lodging for less than six (6) months; with a minimum of one (1) month at 502 S. Compass Drive, Fort Pierce, FL. The property is zoned Hutchinson Island Medium Density Residential Zone (R-4A), Parcel ID: 2507-714-0018-000-3.
- f. Quasi-Judicial Hearing - Application for Conditional Use with No New Construction submitted by property owner, St. Nicholas Greek Orthodox Church, Inc. and Applicant Nicholas Gieseler, Attorney at Law, to establish a Private School at 2525 S 25th Street, Fort Pierce, FL. The property is zoned Medium Density Residential Zone (R-4), Parcel ID: 2420-141-0002-000-4.

- g. Quasi-Judicial Hearing and Resolution 18-R33- A hearing to allow the owners and/or parties of interest in the property identified as 204 N 17th Street to show cause why the structure located on the premises should not be condemned and demolished.

13. **CITY COMMISSION**

- a. The City Commission directed the Retirement Board to obtain an actuarial impact statement on the financial impact of amending the vesting period from 10 years to either 8 years or 5 years for employees hired after October 1, 2012.
- b. Resolution 18-R32 Establishing the Police Department Advisory Committee

14. **COMMENTS FROM THE PUBLIC**

Any person who wishes to comment on any subject may be heard at this time. Please limit your comments to three (3) minutes or less, as directed by the Mayor, as this section of the Agenda is limited to thirty minutes. The City Commission will not be able to take any official actions under Comments from the Public. Speakers will address the Mayor, Commissioners, and the Public with respect. Inappropriate language will not be tolerated.

15. **COMMENTS FROM THE CITY MANAGER**

- a. City Manager's Report

16. **COMMENTS FROM THE COMMISSION**

17. **ADJOURNMENT**

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises you that if you or another person decide to appeal any decision made by the City Commission with respect to any matter considered at its meeting or hearing, that you or said person will need a record of the proceedings, and that for such purpose, affected persons may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (772) 467-3065 at least 48 hours prior to the meeting.

City Commission Regular Meeting

5.a.

Meeting Date: 07/02/2018

Re: Meeting Minutes 6.18.18

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Approval of the minutes from the June 18, 2018 Regular Meeting.

Attachments

Mtg Mins 06.18.2018

Form Review

Form Started By: Noemi Rios

Started On: 06/21/2018 04:54 PM

Final Approval Date: 06/21/2018

MINUTES OF A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE CITY HALL COMMISSION CHAMBERS, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 6:30 P.M. ON MONDAY, **JUNE 18, 2018.**

1. CALL TO ORDER

2. OPENING PRAYER - Reverend George Welch, White City United Methodist Church

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

Present: Mayor Linda Hudson; Commissioner Rufus Alexander; Commissioner Jeremiah Johnson; Commissioner Thomas Perona; Commissioner Reginald Sessions

Staff Present: City Attorney James Messer
City Clerk Linda Cox
City Manager Nicholas Mimms

5. APPROVAL OF MINUTES

- a. Approval of the minutes of the June 4, 2018 Regular Meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve item 5 a.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions
Passed

6. PROCLAMATIONS

7. LETTERS TO COMMISSION

8. COMMENTS FROM THE PUBLIC ON AGENDA ITEMS NOT REQUIRING PUBLIC HEARINGS

Dan Hooper spoke on item 13 b.
Charlie Hayek spoke on item 13 b.
Chris Hodge spoke on item 13 b.
Shirley Krashak spoke on item 13 b.

9. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve the agenda as presented.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions
Passed

10. MISCELLANEOUS REPORTS

- a. Presentation on City of Fort Pierce Recreation Activities

Mike Reals, Public Works Director, introduced temporary employee Cassandra Jackson. Ms. Jackson indicated the objective of the summer program is to foster self-discipline, self-confidence, physical fitness and good citizenship, as well as sound character. Tutoring and mentoring will be provided. This summer program began Monday, June 18, 2018, is comprised of 10 adult staff and allowed 80 boys and girls ranging from grades 3-10. Sixty-five children were registered and 47 attended the first day. They are providing breakfast, lunch and snacks and the hours are from 9:30 a.m. until 3 p.m. The staff makes sure all children are actively engaged while they are there. Currently, they need to provide their own transportation. This program will last until August 3, 2018. The cost for football is \$100 and the cost for cheer is \$150.

11. CONSENT AGENDA

- a. Approve Civil Service Appeals Board Rules as approved by the Civil Service Appeals Board on May 30, 2018.
- b. Approve Close Construction, LLC as the lowest responsive bidder to Bid #2018-027 for an amount not to exceed \$32,450 for rehabilitation of 811 South 15th Street through the State Housing Initiatives Partnership (SHIP) program.
- c. Approve Gentile Corporation as the lowest responsive bidder to Bid # 2018-022 for an amount not to exceed \$32,550 for rehabilitation of 1908 Barcelona Avenue, funded through the State Housing Initiatives Partnership (SHIP) program.
- d. Approve Close Construction, LLC as the lowest responsive bidder to Bid # 2018-021 for an amount not to exceed \$31,350 for rehabilitation of 435 N 14th Street, funded through the SHIP program.
- e. Approve Gentile Corporation as the lowest responsive bidder to Bid #2018-032 for an amount not to exceed \$26,700 for rehabilitation of 903 N 24th Street, funded through the SHIP program.
- f. Approve Aburi, LLC as the lowest responsive bidder to Bid # 2018-028 for an amount not to exceed \$24,200 for rehabilitation of 2001 Sunrise Blvd. funded through the SHIP program.
- g. Approve DeLaHoz Builders, INc. as the lowest responsive bidder to Bid # 2018-031 for an amount not to exceed \$32,996 for rehabilitation of 1515 Edgewood Terrace, funded through the SHIP program.
- h. Approve Close Construction, LLC as the lowest responsive bidder to RFP #2018-023 for an amount not to exceed \$28,850 for the rehabilitation of 304 S 21st Street funded through the SHIP program.
- i. Approve Construction Management of Florida, Inc. as the lowest responsive bidder to Bid #2018-029 for an amount not to exceed \$28,718.02 for rehabilitation of 2004 Avenue N funded through the SHIP program.
- j. Approve DeLaHoz Builders, Inc. as the lowest responsive bidder to Bid # 2018-025 for an amount not to exceed \$26,391.00 for the rehabilitation of 513 N 15th Street, funded through the SHIP program.
- k. Approve Close Construction, LLC as the lowest responsive bidder for Bid # 2018-030 in an amount not to exceed \$16,800 for rehabilitation of 1230 Avenue I funded through the SHIP program.
- l. Approve Gentile, LLC as the lowest responsive bidder for Bid #2018-040 for an amount not to exceed \$21,600 for rehabilitation of 702 South 7th Street, funded through the State Housing Initiatives Partnership (SHIP) program.
- m. Approve Construction Management of Florida as the lowest responsive bidder for Bid #2018-033 for an amount not to exceed \$31,946.53 for rehabilitation of 1011 Pennsylvania Avenue, funded through the SHIP program.
- n. Approve Construction Management of Florida, Inc. as the lowest responsive bidder for Bid # 2018-034 for an amount not to exceed \$26,105.49 for rehabilitation of 202 South 23rd Street through the SHIP program.
- o. Approve Construction Management of Florida, Inc. as the lowest responsive bidder for Bid #2018-036 for an amount not to exceed \$27,920.49 for the exterior rehabilitation of 314 North 21st Street, funded through the SHIP program.
- p. Approve Close Construction, LLC as the lowest responsive bidder for Bid #2018-037 for an amount not to exceed \$32,190 for the exterior rehabilitation of 813 Avenue M, funded through the State Housing Initiatives Partnership Program.
- q. Request approval of Professional Architectural Services Continuing Contract with the 3 short-listed professional architectural firms, on a project-by-project basis, as a result of RFQ 2018-015.
- r. Approval of sole source purchase to Southern Sewer Equipment Sales of Fort Pierce FL. in an amount not to exceed \$100,000.00 for the purchase of one (1) 2017 Peterbilt Brush Hawg Model C Grapple Loader.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve items 11 a through 11 r.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

12. PUBLIC HEARINGS

- a. Ordinance 18-015 Rezoning the properties generally located at 411 N. 25th Street (including Parcel ID(s) 2408-507-0133-000-5 and 2408-507-0097-000-0), from R-3, Single-Family Moderate Density Zone TO C-3, General Commercial Zone. SECOND READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; REZONING THE PROPERTIES GENERALLY LOCATED AT 411 N. 25th STREET, INCLUDING PARCELS 2408-507-0133-000-5 and 2408-507-0097-000-0, FROM R-3, SINGLE-FAMILY MODERATE DENSITY ZONE, TO C-3, GENERAL COMMERCIAL ZONE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Hudson opened the Public Hearing.

Abraham Chabab, the applicant's representative, presented himself to answer any questions. Seeing no one else, the Mayor closed the Public Hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve item 12 a.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

- b. Ordinance 18-016 Amending the Future Land Use Map of the Comprehensive Plan to change the designation of properties generally located at 411 N. 25th Street, including parcels 2408-507-0133-000-5 and 2408-507-0097-000-0, from Low Density Residential, RL, to General Commercial, GC. SECOND READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO CHANGE THE DESIGNATION OF PROPERTIES GENERALLY LOCATED AT 411 N. 25th STREET INCLUDING PARCELS 2408-507-0133-000-5 and 2408-507-0097-000-0, FROM LOW DENSITY RESIDENTIAL, RL, TO GENERAL COMMERCIAL, GC; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing.

Seeing no one, the Mayor closed the Public Hearing.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Jeremiah Johnson to approve item 12 b.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

- c. Ordinance 18-019 Rezoning the property generally located at 1101 N. US Highway 1, from C-2, Neighborhood Commercial Zone, to C-3, General Commercial Zone. SECOND READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; REZONING THE PROPERTY GENERALLY LOCATED AT 1101 N. US Highway 1, FROM C-2, NEIGHBORHOOD COMMERCIAL ZONE (CITY OF FORT PIERCE), TO C-3, GENERAL COMMERCIAL ZONE (CITY OF FORT PIERCE); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing.
Seeing no one, the Mayor closed the Public Hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve item 12 c.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

- d. Ordinance 18-020 - Review and approval of an application for Major Amendment to a Planned Development by Applicant; Endeavor Wall Homes, LLC, and Representative Bill Barboro to modify the rear yard setback for lots 1-318 located in the subdivision known as Celebration Point, located at approximately 5501 Peterson Road, Fort Pierce, FL. The property is currently zoned PD, Planned Development (Parcel ID 2418-600-0005-000-6). SECOND READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING THE REAR YARD SETBACK FOR LOTS 1 THROUGH 318 FOR THE SUBDIVISION KNOWN AS CELEBRATION POINTE AND RESTATING THE PLANNED DEVELOPMENT AS RECORDED IN PLAT BOOK 57 PAGES 7-14 AND PROPERTY GENERALLY LOCATED AT 5501 PETERSON ROAD AND SHOWN ON EXHIBIT A; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing.
Seeing no one, the Mayor closed the Public Hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve item 12d.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

- e. Ordinance 18-021 Abandoning a portion of Georgia Avenue, now known as Avenue C, right-of-way, Lying between North 25th Street and North 26th Street; Being 50.00 feet wide; per plat, of the Fort Pierce Heights Subdivision within The City of Fort Pierce, Florida; Providing for a replacement easement. SECOND READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; ABANDONING A PORTION OF GEORGIA AVENUE (NOW KNOWN AS AVENUE C) RIGHT-OF-WAY, LYING BETWEEN NORTH 25TH STREET AND NORTH 26TH STREET; BEING 50.00 FEET WIDE (PER PLAT), OF THE FORT PIERCE HEIGHTS SUBDIVISION WITHIN THE CITY OF FORT PIERCE, FLORIDA; PROVIDING FOR A REPLACEMENT EASEMENT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing.
Abraham Chabab, the applicant's representative, presented himself to answer any questions.
Seeing no one else, the Mayor closed the Public Hearing.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Reginald Sessions to approve item 12 e.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Reginald Sessions

NAY: Commissioner Thomas Perona

Passed

13. CITY COMMISSION

- a. Resolution 18-R30 authorizing the execution of FDOT's Joint Participation Agreement (JPA) Amendment No. 1 which provides an agreement termination date of June 30, 2020.

City Clerk Linda Cox introduced the resolution, read by title only, into the record.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AUTHORIZING THE EXECUTION OF THE JOINT PARTICIPATION AGREEMENT (JPA) AMENDMENT NUMBER ONE BETWEEN THE CITY OF FORT PIERCE AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR THE INTERSECTION IMPROVEMENTS OF OHIO AVENUE AND U.S. HIGHWAY ONE (SR 5) AND AUTHORIZING THE MAYOR, CITY CLERK, AND CITY ATTORNEY TO EXECUTE SAID AGREEMENT ON THE PART OF THE CITY; PROVIDING FOR AN EFFECTIVE DATE.

Jack Andrews, City Engineer, indicated this is a request from DOT for the agreement the city had previously entered into which did not have a termination date and thus, they are requesting one be added.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve item 13 a.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

- b. Resolution No. 18-R31 and Quasi-Judicial Hearing - A hearing to allow the owners and/or parties of interest in the property identified as 1635 Thumb Point Drive to show cause why the structure located on the premises should not be condemned and demolished.

City Clerk Linda Cox introduced the resolution, read by title only, into the record.

A RESOLUTION DETERMINING THAT A CERTAIN BUILDING OR STRUCTURE LOCATED AT 1635 THUMB POINT DR IN FORT PIERCE, FLORIDA IS A NUISANCE THAT CONSTITUTES A MENACE TO THE BUSINESS, HEALTH AND SAFETY OF THE COMMUNITY; AND THAT SAID BUILDING OR STRUCTURE SHALL BE CONDEMNED AND DEMOLISHED; DECLARING THE PARTIES OF INTEREST WERE PROVIDED THE OPPORTUNITY TO BE HEARD AND ARE RESPONSIBLE FOR THE REMOVAL OF THE BUILDING OR STRUCTURE; AND ORDERING THE CITY OF FORT PIERCE TO AFFECT SUCH REMOVAL AND PLACE A LIEN UPON THE PROPERTY IDENTIFIED IF COMPLETED BY THE CITY OF FORT PIERCE; PROVIDING FOR APPEAL; PROVIDING FOR NOTICE TO ALL PARTIES; AND PROVIDING FOR AN EFFECTIVE DATE

Before commencing this Quasi-Judicial Hearing, James Messer, City Attorney, reminded the Commission when acting as a Quasi-Judicial Body they apply the laws and policies established and are held to stricter procedural requirements, following basic standards established and are held to stricter procedural requirements, following basic standards of notice and due process based on substantial evidence. As such, they conduct these proceedings as judges instead of legislators.

Mr. Messer advised the Commission that Mr. Culverhouse filed a Motion asking for his five calendar days which, according to our rules, he's entitled to so that he may prepare his case prior to the hearing. Mr. Messer recommended this motion be granted and the hearing be rescheduled within the next calendar days, the earliest being Monday, June 25, 2018.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to schedule a Special Meeting to discuss this on Monday, June 25, 2018 at 10 a.m.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

c. Resolution 18-R32 Establishing the Police Department Advisory Committee

City Clerk Linda Cox introduced the resolution, read by title only, into the record.

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, ESTABLISHING THE COMMUNITY ADVISORY COMMITTEE; ROLES AND RESPONSIBILITIES OF THE COMMITTEE, MEMBER EXPECTATIONS, PROHIBITED ACTIONS< COMPOSITION AND QUALIFICATIONS, SELECTION AND APPOINTMENT OF MEMBERS, ATTENDANCE REQUIREMENTS, REMOVAL PROCEDURES, TERM LIMITS, ORGANIZATIONAL STRUCTURE, MEETINGS, AND TRAINING; AND PROVIDING FOR AN EFFECTIVE DATE.

Police Chief, Diane Hobley-Burney, went into detail as to what would be required from each person wanting to apply to become part of this Police Department Advisory Committee, including but not limited to, having a Citizen's Academy and a ride-along with a police officer so that they fully understand the law and the dynamics of what the police force goes through. She explained this was thoroughly important because they would be the voice of the city when presenting advice to them. They would also be required to sign a non-disclosure agreement in order to participate since they would be dealing with topics that are sensitive in nature that affect certain members of our community more than others.

Commissioner Alexander expressed concern about this being a committee versus a board. Chief Hobley-Burney explained the reason why they had concluded a committee would be the city's best choice. Additionally, she explained the City Commission would be the ones selecting the members that would be part of this committee. Furthermore, she indicated that, even though the members would report to her and her department, she would make sure the City Commission members are kept up to speed as to what is occurring and decisions that are being contemplated if that is the Commission's desire. Commissioner Perona expressed his excitement about this and what it could mean for our city. He recommended a Mission Statement be established so that everyone could stay in their lane and understand their responsibilities. Commissioner Johnson gave some input, amongst them that the person arriving for a ride-along arriving just before a shift change.

Commissioner Sessions would like for the committee members to be able to report back to the Commission on non-confidential matters. He feels that way the rest of the citizens will be able to have some input. Additionally, he suggested that, since Chief Hobley-Burney at one point was the chief in Tampa and they had a similar committee, that the Tampa agreement should be reviewed. Chief Hobley-Burney stressed the reasons why a Confidentiality Agreement would need to be signed. Mayor Hudson reiterated that, while she is very excited about this new committee, she was adamant that the only person that should be the intermediary between the Police Department and the City Commission was the City Manager, Nicholas Mimms.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve item 13 c with the recommendation that Chief Hobley-Burney and Attorney Messer compose and incorporate a confidentiality agreement.

Commissioner Sessions mentioned he would not be able to support the motion since he did not feel comfortable with the original agreement, the wording and other aspects. Commissioner Perona stated he believed that if any member of the City Commission did not feel comfortable maybe it was an opportunity to review the agreement and come back with one that would make all of the members feel comfortable so that when this committee came to fruition it could be successful and something all of them supported. The City Manager, Mr. Mimms, indicated that, from a staff perspective, he would be happy to go back to the drawing board to make that happen.

Commissioner Alexander rescinded his second. Commissioner Johnson rescinded the motion.

14. COMMENTS FROM THE PUBLIC

Chris Williams
Rick Reed

15. COMMENTS FROM THE CITY MANAGER

Mr. Nicholas Mimms, City Manager, indicated Praise In the Park is an event happening at Martin Luther King Dreamland Park on June 23, 2018 at 10 a.m. where the Mayor will be speaking. The City of Fort Pierce, in collaboration with the Roundtable of St. Lucie County will be hosting a Youth Symposium on June 19, 2018. Additionally on June 26, 2018 there will be a Sunrise Theatre Community Meeting.

Mr. James Messer, City Attorney, did not have any comments.

16. COMMENTS FROM THE COMMISSION

Commissioner Perona expressed his happiness with the city's involvement with youth programs because he feels it is fundamental to provide them with activities in order to impact them and steer them along the right path. It gives him a sense of pride. He thanked staff for becoming involved in this process.

Commissioner Sessions echoed Commissioner Perona's sentiments. He believes the city's vision for the future is instrumental and it begins with the youth. He wants the city to be open to all children even those that do not have the financial wherewithal.

Commissioner Johnson requested a Purchasing Manual be provided to the City Commission. He asked for an update on Edwards Road and City Engineer, Jack Andrews was able to provide this. Additionally, he referenced a letter received by the City Commission from a local car dealership and suggested that perhaps it would be a good idea for the City Commission to address their ordinance regarding vehicle tent sales in order to protect our local businesses.

Commissioner Alexander is content that we are invested in our youth as a city and it is his belief that we are doing even better than we were last year. There will be a Khalil Mack Field Dedication on July 6, 2018.

Mayor Hudson attended the Eagle Scout Court Ceremony for Wilner Joseph on Saturday, June 16, 2018 who earned his Eagle Scout Badge. The Lil' Feet event will be held on June 20, 2018 at the Riverwalk Center, sponsored by the Fire District and the Roundtable of St. Lucie County. Our Police Department was able to go out with kids from our community and purchase shoes for the less fortunate. She pointed out that there were 14-15 homes approved tonight that will receive improvements.

17. ADJOURNMENT

The meeting adjourned at 8:33 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER

City Commission Regular Meeting

6.a.

Meeting Date: 07/02/2018

Re: Charles C. Hayling, Jr. Proclamation

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Proclamation recognizing Charles C. Hayling Jr.

Attachments

Charles C. Hayling Jr.

Form Review

Form Started By: Miriam Garcia
Final Approval Date: 06/27/2018

Started On: 06/27/2018 12:37 PM

WHEREAS, Charles C. Hayling, Jr. was born on July 2, 1928 in Tallahassee, FL. to Charles C. Hayling, Sr. and Cleo B. Hayling. He was educated in Leon County, first as a graduate of Lincoln High School and later earned his Bachelor's Degree and Master's Degree from Florida A & M University.

WHEREAS, Charles C. Hayling, Jr. entered the U. S. Air Force with his brother Robert B. Hayling, Jr. and later returned to Tallahassee, FL as a Physical Education Teacher and Coach in Leon County School District.

WHEREAS, Charles C. Hayling, Jr. relocated to Fort Pierce, FL in 1962, accepting a position as Physical Education Teacher and Coach at Lincoln Park Academy. He became the Principal of Means Court Elementary School and later Chester A. Moore Elementary School until his retirement from the St. Lucie Public Schools in 1985.

WHEREAS, Charles C. Hayling, Jr. accepted the position as Bethune Cookman University Satellite Campus Administrator, encouraging many residents to attend college and earn their undergraduate degrees. Many of these graduates have become educators and administrators in the Treasure Coast area.

WHEREAS, Charles C. Hayling, Jr. served as a Board Member of the Fort Pierce Memorial Hospital, Member of both the NAACP, and the Fort Pierce Bi-Racial Committee helping to foster integration in the local school system and community.

WHEREAS, Charles C. Hayling, Jr. is a member of the Alpha Phi Alpha Fraternity, Inc. He has always shared with others of the importance of education and service to mankind, a quality he continually exemplifies.

NOW, THEREFORE, I, Linda Hudson, Mayor of the City of Fort Pierce, Florida, do hereby issue this proclamation in honor of:

CHARLES C. HAYLING, JR.

for his contribution and dedication to the business community and young people of the City of Fort Pierce.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Fort Pierce, Florida, to be affixed this 2nd day of July 2018.

MAYOR/COMMISSIONER

City Commission Regular Meeting

11.a.

Meeting Date: 07/02/2018

Re: Emergency repair of parking garage

Submitted For: Mike Reals, Public Works Manager, Public Works

SUBJECT:

Approve emergency repair of parking garage in an amount not to exceed \$151,450.00 by Finrock Construction, Inc.

SUMMARY:

Water intrusion has created an issue with spalling of the concrete. The spalling condition can cause pieces of concrete to break off from the underside of the garage spans posing a threat to the health, safety, and welfare of the public. Finrock Construction, Inc. of Apopka FL has performed a thorough inspection on the structure and provided an estimate for the needed repairs.

The repairs will primarily consist of re-caulking all joints on the top floor and making necessary repairs to the concrete throughout the garage. An itemized list of the needed repairs is attached.

Due to the potential danger of falling concrete, the Public Works Department is seeking to deem this repair an emergency and is requesting that the procurement process be waived in accordance with Article IV - Purchasing Code of Ordinances, Section 2-63 (a)(1).

RECOMMENDATION:

The Public Works Department recommend proceeding with the necessary repairs.

ALTERNATIVES:

Staff will proceed as directed by the Commission.

RESPONSIBLE STAFF:

Public Works Department

COORDINATED WITH:

Finance Department

Fiscal Impact

Budgeted Y/N: Y

Fiscal Year: 2018

Account: 60005136430

Amount: 151,4500.00

FISCAL IMPACT:

Funds are budgeted for this project.

Attachments

Repair estimate

Form Review

Inbox

Finance Department

City Manager

Form Started By: Mike Reals

Final Approval Date: 06/29/2018

Reviewed By

Johnna Morris

Nick Mimms

Date

06/28/2018 11:44 AM

06/29/2018 07:41 AM

Started On: 06/20/2018 08:07 AM



FINPROCK CONSTRUCTION, INC.
 2400 APOPKA BLVD. • APOPKA, FL 32703

407-293-4000 Phone
 407-297-0512 Fax

www.finprock.com

City of Fort Pierce Parking Garage Estimated Repair Cost Summary Sheet

Item	Description	Qty	Unit	\$/unit	Cost
1	Chip out all broken and crack weld connection between the Double T and repaired.	1.00	ls.	\$ 24,350.00	\$ 24,350.00
2	Remove all deteriorated caulking that failed in the joints at roof level and clean up joint and re-caulk.	1.00	ls.	\$ 17,000.00	\$ 17,000.00
3	Chip out all lifter walls on spandrel roof areas and patch.	1.00	ls.	\$ 2,800.00	\$ 2,800.00
4	Chip out all weld plates on the Double T floor, patch and re-caulk the plates.	1.00	ls.	\$ 12,000.00	\$ 12,000.00
5	Clean up and seal all cracks with Epoxy Sikadur 55 in all garage floors top and underneath cracks.	1.00	ls.	\$ 12,200.00	\$ 12,200.00
6	Repairs several spall located at the stair towers.	1.00	ls.	\$ 3,500.00	\$ 3,500.00
7	Repair several spall located at columns, beams, walls and spandrels for the entire garage.	1.00	ls.	\$ 3,200.00	\$ 3,200.00
8	Repair several areas on all garage levels the the caulk is deteriorated and separated in the joints.	1.00	ls.	\$ 3,300.00	\$ 3,300.00
9	Repair all spall located between the joints of the walls and by the connection plate by the beams.	1.00	ls.	\$ 7,500.00	\$ 7,500.00
10	Epoxy repair on several areas located at the stair cases and elevator lobby cracks damages.	1.00	ls.	\$ 1,700.00	\$ 1,700.00
11	Several corners located by the stair and Double T that needs to be chipped out and pouring of new concrete to fix sinking corners in garage.	1.00	ls.	\$ 1,850.00	\$ 1,850.00
12	Repairs several spall located at the outside and inside the stair tower walls.	1.00	ls.	\$ 1,200.00	\$ 1,200.00
13	Patch all holes located at the top of the spandrels.	1.00	ls.	\$ 1,200.00	\$ 1,200.00
14	Remove all rust in the plates and paint those with galvanizer protector.	1.00	ls.	\$ 3,200.00	\$ 3,200.00
15	Pressure Wash Clean-up (includes lift rental) after all concrete work is completed.	1.00	ls.	\$ 35,000.00	\$ 35,000.00

Total: \$ **130,000.00**

Overhead
 Profit
 General Conditions
TOTAL

Subtotal: \$ **151,450.00**

*Note: Unit cost for pocket connection repair is \$85/ea. (Includes chipping of excess concrete, cleaning of connection, and re-casting of concrete cover).

5%
 10%
 10%

City Commission Regular Meeting

11.b.

Meeting Date: 07/02/2018

Re: Property Owner Agreement for Mural

Submitted For: Libby Woodruff, Manager, Finance Department

SUBJECT:

Approve Property Owner Agreement for mural to be placed at 728 Avenue D.

SUMMARY:

Request to approve Property Owner Agreement for 728 Avenue D so Grants administration Division can oversee placement of mural on this property to promote local art and cultural heritage in the City's historic neighborhoods, following Legal Dept approval of 'Form and Correctness'.

RECOMMENDATION:

Approve Property Owner Agreement for mural placement.

ALTERNATIVES:

Do not approve agreement.

RESPONSIBLE STAFF:

Libby Woodruff, Manager, Grants Administration Division

COORDINATED WITH:

Johnna Morris, Director of Finance

Fiscal Impact

Budgeted Y/N: N

Fiscal Year: N/A

Account: N/A

Amount: N/A

OTHER INFORMATION:

There will be no fiscal impact caused by the approval of this agreement.

Attachments

728 Ave D Mural Property Owner Agmt

Form Review

Inbox	Reviewed By	Date
Finance Department	Johnna Morris	06/28/2018 12:22 PM
City Manager	Nick Mimms	06/29/2018 07:41 AM

Form Started By: Libby Woodruff
Final Approval Date: 06/29/2018

Started On: 06/07/2018 07:59 AM



City of Fort Pierce
Community Mural Project
Property Owner Agreement

This Agreement is made and entered into this ___ day of _____, 201___, by and between the City of Fort Pierce, Florida (hereinafter collectively referred to as "City") and **SARAH'S LEGACY, INC.** (hereinafter referred to as "Property Owner"), owner of property/building located at 728 AVENUE D in the City of Fort Pierce, Florida.

WHEREAS, the City, through the Grants Administration Division, has developed the Community Mural Project, the purpose of which is to promote and commemorate Fort Pierce's rich cultural heritage, reinforce the growth of arts and culture within the City and increase tourism to the area. The project shall strive for diversity of style, scale, and media represented in a series of murals on buildings in the City of Fort Pierce; and

WHEREAS, the Property Owner recognizes that the purpose of the project, which is to enhance the community and encourage tourism and commerce in the City, is mutually beneficial to the City and the Property Owner and therefore desires to have a mural painted on the side of his or her building; and

WHEREAS, the nature of the Community Mural Project is such that it is necessary and desirable to enter into an Agreement expressly setting forth the respective rights, duties, and obligations of the parties;

NOW, THEREFORE, in consideration of the mural covenants hereinafter contained, it is mutually agreed between the parties as follows:

1. The Property Owner hereby agrees to allow the City to have a mural mounted or painted on the east wall of the building located at **728 AVENUE D**.
2. The dimensions of the mural will be dependent upon the subject and project. The mural shall be allowed to remain on the wall for a period of five (5) years.
3. This Agreement may be extended for successive five (5) year periods upon the mutually agreed upon agreement between the Property Owner and the City. written extension between the Property Owner and the City.
4. During the term, or any extension thereof, at such time as property is being offered for sale or lease, or the building on such property is being demolished or expanded where the mural is located, or the mural otherwise interferes with the Property Owners' use, occupancy, or control of the property, then at the Property Owner's sole discretion,

the Property Owner has the right to cancel this Agreement upon six (6) months written notice to the City.

5. The City agrees that it shall provide a stipend to each of the selected artists to pay for materials necessary for the execution and completion of the mural. The murals will be applied directly to the wall on a pre-primed surface provided for the artist.

6. The Property Owner agrees to provide the City with reasonable access to the site for such work so as not to interfere with the Property Owner's business operations. The mural shall at all times be properly maintained in appropriate condition by the City at its cost and the mural's condition shall not be allowed to deteriorate.

7. The Property Owner understands and agrees that the placement of the copyrighted artwork (mural) on the site in no way entitles the Property Owner to use, at its discretion, the artwork for advertising/profit making purposes, or any other publicity, except under conditions in which the artwork has been released by both the City and the artist.

8. The Owner agrees to indemnify and hold the City and its commissions, departments, boards, officers, agents, employees, representatives, contractors or subcontractors, or their employees harmless from all liabilities, third party claims, causes of action, judgments, damages, losses and expenses (including reasonable attorney's fees) arising out of any breach of Property Owner's representations and promises and performance of obligations under the Agreement.

9. The City of Fort Pierce's Community Mural Project Committee will present options to the Property Owner to make the final selection.

10. Any dispute hereunder between the parties shall be resolved by resort to binding mediation.

11. This Agreement shall be subject to and governed by the laws of the State of Florida.

12. Any notices required pursuant to this Agreement shall be served at the following addresses:

**City of Fort Pierce
Community Mural Project**
c/o Grants Administration Division
City of Fort Pierce, Florida
100 North U.S. Hwy. 1
Fort Pierce, FL 34950

Property Owner:
Sarah's Legacy, Inc.
9940 Baywater Drive
Boca Raton, FL 33496

13. This Agreement represents the complete understanding between the parties with respect to the matters set forth herein. No amendment or modification of the Agreement shall be valid unless evidenced in writing and executed by the parties thereto. In witness whereof, the City and the Owner have executed this Agreement on the date and year first hereinabove set forth.

IN WITNESS THEREOF, the Grantor and the Subrecipient have executed this Agreement as of the date first above written.

ATTEST:

CITY OF FORT PIERCE:

Linda Cox, City Clerk

Linda Hudson, Mayor

APPROVED AS TO FORM CORRECTNESS:

By: _____
James Messer, City Attorney

PROPERTY OWNER:

By: _____

Print: _____

Title: OWNER

Today's Date: _____

City Commission Regular Meeting

11.c.

Meeting Date: 07/02/2018

Re: Approval of Johnson-Davis, Inc. Change Order No. 1 - Bid No. 2017-024
Stormwater Utility Infrastructure Repairs

Submitted For: John Andrews, City Engineer, Engineering

SUBJECT:

Request approval of Johnson-Davis, Inc. Change Order No. 1 in the amount of \$43,234.51 for the Avalon Avenue Drainage Improvement project.

SUMMARY:

Avalon Avenue Stormwater Improvements extends between Fernandina Avenue and Granada Avenue. The project consists of the removal and replacement of drainage infrastructure, sidewalks, driveways, and roadway resurfacing. A change order is required to compensate the contractor for field modifications as required due to unearthed utility conflicts.

Johnson-Davis, Inc (Ref. Bid #2017-24, Emergency Drainage Repairs) is currently utilized by the City of Fort Pierce as a continuing contractor for emergency drainage repairs. This contract, as approved by the commission, has a preset budget of \$200,000/fiscal year with \$0 remaining for the 17/18 fiscal year. Therefore, staff requests the allocation of \$43,234.51 in order to close-out this project. A breakdown of the work can be found on the attached change order.

RECOMMENDATION:

Staff recommends approval

ALTERNATIVES:

Proceed as directed by the City Commission

RESPONSIBLE STAFF:

Engineering Department

COORDINATED WITH:

Public Works

Fiscal Impact

Budgeted Y/N: N/A
Fiscal Year: N/A
Account: 403-4300-538-3490
Amount: \$43,234.51

FISCAL IMPACT:

The \$43,234.51 shall be encumbered from the SMU Revenue Account No.
403-4300-538-3490

Attachments

Change Order No. 1

Form Review

Inbox

Finance Department

City Manager

Form Started By: Dina Hermoso

Final Approval Date: 06/29/2018

Reviewed By

Johnna Morris

Nick Mimms

Date

06/28/2018 02:50 PM

06/29/2018 07:41 AM

Started On: 06/11/2018 12:30 PM

CHANGE ORDER NO. 1

Stormwater Utility Infrastructure Repairs

Ref. Bid No. 2017-024

DATE: May 29, 2018

CONTRACTOR: Johnson-Davis, Inc.

OWNER: City of Fort Pierce

ORIGINAL ANNUAL CONTRACT AMOUNT	:	\$ 200,000.00
CURRENT ANNUAL CONTRACT AMOUNT INCLUDING PREVIOUS CHANGE ORDERS	:	\$ 223,492.37
NET ANNUAL CONTRACT AMOUNT INCREASE RESULTING FROM THIS CHANGE ORDER	:	\$ 43,234.51
PROPOSED ANNUAL CONTRACT AMOUNT INCLUDING THIS CHANGE ORDER	:	\$ 266,726.88
CURRENT ANNUAL CONTRACT EXPIRATION DATE	:	September 30, 2018
ANNUAL CONTRACT EXPIRATION DATE ADJUSTED BY THIS CHANGE ORDER	:	September 30, 2018

CHANGES ORDERED:

I. GENERAL:

This Change Order is needed as a result of construction modifications and includes all items to complete the Avalon Avenue Improvement project. The work entails additional quantities created by field changes due to utility conflicts, adjustments and additional survey services. All CONDITIONS, SUPPLEMENTARY CONDITIONS, SPECIFICATIONS, and all parts of the Agreement (Contract) apply to and govern all the Work under this Change Order.

II. REQUIRED CHANGES/COST ADJUSTMENTS:

	<i>Description</i>	<i>Unit</i>	<i>Qty</i>	<i>Unit Price</i>	<i>Amount</i>
1.	Type "C" Inlet w/apron	EA	1	\$3,000.00	\$3,000.00
2.	12"x18" ERCP	LF	28	\$85.00	\$2,380.00
3.	6" Concrete sidewalk/drive	SY	15	\$75.00	\$1,125.00
4.	12" Coquina LBR 100	SY	90.22	\$40.00	\$3,608.80
5.	2" Asphalt SP 9.5 patch	TONS	9.88	\$300.00	\$2,964.00
6.	Re-Mobilization	LS	1	\$5,000.00	\$5,000.00
7.	Remove existing 30" pipe and structures (including disposal)	LS	1	\$8,360.55	\$8,360.55
8.	Modifying structures	LS	1	\$1,519.91	\$1,519.91
9.	Additional surveying services	LS	1	\$1,197.90	\$1,197.90
10.	Deactivation of the old storm drainage system	LS	1	\$2,946.35	\$2,946.35
11.	Milling	SY	1,450	\$7.68	\$11,132.00
NET INCREASE BY THIS CHANGE ORDER					\$43,234.51

III. JUSTIFICATION:

- 1&2. Type "C" Inlet w/apron & 12"x18" ERCP – Due to reconfiguration of the mainline stormdrain, an addition crossing and inlets was required.
3. 6" Concrete sidewalk/drive – Additional quantities created by driveway field modifications were not identified in the original plans.

- 4&5. 12" Coquina LBR 100 & 2" Asphalt SP 9.5 patch – Overrun of material was needed to complete the project.
6. Re-Mobilization – An additional mobilization charge was due to engineering redesign to avoid costly utility conflicts.
7. Remove existing 30" pipe and structures (including disposal) – Removal of abandoned pipe and structures in conflict with proposed work.
8. Modifying structures – Due to elevation changes two Type "C" inlets required adjustment to meet finished grades.
9. Additional surveying services – Due to field changes additional surveying services were required.
10. Deactivation of the old storm drainage system – Due to utility conflicts, a section of the replaced stormdrain was grouted instead of being removed.
11. Milling – As a requirement to meet finished grades, milling was necessarily prior to resurfacing.

IV. PAYMENT:

The additional work will be encumbered by the Stormwater Management Utility Account No. 403-4300-538-3490.

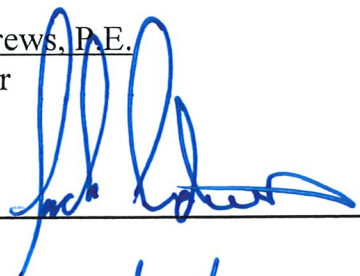
V. APPROVAL AND CHANGE AUTHORIZATION:

Acknowledgments: The aforementioned change, and work affected thereby, is subject to all provisions of the original contract not specifically changed by this Change Order; and it is expressly understood and agreed that the approval of the Change Order shall have no effect on the original Contract other than the matters expressly provided herein.

RECOMMENDED BY:

John R. Andrews, P.E.
City Engineer

By: _____



Signature

Date: _____

6/5/18

APPROVED AS TO FORM AND CORRECTNESS:

James M. Messer
City Attorney

By:  _____
Signature

Date: 6/07/2018 _____

APPROVED BY:

Linda Hudson
Mayor

By: _____
Signature

Date: _____

ACCEPTED BY:

Scott J. Johnson, President
Johnson-Davis, Inc.

By:  _____
Signature Scott J. Johnson Pres

Date: 5/29/18 _____

City Commission Regular Meeting

12.a.

Meeting Date: 07/02/2018

Re: Conceptual Site Plan - Sunrise Country Pre-School - 2706 Sunrise Boulevard

Submitted For: Rebecca Grohall, Director, Planning & Zoning

SUBJECT:

(PLEASE CONTINUE TO JULY 16, 2018 AT THE REQUEST OF THE APPLICANT'S REPRESENTATIVE) Quasi-Judicial Hearing - Application for Development Review of a Conceptual Site Plan submitted by property owner, OCD Kids, Inc. and Applicant Michael Jacquin, President of Paul Jacquin & Sons, to construct a 2,796 sq. ft. building addition to an existing Pre-School at 2706 Sunrise Boulevard, Fort Pierce, FL. The property is zoned Single-Family Intermediate Density Zone (R-2). Parcel ID: 2421-513-0014-000-5.

SUMMARY:

- The applicant is seeking approval of a conceptual site plan to build a 2,796 sq. ft. pre-school. The project's floor plan will consist of five (5) classrooms. This proposed site plan is an addition to an existing pre-school at the subject site. The 1.06 acres property is located just east of Sunrise Boulevard between Rosedale Avenue and Jasmine Avenue.
- Sunrise Country Pre-School is an existing preschool that was established to provide quality infant, toddler, and pre-school experiences in a safe, warm, friendly, and child-oriented environment. The pre-school currently has two (2) locations within the City of Fort Pierce. The pre-schools offer care for children ages 6 weeks to 4 years old. This proposed site plan is an addition to an existing pre-school at the subject site. The current pre-school at the subject site consists of a one (1) story frame building of about 3,435 sq. ft. and a 350 sq. ft. covered area that will be enclosed in the future for office space. The existing pre-school has twenty-four (24) parking spaces with one (1) designated space for handicap accessibility.
- The current application is proposing to build a building consisting of 2,796 sq. ft. The proposed pre-school addition will consist of five (5) classrooms. The proposed building's design will continue the existing architectural feature on the subject site and include a gable roof building with a continued porch in front of each classroom entry. There will be two (2) restrooms with outdoor access. The site plan includes the addition of a proposed concrete walkway; connecting the five (5) classroom expansion to the remainder of the campus. The site plan also includes a new dumpster enclosure location to the far-east of the parking lot. There are no additional parking spaces being added.

RECOMMENDATION:

The proposed Conceptual Development Plan generally meets the requirements of the City Code and is conceptually consistent with the City's Comprehensive Plan; therefore Staff recommends **approval** of the conceptual plan.

*** The applicant has asked that their agenda item be moved to the July 16th City Commission public hearing. Planning staff has agreed to the moving of the applicant's public hearing.***

ALTERNATIVES:

Approval with alternative conditions.
Denial

RESPONSIBLE STAFF:

Vennis Gilmore, Planning Analyst

COORDINATED WITH:

Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

N/A

Attachments

Staff Report
Application
Survey
Site Plan
Elevations & Floor Plan
TRC Comments
TRC Responses
Public Notification Certification

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	06/28/2018 11:18 AM
Form Started By: Vennis Gilmore		Started On: 06/20/2018 04:49 PM
Final Approval Date: 06/28/2018		



TO: Nicholas Mimms, PE, City Manager

THROUGH: Rebecca Grohall, AICP, Planning Director

FROM: Vennis Gilmore, Planning Analyst

RE: **Application for Conceptual Site Plan
 Sunrise Country Pre-School
 2706 Sunrise Blvd.**

DATE: June 20, 2018

STAFF REPORT

Owner(s): OCD Kids, Inc.
 2706 Sunrise Blvd.
 Fort Pierce, FL. 34982

Applicant: Paul Jacquin & Sons, Inc. / Michael Jacquin, President
 7348 Commercial Circle
 Fort Pierce, FL. 34951

Applicant's Request: Approval of a conceptual site plan for a 2,796 sq. ft. preschool to be constructed at the subject site

Location: 2706 Sunrise Blvd.

Parcel ID: 2421-513-0014-000-5

Current Zoning: R-2, Single-Family Intermediate Density Zone

Surrounding Zoning:

North	East	South	West
R-2	R-2	R-2	R-2

Future Land Use: RL, Low Density Residential

Site Size: 1.06 acres

Utilities: FPUA

Staff Analysis:

Request

The applicant is seeking approval of a conceptual site plan to build a 2,796 sq. ft. pre-school. The project's floor plan will consist of five (5) classrooms. This proposed site plan is an addition to an existing pre-school at the subject site. The 1.06 acres property is located just east of Sunrise Boulevard between Rosedale Avenue and Jasmine Avenue.

History

Sunrise Country Pre-School is an existing preschool that was established to provide quality infant, toddler, and pre-school experiences in a safe, warm, friendly, and child-oriented environment. The pre-school currently has two (2) locations within the City of Fort Pierce. The pre-schools offer care for children ages 6 weeks to 4 years old. This proposed site plan is an addition to an existing pre-school at the subject site. The current pre-school at the subject site consists of a one (1) story frame building of about 3,435 sq. ft. and a 350 sq. ft. covered area that will be enclosed in the future for office space. The existing pre-school has twenty-four (24) parking spaces with one (1) designated space for handicap accessibility.

Site Plan

The current application is proposing to build a building consisting of 2,796 sq. ft. The proposed pre-school addition will consist of five (5) classrooms. The proposed building's design will continue the existing architectural feature on the subject site and include a gable roof building with a continued porch in front of each classroom entry. There will be two (2) restrooms with outdoor access. The site plan includes the addition of a proposed concrete walkway; connecting the five (5) classroom expansion to the remainder of the campus. The site plan also includes a new dumpster enclosure location to the far-east of the parking lot. There are no additional parking spaces being added.

Technical Review Committee

All affected departments have reviewed the proposed Conceptual Site Plan with regards to requirements of the City Code. Findings from the review by corresponding departments and any associated responses by the applicant are provided for viewing by the City Commission.

Planning Board Recommendation:

The Planning Board, at their June 12th, 2018 meeting, voted unanimously to recommend **approval** of the request.

Staff Recommendation

The proposed Conceptual Development Plan generally meets the requirements of the City Code and is conceptually consistent with the City's Comprehensive Plan; therefore Staff recommends **approval** of the conceptual plan.

*** The applicant has asked that their agenda item be moved to the July 16th City Commission public hearing. Planning staff has agreed to the moving of the applicant's public hearing.***



DEVELOPMENT REVIEW

Property address or Location 2706 Sunrise Blvd. Fort Pierce, FL. 34982
 Parcel ID #(s) 2421-513-0014-000-5
 Project description _____

OCD Kids, Inc.
Property Owner(s)
 2706 Sunrise Blvd.
 Street Address
 Fort Pierce FL. 34982
 City State Zip
 772-465-3151
 Phone Number
 Email Address

Paul Jacquin & Sons, Inc./ Michael Jacquin President
Applicant/Representative, Title, Company
 7348 Commercial Circle
 Street Address
 Fort Pierce FL. 34951
 City State Zip
 772-465-2475
 Phone Number
 michael.jacquin@pjsi.com
 Email Address

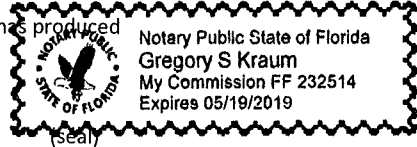
Property Owner(s) Acknowledgements: - This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application. The property owner's signature below shall also authorize the Applicant (if other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

Queda Taylor
 Property Owner(s) Signature(s)

STATE OF FLORIDA -- COUNTY ST. LUCIE
 The foregoing instrument was acknowledged before me this 28 day of MARCH, 2018, by

Queda Taylor who is personally known to me or has produced _____ as identification.

[Signature]
 Signature of Notary



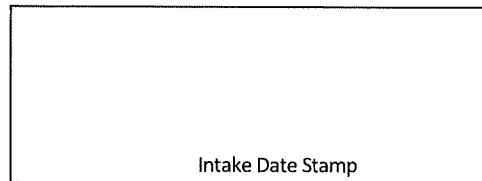
INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772) 467-3729

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 _____



DEVELOPMENT REVIEW

General Information

- Incomplete application packets cannot be accepted.
- Site Plan approval is valid for one (1) year following City Commission approval. In order to maintain site plan approval, vertical improvements, permitted by the Building Department must commence prior to the 12-month expiration date, and building permits must be maintained until site plan is completed, per plans, or approval shall lapse.

Choose Application Type:

Application Type			
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Conditional Use with New Const.	<input type="checkbox"/> Major Amendment	
<input checked="" type="checkbox"/> Conceptual Development Plan		<input type="checkbox"/> Minor Amendment	

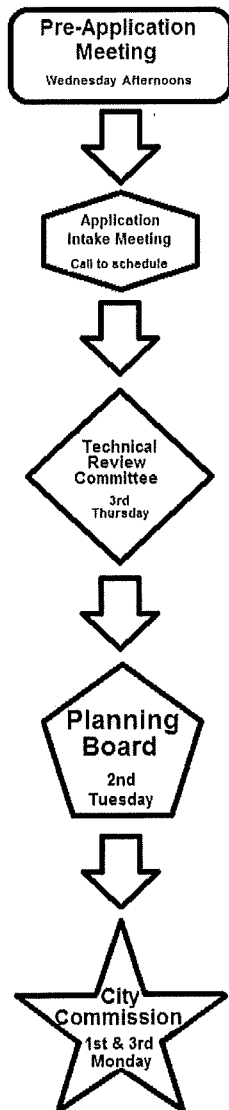
Site Information:

Non-Residential: Proposed Sq. Ft.: _____ Residential: Proposed Units: _____

Surrounding Uses: (i.e. single family home, retail, industrial, etc.)

North	South	East	West

Application Outlook



Site Plan submittal requirements:

Submit one (1) original & thirteen (13) hard copies and one (1) CD of the following. Additional copies will be required of subsequent submittals.

- Complete notarized application
- Warranty Deed
- SLC Property Record Card
- Statements of ownership & control of proposed development. Statement describing in detail: character & intended use.
- General location map (see Section 22-58.d.2)
- Survey (see Section 22-58.d.3)
- Site Plan (see Section 22-58.d.4)
- Landscaping Plan (see Section 22-187)
- Storm Drainage Plan (see Section 22-58.d.6)
- Environmental Impact Report
- Beach/Dune System protection plan, if applicable (see Section 22-58.d.7)
- Lighting Plan (see Section 22-58.d.8)
- Design Review submittals (see Design Review application)
- Traffic Impact Report
- Concurrency Review submittals (see Concurrency Review application)

This Document Prepared By and Return to:

Sam T. Steger
STEGER & STEGER, P.A.
603 SW CLEVELAND AVENUE
STUART, FL 34994

Parcel ID Number: 2421-513-0014-000/5

Warranty Deed

This Indenture, Made this day of June, 2006 A.D., Between
REBECCA YOUNG HOLLAND f/k/a Rebecca A. Young-Sapp, a single woman

of the County of Montgomery, State of Pennsylvania, grantor, and
OVEDA L. LANE, a single woman

whose address is: 2902 Oleander Boulevard, Fort Pierce, FL 34982

of the County of St. Lucie, State of Florida, grantee.

Witnesseth that the GRANTOR, for and in consideration of the sum of

TEN DOLLARS (\$10) DOLLARS,
and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has
granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate,
lying and being in the County of St. Lucie State of Florida to wit:

Lots 1, 2 and 3, Block 2, MARAVILLA PARK, according to the Plat thereof, as recorded in Plat Book 5, page 13, of the Public Records of St. Lucie County, Florida; together with the West 7.5 feet of vacated alley adjacent to Block 2, MISIK'S RESUB OF PART OF MARAVILLA PARK, as recorded in Plat Book 9, page 60, of the Public Records of St. Lucie County, Florida, as set forth in Ordinance No. E-358, recorded in Official Records Book 150, page 394, of the Public Records of St. Lucie County, Florida.

SUBJECT to restrictions, reservations and easements of record, if any, and taxes subsequent to December 31, 2005.

and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

In Witness Whereof, the grantor has hereunto set her hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

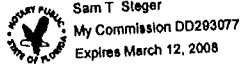
Sam T Steger
Printed Name: Sam T Steger
Witness

Rebecca Young Holland (Seal)
REBECCA YOUNG HOLLAND f/k/a
A. Young-Sapp
P.O. Address: 755 Danbury Drive, Blue Bell, PA 19422

Deven E Walbridge
Printed Name: Deven E Walbridge
Witness

The foregoing instrument was acknowledged before me this 2 day of June, 2006 by
REBECCA YOUNG HOLLAND f/k/a Rebecca A. Young-Sapp, a single woman

she is personally known to me or she has produced her driver's license as identification.



Sam T Steger
Printed Name: Sam T Steger
Notary Public
My Commission Expires:

Prepared by and return to:
Sam T. Steger, Esq.
Steger & Steger, P.A.
603 SW Cleveland Avenue,
Stuart, FL 34994
772-287-8888
Will Call No.:

[Space Above This Line For Recording Data]

Quit Claim Deed

This Quit Claim Deed made this 14th day of July, 2011, between **OVEDA LOUISE TAYLOR**, a single woman, whose post office address is **2902 Oleander Blvd., Ft. Pierce, FL 34982**, grantor, and **O.C.D. KIDS, INC.**, a Florida corporation, whose post office address is **2706 Sunrise Blvd., Ft. Pierce, FL 34982**, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum **TEN AND NO/100 DOLLARS (\$10.00)** and other good and valuable consideration to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in **St. Lucie County, Florida** to-wit:

Lots 1, 2 and 3, Block 2, MARAVILLA PARK, according to the map or plat thereof as recorded in **Plat Book 5, page 13**, public records of **St. Lucie county, Florida**, Together with the **West 7.5 feet of vacated alley adjacent to Block 2, MISIK'S RESUB OF PART OF MARAVILLA PARK**, as recorded in **Plat Book 9, page 60**, of the public records of **St. Lucie County, Florida**, as set forth in **Ordinance No. E-358**, as recorded in **OR Book 150, page 394**, of the public records of **St. Lucie County, Florida**.

Subject to taxes for 2011 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Grantors warrant that at the time of this conveyance, the subject property is not the Grantors' homestead within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property.

THIS DEED WAS PREPARED WITHOUT BENEFIT OF TITLE EXAMINATION.

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit and profit of the said grantee forever.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Prepared by and return to:
Sam T. Steger, Esq.
Steger & Steger, P.A.
603 SW Cleveland Avenue,
Stuart, FL 34994
772-287-8888
Will Call No.:

[Space Above This Line For Recording Data]

Quit Claim Deed

This Quit Claim Deed made this 14th day of July, 2011, between REBECCA HOLLAND, f/k/a REBECCA A. YOUNG-SAPP, a married woman, and OVEDA LOUISE TAYLOR, f/k/a OVEDA L. DARRISAW, f/k/a OVEDA L. LANE, a single woman, individually and d/b/a SUNRISE COUNTRY PRE-SCHOOL, whose post office address is 2902 Oleander Blvd., Ft. Pierce, FL 34982, grantor, and O.C.D. KIDS, INC., a Florida corporation, whose post office address is 2706 Sunrise Blvd., Ft. Pierce, FL 34982, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in St. Lucie County, Florida to-wit:

Lots 1, 2 and 3, Block 2, MARAVILLA PARK, according to the map or plat thereof as recorded in Plat Book 5, page 13, public records of St. Lucie county, Florida, Together with the West 7.5 feet of vacated alley adjacent to Block 2, MISIK'S RESUB OF PART OF MARAVILLA PARK, as recorded in Plat Book 9, page 60, of the public records of St. Lucie County, Florida, as set forth in Ordinance No. E-358, as recorded in OR Book 150, page 394, of the public records of St. Lucie County, Florida.

Subject to taxes for 2011 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Grantors warrant that at the time of this conveyance, the subject property is not the Grantors' homestead within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property.

THIS DEED WAS PREPARED WITHOUT BENEFIT OF TITLE EXAMINATION.

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit and profit of the said grantee forever.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Property Identification

Site Address: 2706 SUNRISE BLVD
Parcel ID: 2421-513-0014-000-5
Account #: 28891
Map ID: 24/21N
Use Type: 7200
Zoning: R2
City/County: Fort Pierce

Ownership

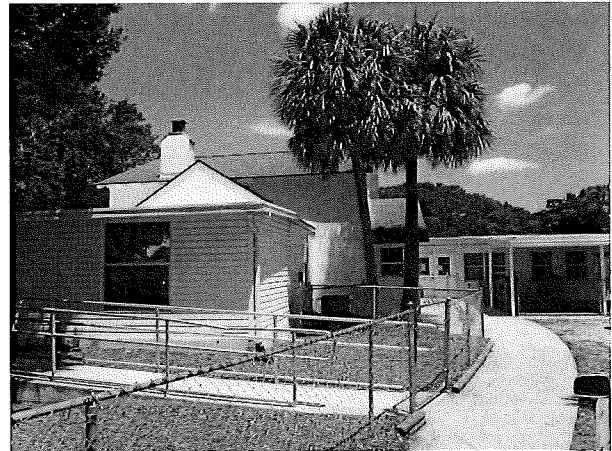
OCD Kids Inc
2706 Sunrise BLVD
Fort Pierce, FL 34982

Legal Description

MARAVILLA PARK BLK 2 LOTS 1, 2 AND 3 AND W 7.5 FT OF VAC ALLEY ADJ ONE LYG S OF WLY EXT OF N LI OF LOT 1 BLK 2 MISIKS RE-S/D AND W 7.5 FT OF VAC ALLEY ADJ ON E OF LOT 3 (OR 3150-1973; 3155-372; 3310-2176, 2179)

Current Values

Just/Market Value: \$309,800
Assessed Value: \$309,800
Exemptions: \$309,800
Taxable Value: \$0
Taxes for this parcel: SLC Tax Collector's Office [☑](#)
Download TRIM for this parcel: [Download PDF](#) [☑](#)



Total Areas

Finished/Under Air (SF): 4,325
Gross Area (SF): 4,902
Land Size (acres): 1.06
Land Size (SF): 46,173.6

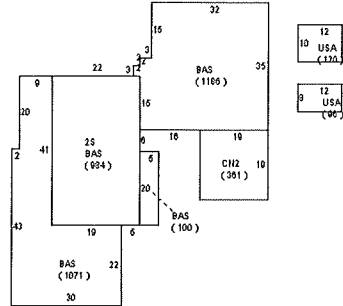
Sale History

Date:	Jul 14, 2011
Book/Page:	3310 / 2179
Sale Code:	0111
Deed:	QC
Grantor:	OCD Kids Inc,
Price:	\$100
Date:	Jul 13, 2011
Book/Page:	3310 / 2176
Sale Code:	0111
Deed:	QC
Grantor:	Sunrise Country Preschool,
Price:	\$100
Date:	Dec 17, 2009
Book/Page:	3155 / 0372
Sale Code:	0111
Deed:	QC
Grantor:	Lane, Oveda L

Full Baths: 0
 Half Baths: 0
 A/C %: 100%

Heat Type: FredHotAir
 Heat Fuel: ELEC
 Heated %: 100%

Avg Hgt/Floor: 0
 Primary Floors: Vinyl Tiles
 Sprinkled %: 100%



Special Features and Yard Items

Type: CHAINLINK 4'
 Quantity: 1
 Units: 750
 Year Built: 1985

Current Year Values

Current Values Breakdown		Current Year Exemption Value Breakdown				
		Tax Year	Grant Year	Code	Description	Amount
Building:	\$117,700					
Land:	\$192,100	2017	2013	3000	Education	\$309,800
Just/Market:	\$309,800					
Ag Credit:	\$0					
Save Our Homes or 10% Cap:	\$0					
Assessed:	\$309,800					
Exemption(s):	\$309,800					
Taxable:	\$0					

Current Year Special Assessment Breakdown

Start Year	AssessCode	Units	Description	Amount
1999	0041	2.4	Fort Pierce Stormwater Charge	\$129.60

This does not necessarily represent the total Special Assessments that could be charged against this property. The total amount charged for special assessments is reflected on the most current tax statement and information is available with the SLC Tax Collector's Office.

Historical Values

Permits

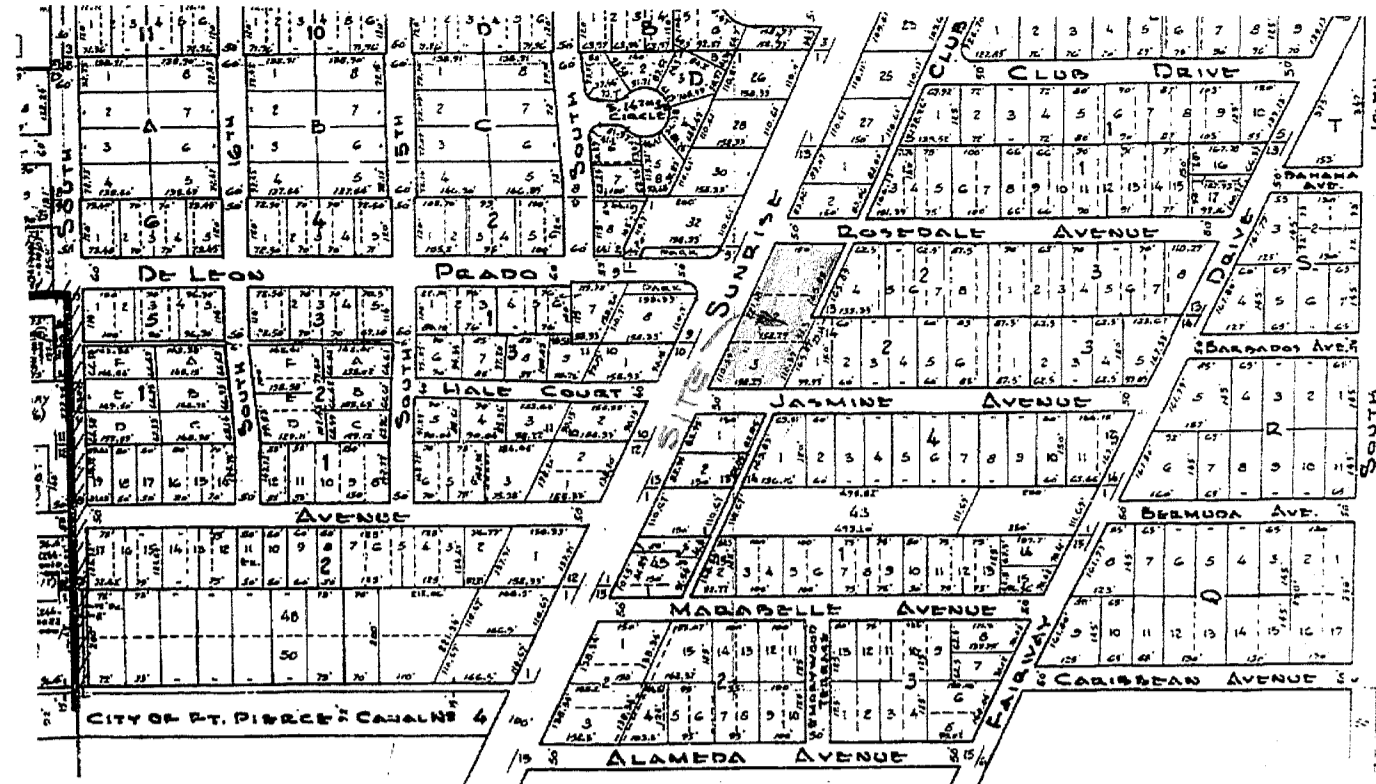
Fee:

\$207

Notice: This does not necessarily represent all the permits for this property.
Click the following link to check for additional permit data in Fort Pierce

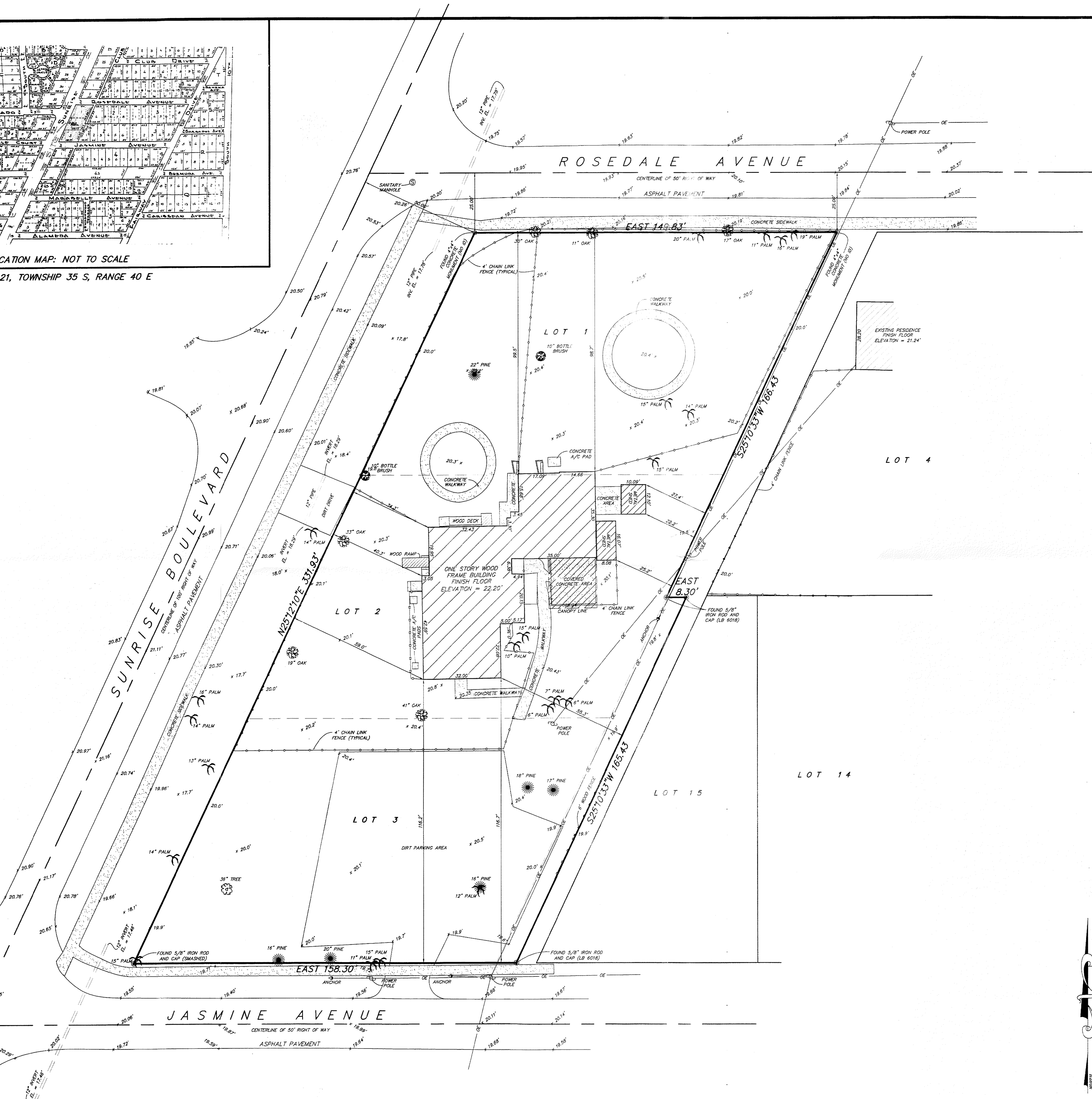
This information is believed to be correct at this time but it is subject to change and is not warranted.
© Copyright 2018 Saint Lucie County Property Appraiser. All rights reserved.

BOUNDARY SURVEY



LOCATION MAP: NOT TO SCALE
SECTION 21, TOWNSHIP 35 S, RANGE 40 E

LEGEND:
LB - LICENSED BUSINESS
OE - OVERHEAD ELECTRIC
xx.xx' - SPOT ELEVATIONS
A/C - AIR CONDITIONER
INV. - INVERT
EL. - ELEVATION



LEGAL DESCRIPTION:

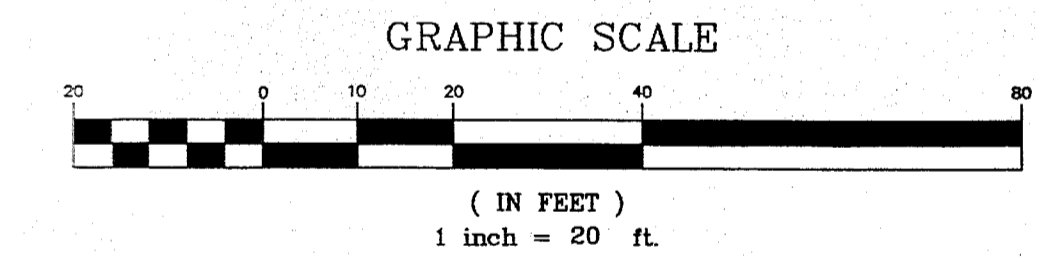
LOTS 1, 2 AND 3, BLOCK 2, MARAVILLA PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 13, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; TOGETHER WITH THE WEST 7.5 FEET OF VACATED ALLEY ADJACENT TO BLOCK 2, MISIK'S RESUB OF PART OF MARAVILLA PARK, AS RECORDED IN PLAT BOOK 9, PAGE 60, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, AS SET FORTH IN ORDINANCE NO. E-358, RECORDED IN OFFICIAL RECORD BOOK 150, PAGE 394, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

SURVEYOR'S NOTES:

- NO ATTEMPT WAS MADE BY THIS FIRM TO LOCATE UNDERGROUND UTILITIES ON/OR ADJACENT TO THIS SITE. THE APPROXIMATE LOCATION OF ALL UTILITIES SHOWN HEREON WERE TAKEN FROM AS-BUILT DRAWINGS AND/OR ON-SITE LOCATION AND SHOULD BE VERIFIED BEFORE CONSTRUCTION.
- NO ATTEMPT WAS MADE BY THIS FIRM TO LOCATE UNDERGROUND FOOTINGS OF BUILDINGS OR FENCES ON OR ADJACENT TO THIS SITE.
- LANDS SHOWN HEREON WERE SURVEYED WITHOUT THE BENEFIT OF A TITLE SEARCH.
- BEARINGS SHOWN HEREON REFER TO AN ASSUMED MERIDIAN OF N90°00'00"E ALONG THE SOUTH PROPERTY LINE OF SAID LOT 3.
- LEGAL DESCRIPTION FURNISHED BY CLIENT.
- SITE AREA: 46,267 SQUARE FEET OR 1.06 ACRES MORE OR LESS.
- THIS SITE LIES IN FLOOD ZONE 'X' AS SCALED AND INTERPOLATED ON FEMA PANEL MAP NO. 12111C-0187-G, DATED: NOVEMBER 4, 1992.

CERTIFICATIONS:

- SUNRISE COUNTRY PRESCHOOL



SURVEYOR'S CERTIFICATION:

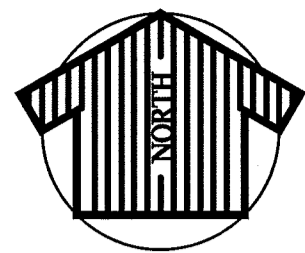
I HEREBY CERTIFY THAT THIS PLAT OF SURVEY WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA STATUTES, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER.

Robert Bloomster Jr.
ROBERT BLOOMSTER JR.
PROFESSIONAL LAND SURVEYOR
NO. 4134 STATE OF FLORIDA

BLOOMSTER
PROFESSIONAL LAND SURVEYORS, INC.
L.B. #6018
791 NORTHEAST DIXIE HIGHWAY
JENSEN BEACH, FLORIDA 34957
PHONE 772-334-0868

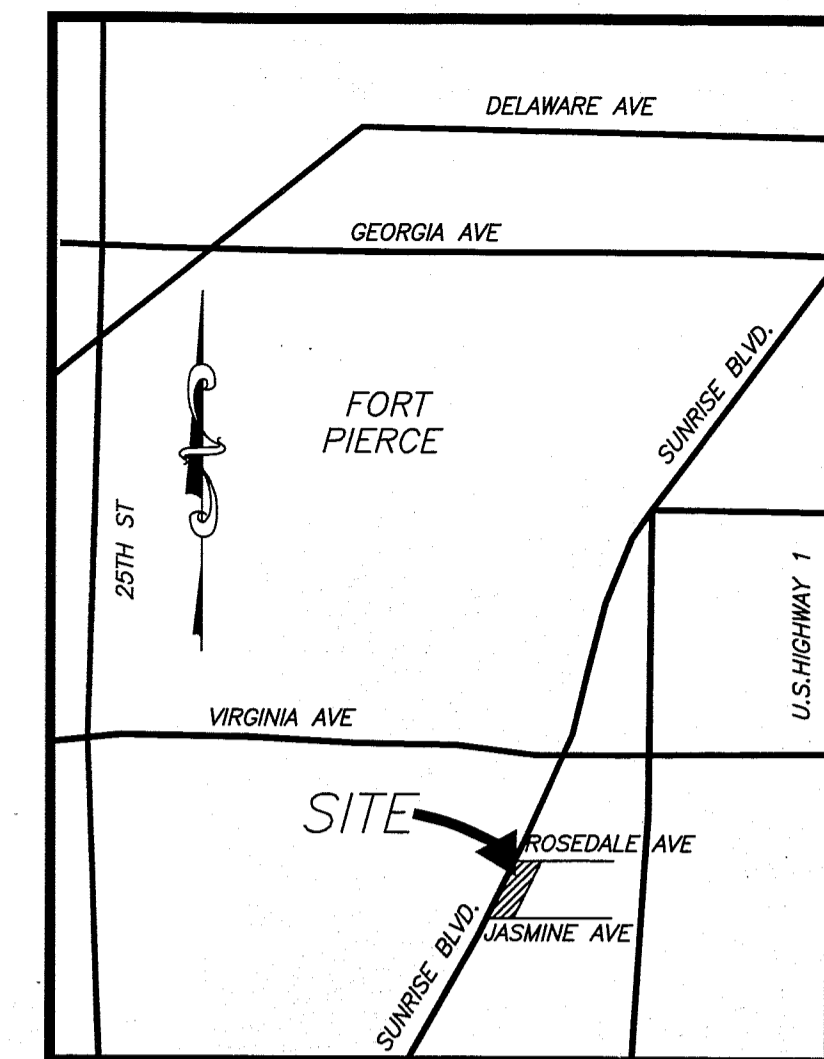
SHEET 1 OF 1		
DRAWN BY: A.C.		
SCALE: 1" = 20'		
FIELD WORK COMPLETED: 10/28/2005		
FIELD BOOK: A131/B-11		
JOB NO: 9124		
REVISIONS		
DATE:	DESCRIPTION:	BY:
11-17-06	UPDATE SURVEY	A.C.
03-07-07	UPDATE SURVEY	A.C.
10/19/07	LOCATION MAP	F.J.Y.

PREPARED FOR: SUNRISE COUNTRY PRESCHOOL
2706 SUNRISE BOULEVARD
FORT PIERCE, ST. LUCIE COUNTY, FLORIDA



ZONING: R2
EX. LAND USE: SF/RESIDENTIAL
FUTURE LAND USE: RL/LOW DENSITY RESIDENTIAL

ZONING: R2
EX. LAND USE: SF/RESIDENTIAL
FUTURE LAND USE: RL/LOW DENSITY RESIDENTIAL



LOCATION MAP N.T.S.
S21 : T35S : R40E

LEGAL DESCRIPTION:
LOTS 1, 2 AND 3, BLOCK 2 MARAVILLA PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 13, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; TOGETHER WITH THE WEST 7.5 FEET OF VACATED ALLEY ADJACENT TO BLOCK 2, MISK'S RESUB OF PART OF MARAVILLA PARK, AS RECORDED IN PLAT BOOK 9, PAGE 60, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, AS SET FORTH IN ORDINANCE NO. E-358, RECORDED IN OFFICIAL RECORD BOOK 150, PAGE 394, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

OWNER:
OVEDA L. LANE
2902 OLANDER BLVD.
FORT PIERCE, FL 34982

SURVEYOR:
BLOOMSTER PROFESSIONAL LAND SURVEYORS, INC.
791 NORTHEAST DIXIE HIGHWAY
JENSEN BEACH, FL 34957
(561) 747-6046

ENGINEER:
VELCON ENGINEERING & SURVEYING, LLC.
702 SW FORT ST. LUCIE BOULEVARD
FORT ST. LUCIE, FL
(772) 879-0477

LANDSCAPE ARCHITECT:
WILLIAM FLINT
2310 COUNTRY CLUB LANE
STUART, FL
(772) 220-0424

PROPERTY CLASSIFICATIONS:

ZONING: R2
LAND USE: PRIVATE PRE-SCHOOLS
FUTURE LAND USE: RL/LOW-DENSITY RESIDENTIAL

SITE DATA:

PARCEL SIZE	46,267 S.F.	1.06 ACRES	100.00%
EXISTING BUILDING AREA	3,435 S.F.	0.079 ACRES	7.42%
EXISTING WALK AREA	579 S.F.	0.013 ACRES	1.25%
EXISTING TOTAL IMPERVIOUS	4,014 S.F.	0.092 ACRES	8.68%
PROPOSED BUILDING AREA	2,334 S.F.	0.053 ACRES	5.04%
PROPOSED OFFICE AREA	350 S.F.	0.008 ACRES	0.76%
PROPOSED PAVED AREA	12,719 S.F.	0.292 ACRES	27.49%
PROPOSED WALK AREA	1,714 S.F.	0.04 ACRES	3.70%
PROPOSED TOTAL IMPERVIOUS	17,117 S.F.	0.393 ACRES	36.99%
TOTAL IMPERVIOUS	21,131 S.F.	0.485 ACRES	45.66%
PERVIOUS AREA (OPEN)	25,136 S.F.	0.577 ACRES	54.34%

PARKING CALCULATIONS:

PARKING REQUIRED @ 2 SPACES/PER CLASSROOM
= 2 SPACES X 12 CLASSROOMS = 24 SPACES REQUIRED
PARKING REQUIRED = 24 SPACES (INCLUDING 1 HANDICAPPED SPACES)
PARKING PROVIDED = 24 SPACES (INCLUDING 1 HANDICAPPED SPACES)

GENERAL NOTES:

- ALL SITE LIGHTING TO COMPLY WITH CITY CODE SECTION 22.58(8). LIGHTING PLAN TO BE PROVIDED AT TIME OF FINAL SUBMISSION.
- ALL STORM DRAINAGE FACILITIES SHALL CONFORM TO CHAPTERS 17 AND 18 OF THE FORT PIERCE CODE OF ORDINANCES AND THE "STANDARD SPECIFICATIONS" ADOPTED BY THE CITY COMMISSION ON FEBRUARY 13, 1973.

UTILITIES NOTES:

- ALL MATERIALS AND WORKMANSHIP SHALL COMPLY WITH THE REQUIREMENTS OF THE FORT PIERCE UTILITIES AUTHORITY.
- ALL UTILITY LOCATIONS ARE FROM AS-BUILT DRAWINGS AND SHALL BE FIELD VERIFIED BY CONTRACTOR PRIOR TO CONSTRUCTION.
- ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.

BUILDING REQUIREMENTS:

BUILDING SETBACK REQUIREMENTS = FRONT 25', REAR 15', SIDE 15'

TYPICAL PARKING SPACE:

9.5' X 19'

DEVELOPMENT SCHEDULE:

START 90 DAYS FROM FINAL APPROVAL
COMPLETE 1 YEAR FROM START DATE

ZONING: R2
EX. LAND USE: SF/RESIDENTIAL
FUTURE LAND USE: RL/LOW DENSITY RESIDENTIAL

ZONING: R2
EX. LAND USE: SF/RESIDENTIAL
FUTURE LAND USE: RL/LOW DENSITY RESIDENTIAL

ZONING: R2
EX. LAND USE: SF/RESIDENTIAL
FUTURE LAND USE: RL/LOW DENSITY RESIDENTIAL

ZONING: R2
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EX. LAND USE: SF/RESIDENTIAL
FUTURE LAND USE: RL/LOW DENSITY RESIDENTIAL

ZONING: R2
EX. LAND USE: SF/RESIDENTIAL
FUTURE LAND USE: RL/LOW DENSITY RESIDENTIAL

SEAL
ENGINEER'S APPROVAL
M. RANDALL ROGERS
P.E. No. 68212
DATE

VELCON ENGINEERING & SURVEYING LLC
702 SW FORT ST. LUCIE BLVD.
FORT ST. LUCIE, FL 34957
PHONE (772) 879-0477
FAX (772) 879-0477



REV.	DATE	DESCRIPTION

SITE PLAN

SUNRISE PRESCHOOL
2706 SUNRISE BLVD
CITY OF FORT PIERCE, FL

SCALE: 1"=20'
DATE: 06/14/18
DRAWN BY: [Signature]
CHECKED BY: [Signature]
CADD: [Signature]
DATE: 06-26-2018

SHEET NO.:

OF 1

JOB No.: 06-267ENG



ST. LUCIE COUNTY
PLANNING & DEVELOPMENT SERVICES
TECHNICAL REVIEW LETTER

TO: Vennis Gilmore, Planning Analyst

THROUGH: Mayte Santamaria, Assistant Director

FROM: Kori Benton, Senior Planner

DATE: May 15, 2018

**SUBJECT: Sunrise Country Preschool
Conceptual Site Plan – 2706 Sunrise Blvd.**

The St. Lucie County Planning & Development Services Department has completed a review of the May 7, 2018 distribution of TECHNICAL REVIEW PROJECT# 18-40100001.

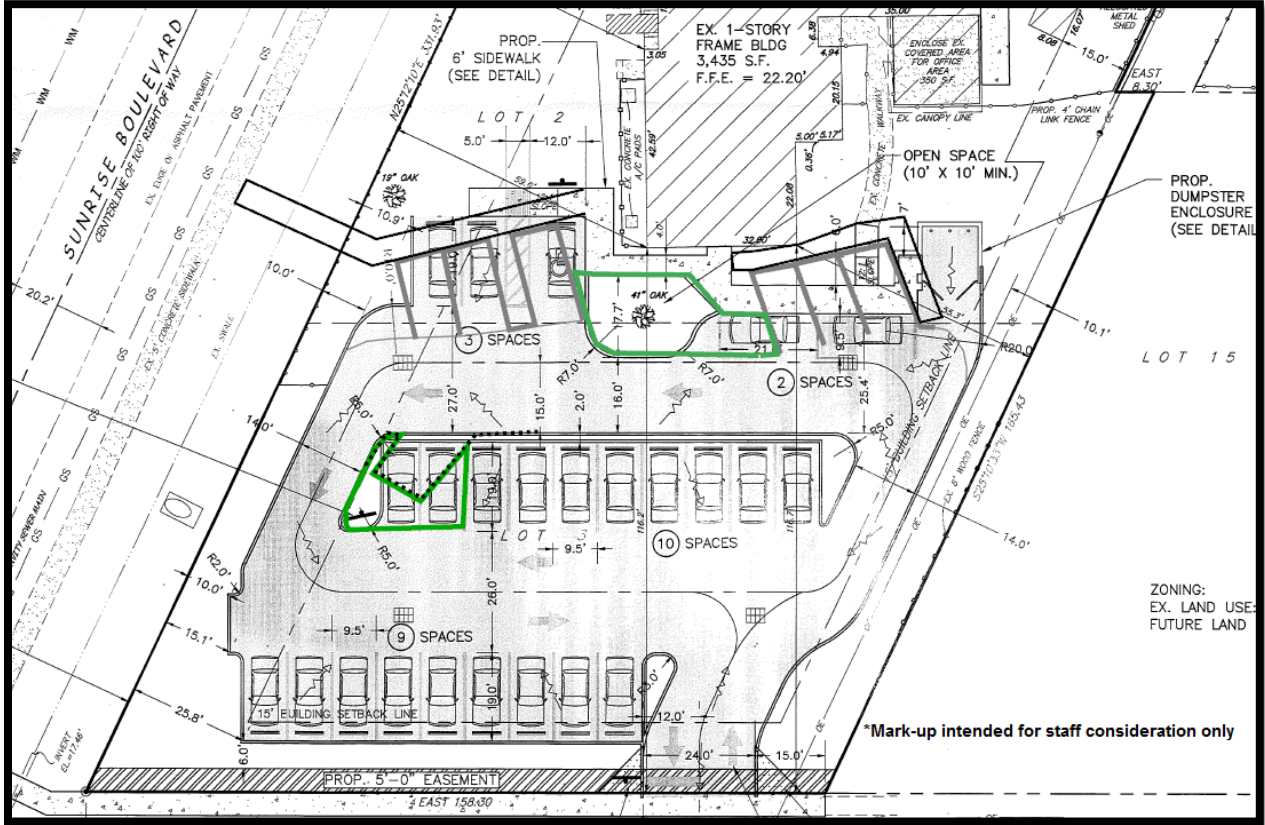
Background

The applicant is seeking approval of a Conceptual Site Plan, presenting a proposed to expand an existing pre-school via construction of an additional 2,796 sq. ft. classroom building. The subject property has a zoning of R-2, Single-Family Intermediate Density Zone and a Future Land Use of RL, Low Density Residential. The subject site has a total of 1.06 acres.

Review Comments

1. The conceptual plan presents the relocation of the commercial dumpster towards the east side of the property, much closer to an existing single-family residence abutting the site. The applicant may consider an alternative location to minimize potential for conflicts of the collection process and adjacent home(s).
2. The plan should include a sidewalk connection from the right-of-way to an ADA accessible building entrance.
3. Tree preservation, and design of adequate root space/barriers, is encouraged where possible. Please ensure preservation of the 41” oak, as proposed, is handled with best practices.
4. Appropriate buffering between the proposed commercial expansion and adjacent residences is encouraged.

Please contact me at 772-462-2518 if you have any questions or would like to discuss the presented comments.





THE SUNRISE CITY
FORT PIERCE
 ENGINEERING
 DEPARTMENT

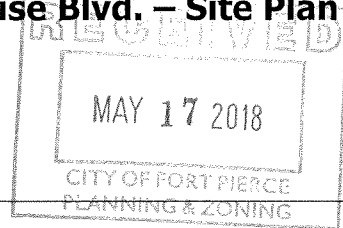
Florida

To : Vennis Gilmore, Planning Analyst

FROM : John R. Andrews, P.E., City Engineer

**RE : Sunrise Country Preschool – 2706 Sunrise Blvd. – Site Plan
 TRC No. 18-40100001**

DATE : May 17, 2018



This is to advise you that we have completed the review of the following documents as received by this office on May 7, 2018:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Site Plan | <input type="checkbox"/> P/D Drawings |
| <input type="checkbox"/> Test Reports & Related Documents | <input type="checkbox"/> Certificate of Completion |
| <input type="checkbox"/> Record Drawings | <input type="checkbox"/> Permits from applicable Local, State & Federal Agencies |
| <input type="checkbox"/> Clearances from all applicable Local, State and Federal Agencies | |

Based on our reviews and appropriate site final inspection, we

- | | | |
|---|--|------------------------------|
| <input type="checkbox"/> Recommend | <input checked="" type="checkbox"/> Do Not Recommend | |
| <input checked="" type="checkbox"/> Approval of Site Plan | <input type="checkbox"/> Building Permit | <input type="checkbox"/> C/O |

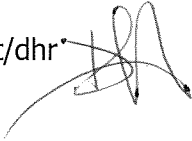
Developer, Owner, Engineer, Contractor and other members of the Development Team must be aware, the above recommendation is based only on the construction requirements of the engineering plans and other engineering documentation approved by this department. The Development Team shall be responsible for the compliance with other City department requirements and all approved documents, as well as Local, State and Federal regulations. The development requirements for this project may necessitate additional construction requirements that are not subject to this department's review for approval.

- See attached for engineering comments

ENGINEERING COMMENTS:

1. Please provide a Boundary and Topographic Survey signed and sealed by a Florida Licensed Land Surveyor and Mapper in accordance with City of Fort Pierce Code of Ordinances Section 17-27(a)(7).
2. Please provide a conceptual storm drainage plan which will indicate the techniques used to control drainage in accordance with City of Fort Pierce Code of Ordinances Section 22-58(d)(6).
3. Advisory Comment: Prior to issuance of the Certificate of Occupancy, a recorded sketch and description along with a recent Owners and Encumbrances search shall be submitted encompassing the proposed 5' R/W easements along Jasmine Avenue and Rosedale Avenue.
4. Advisory comment: Finished floor elevation shall be set at the peak stage for a 100 yr-3day storm event.

JRA/tst/dhr

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the left.



PUBLIC WORKS
ENGINEERING DIVISION
DEVELOPMENT REVIEW
COMMITTEE

May 8, 2018

Project: SUNRISE COUNTRY PRE SCHOOL
Subject: SURVEY REVIEW
To: Vennis Gilmore
From: Rod Reed, PLS
SLC-Engineering Division

BACKGROUND:

The request seeks to construct a 2,796 sq. ft. preschool at the subject site. The subject property has a zoning of R-2, Single-Family Intermediate Density Zone and a Future Land Use of RL, Low Density Residential. The subject site has a total of 1.06 acres.

All comments are based on the Standards of Practice per 5J-17.050 thru 5J-17.052

SURVEY:

- 1) Please provide a survey not older than one year. I will review upon receipt.

Please provide a written response to all comments

Rod Reed, County Surveyor

*St. Lucie County, Fl.
2300 Virginia Avenue
Ft. Pierce, Fl. 34982-5652
www.stlucieco.org
Ph. (772) 462-1721
E-mail reedr@stlucieco.org*

The School Board has no comments on the proposed Conceptual site plan.

Marty E. Sanders, P.E.

Growth Management, Land Acquisition & Inter-Governmental Relations
School Board of St. Lucie County

Temporary office

582 NW University Blvd., Ste 500

Port St. Lucie, FL 34986

cell 772.216.5755



**BUILDING DEPARTMENT
TECHNICAL REVIEW COMMITTEE (TRC)
COMMENT FORM**

Meeting Date: 5/17/18
Property Address: 2706 Sunrise Blvd
Property Name:
Project Name:
Planner:

Please be advised that the project may trigger the requirements indicated below:

- 1. Building Official or his representative has no comment at the time of this meeting, but reserves submission of comments upon completion of the official plan review.
- 2. Pre-construction meeting with the City's Building Department is requested.
- 3. Any construction will need to meet the requirements of the Florida Building Code 6th Edition.
- 4. Means of egress is required.
- 5. Means of ingress is required.
- 6. Must meet the following Accessibility requirements:
 - Accessible route
 - Handicapped parking spaces
 - Means of egress
- 7. Change of Use required
 - to include a signed and sealed Life Safety Plan
 - to include a signed and sealed detailed comprehensive building plan.
- 8. Property exists in Special Flood Hazard Area. All Federal and State requirements shall be addressed.
- 9. Flood Development Permit required.
- 10. Building Permit required.
- 11. Signed and sealed construction drawings required.
- 12. Will need to meet the Fire Code.
- 13. Sprinkler system is required.
- 14. Smoke alarm system is required.
- 15. Other

Additional Comments/Requirements:

Permit Required to Relocate Two metal shut.

Building Official's or Representative's Signature _____ Date: 5/17/18

Vennis,

I apologize for the delay in sending you the comments below.

Conceptual Site Plan – Sunrise Country Preschool – 2706 Sunrise Boulevard - Gilmore

· W/WW Engineering: Concept Approved,

New building addition will require utility upgrades as conceptually show on site plan provided. For review and final approval, a complete package including 3 signed and sealed set of plans (detailing the additional utility requirements) as well as updated/additional water and wastewater usage must be submitted to FPUA.

· Electric & Gas Engineering: Approved

Thank you

Regards,

Martha Kerr

Staff Assistant

W/WW Engineering Department

Fort Pierce Utilities Authority

1701 S. 37th Street

Fort Pierce, FL 34947

Telephone: (772) 466-1600, Ext. 3473

Fax: (772) 468-2414

mkerr@fpu.com



THE SUNRISE CITY

FORT PIERCE
PLANNING DEPARTMENT
Florida

Paul Jacquin & Sons, Inc. / Michael Jacquin, President
7348 Commercial Circle
Fort Pierce, FL. 34951

Re: Conceptual Site Plan – Sunrise Country Preschool – 2706 Sunrise Blvd.

Dear Mr. Jacquin,

The following are comments from the Planning Department's review of the application for a Conceptual Site Plan in the R-2, Single-Family Intermediate Density Residential Zone (**Please Provide a Written Response to all responsible Departments**):

1) Per City Code Sec. 22-62. - Sidewalks. b)

Applicability: In order to provide continual access for pedestrians, sidewalks and sidewalk linkages shall be required to be provided by the property owner or permit applicant when one of the following events occur:

Plans submitted for site plan, conditional use, PUD/PUR, and subdivision review. Plans shall reflect all proposed sidewalk improvements.

Safe and efficient sidewalk linkages shall be provided between building entrances and parking areas, and adjacent portions of the development, and adjacent rights-of-way. At least one accessible route in accordance with the Florida Accessibility Code shall connect buildings to parking areas and adjacent rights-of-way.

Please install a sidewalk linkage for pedestrian and ADA accessibility purpose from the Sunrise Blvd. corridor to the buildings entrance.

2) Please install appropriate buffering between the proposed commercial expansion and adjacent residences.

If deemed necessary, please provide a written response to each comment in order to expedite the review of any subsequent submittals. Please contact me should you have any questions regarding the project at (772) 467-3741 or by e-mail: vgilmore@city-ftpierce.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Vennis Gilmore", with a long horizontal flourish extending to the right.

Vennis Gilmore
Planning Analyst

Established

1940



Commercial

Industrial

Residential

May 25, 2018

City of Fort Pierce Planning Department
Attn: Mr. Vennis Gilmore,
100 North US 1
Fort Pierce, FL 34950

Re: Sunrise Country Preschool TRC comments

Listed below is a list of comments which are now under conceptual site planning review from the TRC meeting. These comments will be addressed when the formal site plan submittal is submitted after conceptual is complete and we receive comments and option from City Council. Please see the list of comments below.

Review Comments

1. The conceptual plan presents the relocation of the commercial dumpster towards the east side of the property, much closer to an existing single-family residence abutting the site. The applicant may consider an alternative location to minimize potential for conflicts of the collection process and adjacent home(s).
2. The plan should include a sidewalk connection from the right-of-way to an ADA accessible building entrance.
3. Tree preservation, and design of adequate root space/barriers, is encouraged where possible. Please ensure preservation of the 41" oak, as proposed, is handled with best practices.
4. Appropriate buffering between the proposed commercial expansion and adjacent residences is encouraged.

Engineer Comments

1. Please provide a Boundary and Topographic Survey Signed and sealed by a Florida Licensed Land Surveyor and Mapper in accordance with City of Fort Pierce Code Of Ordinance Section 17-27(a)(7)

One of two

Established

1940



Commercial

Industrial

Residential

2. Please provide a conceptual storm drainage plan which will indicate the techniques used to control drainage in accordance with the City of Fort Pierce Code of Ordinance Section 22-58(d)(6)
3. Advisory Comment: Prior to insurance of the Certificate of Occupancy, a recorded sketch and description along with a recent Owners and Encumbrances search shall be submitted encompassing the proposed 5' R/W easements along Jasmine Avenue and Rosedale Avenue.
4. Advisory Comment: Finished floor elevation shall be set at the peak stage for a 100 ye- 3day storm event.

If you require anything further please let me know.

Sincerely,

Michael Jacquin
President

Two of two



THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT *Florida*

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: Conditional Use - Sunrise Country Pre-School - 2706 Sunrise Boulevard

NOTICES PROVIDED PURSUANT TO: City Code Section 22-143. Public Hearings A, B, C, & D

NOTICE BY NEWSPAPER: June 17th, 2018

NOTICE BY MAIL: N/A

NOTICE BY SIGNS: N/A

VERIFIED BY: Vennis Gilmore

TITLE: Planning Analyst

SIGNATURE:

DATE: June 20th, 2018

City Commission Regular Meeting

12.b.

Meeting Date: 07/02/2018

Re: Ordinance 18-022 - Annexation - Peter Angelos - 2850 S. Jenkins Road

Submitted For: Rebecca Grohall, Director, Planning & Zoning

SUBJECT:

Legislative Hearing - Ordinance 18-022 annexing property located at 2850 S Jenkins Road.
FIRST READING

SUMMARY:

- The applicant is requesting a voluntary annexation of property (Parcel ID 2419-332-0002-000-6) located at 2850 S. Jenkins Road.
- The current St. Lucie County Zoning for 2850 S. Jenkins Road is RS-3, Single Family, with a St. Lucie County Future Land Use of RM, Residential Medium.
- Staff has confirmed that the property is located within unincorporated St. Lucie County and is contiguous to the Fort Pierce City municipal boundary. The property is also contiguous to C-3, General Commercial Zoning and GC, General Commercial Future Land Use designations to the west of South Jenkins Road.
- This proposed voluntary annexation is also consistent with F.S. 171.044, whereas the property is contiguous to a municipality and reasonably compact; and the annexation will not result in the creation of an enclave.

RECOMMENDATION:

As proposed, the annexation meets the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexation. Planning Staff recommends that the City Commission **approve** the proposed annexation.

ALTERNATIVES:

Denial

RESPONSIBLE STAFF:

Vennis Gilmore, Planning Analyst

COORDINATED WITH:

James Messer, City Attorney
Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

N/A

Attachments

Staff Report
Ordinance 18-022
Application & Property Record Card
Survey
TRC Comments
Public Notification Certification

Form Review

Inbox

City Manager

Form Started By: Vennis Gilmore

Final Approval Date: 06/28/2018

Reviewed By

Nick Mimms

Date

06/28/2018 11:18 AM

Started On: 06/20/2018 05:08 PM



TO: Nicholas Mimms, PE, City Manager

THROUGH: Rebecca Grohall, AICP, Planning Director

FROM: Vennis Gilmore, Planning Analyst

RE: **Application for Annexation**
Peter Angelos
2850 S. Jenkins Road

DATE: June 20, 2018

STAFF REPORT

Owner/Applicant: William & Peter Angelos
 2400 S. Ocean Drive C-332
 Fort Pierce, FL. 34949

Representative: Kronos LLC
 1708 Coconut Drive
 Fort Pierce, FL. 34949

Applicant's Request: Approval of a Voluntary Application for Annexation for one (1) parcel of land.

Location: 2850 S. Jenkins Road

Parcel ID: 2419-332-0002-000-6

Parcel Size: 6.62 acres

Current Zoning: RS-3, Single Family, 3 du/ac (St. Lucie County)

Current Future Land Use: RM, Residential Medium, 9 du/ac

Proposed Zoning: C-3, General Commercial Zone

Proposed Future Land Use: GC, General Commercial

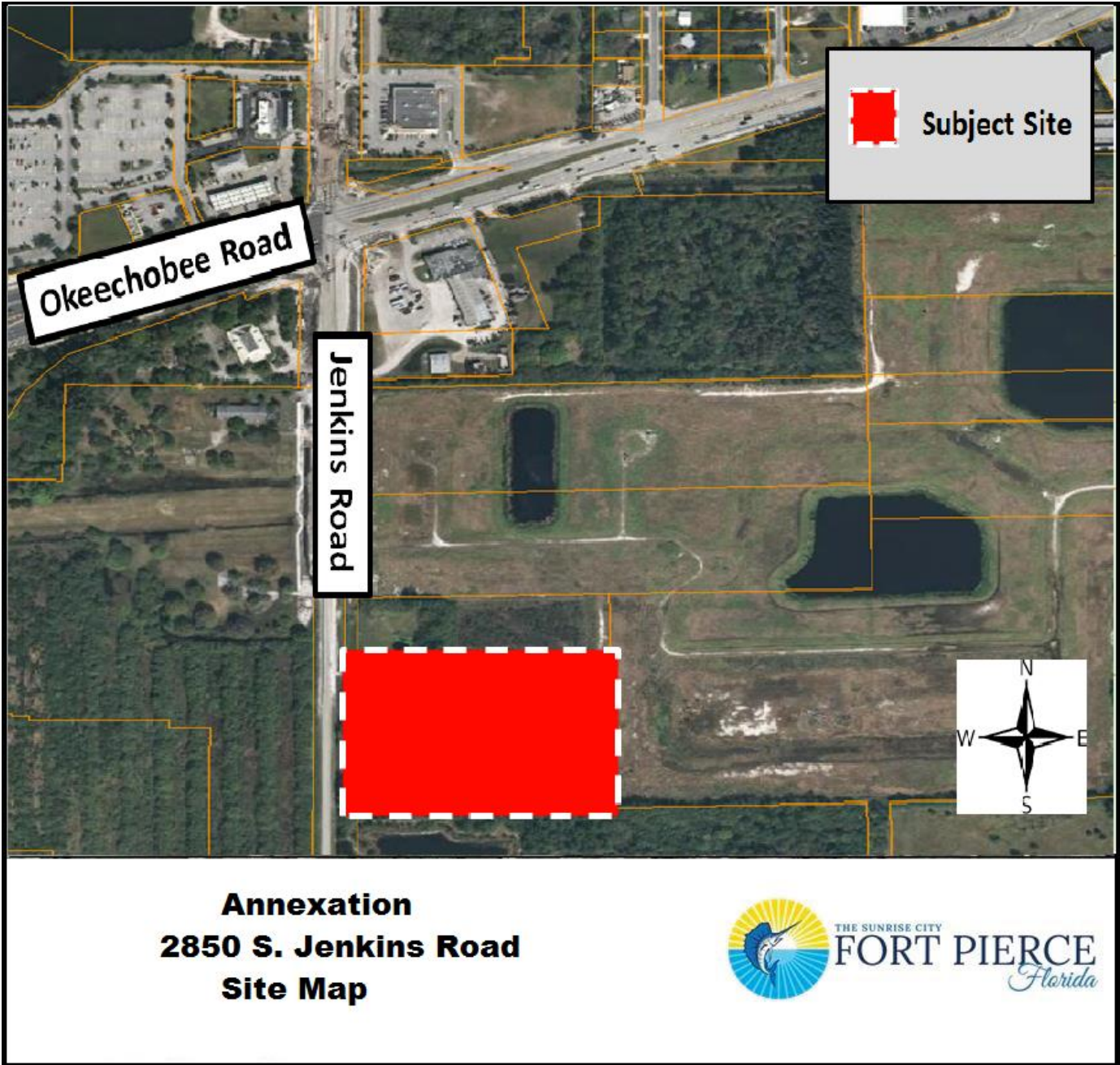
Surrounding Zoning:
Surrounding Future Land Use:

North	East	South	West
E-3	R-4	R-2	C-3
RM	RM	RM	GC

Staff Analysis:

Request

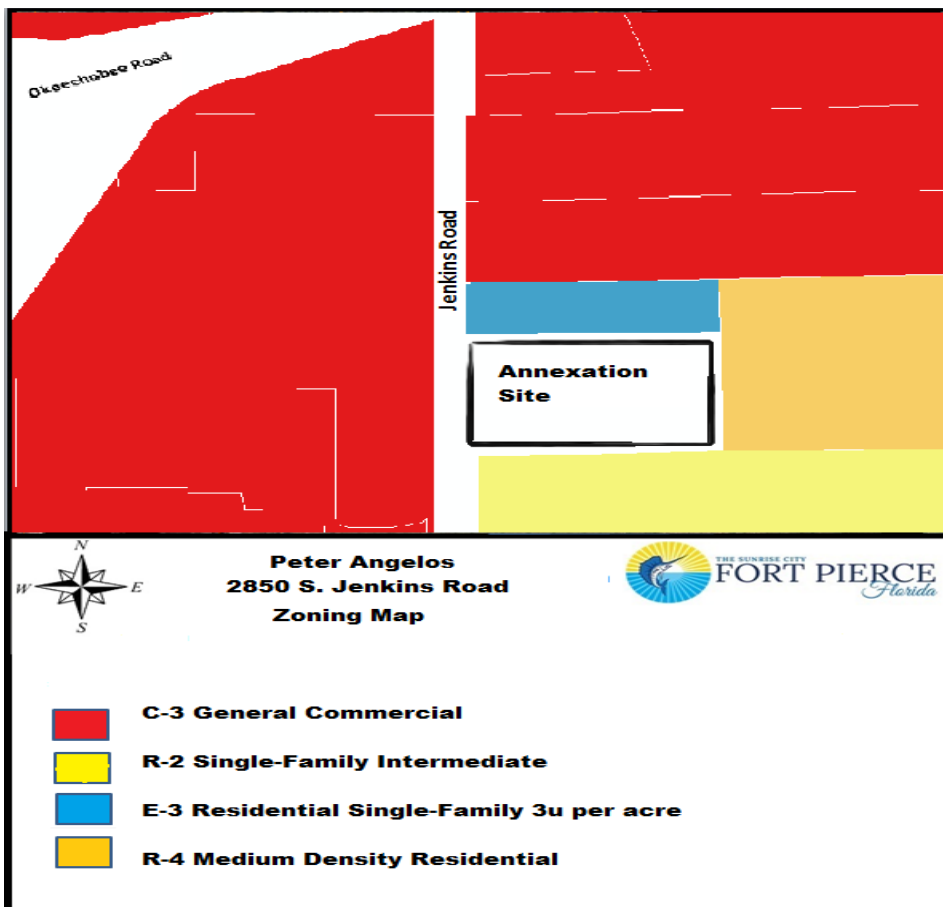
The applicant is requesting a voluntary annexation of property (Parcel ID 2419-332-0002-000-6) located at 2850 S. Jenkins Road.

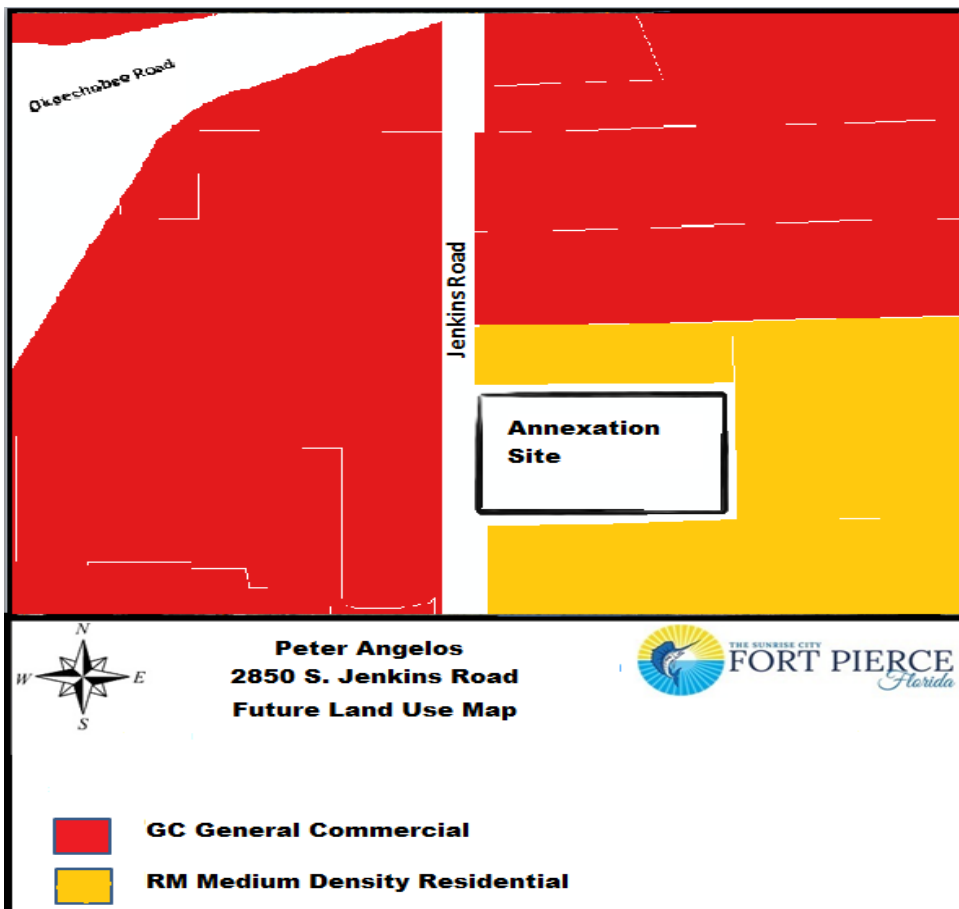


Background & Project Summary

The current St. Lucie County Zoning for 2850 S. Jenkins Road is RS-3, Single Family, with a St. Lucie County Future Land Use of RM, Residential Medium. To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Zoning designation will be C-3, General Commercial Zone, and the proposed Future Land Use designation will be GC, General Commercial.

Staff has confirmed that the property is located within unincorporated St. Lucie County and is contiguous to the Fort Pierce City municipal boundary. The property is also contiguous to C-3, General Commercial Zoning and GC, General Commercial Future Land Use designations to the west of South Jenkins Road. The property is also within the FPUA service area. Currently, the 6.62 acre subject parcel is the only parcel along South Jenkins Road corridor; between Okeechobee Road and Edwards Road not under the jurisdiction of the City of Fort Pierce. Staff foresees major commercial development along South Jenkins Road in the vicinity of the subject property. The subject property is surrounded by vacant property to the north, east, and west. St. Peter Evangelical Lutheran Church abuts the subject parcel to the south. Currently, the subject property consists of a three (3) bedroom, one (1) full bathroom, 3,163 sq. ft. single-family residence. The applicant plans to use the site as temporary storage for utility vehicles and a staging area for development infrastructure improvements within the area. This proposed voluntary annexation is also consistent with F.S. 171.044, whereas the property is contiguous to a municipality and reasonably compact; and the annexation will not result in the creation of an enclave.





Zoning & Future Land Use Designation

The subject site will have a zoning district classification of C-3, General Commercial Zone. The C-3, General Commercial Zone is intended to provide for a broad variety of business activities including shoppers' goods stores, convenience goods and service establishments, offices and tourist/entertainment facilities. Many public and semi-public uses are also appropriate. Compared to the C-4 zone, this district is more suitable for uses requiring a high degree of accessibility to vehicular traffic, low intensity uses on large tracts of land, most repair services and small warehousing and wholesaling operations. Although this zone should be located along or near arterial or collector streets, it is not the intent of this district to encourage the extension of strip commercial areas. Instead it should promote concentrations of commercial activities.

The subject site has a future land use designation of GC, General Commercial. 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.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the proposed annexation is consistent with the following Objective and Policies:

Objective 1.11 of the Comprehensive Plan: “Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City.”

The property is within the FPUA service boundary. Policy, 1.11.1 of the Comprehensive Plan: The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City’s adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City’s boundaries, thereby improving service delivery.

The area where this annexation is taking place has mostly all been annexed into the City of Fort Pierce and the annexation of this property would help to continue eliminating irregularities along the City’s boundary in this area. The adoption of this property into the City also helps to provide efficient public services.

The applicant is requesting that the City of Fort Pierce Zoning designation and Future Land Use designation receive City of Fort Pierce commercial designations. The Zoning Designation of C-3, General Commercial Zone, and Future Land Use of GC, General Commercial would be consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Technical Review Committee:

All affected Departments have reviewed the submittal and provided comments regarding the proposed voluntary annexation application based on compliance with the requirements of the City Code and Comprehensive Plan. All comments received are attached for your review.

Planning Board Recommendation:

The Planning Board, at their June 12th, 2018 meeting, voted 6-1 to recommend **approval** of the request.

Staff Recommendation:

As proposed, the annexation meets the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexation. Planning Staff recommends that the City Commission **approve** the proposed annexation.

ORDINANCE NO. 18-022

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2850 S. JENKINS ROAD IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2018; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the properties to be annexed to the municipality of the City of Fort Pierce; and

WHEREAS, the petition bears the signatures of all owners of property in the area proposed to be annexed; and

WHEREAS, the City of Fort Pierce Planning Board, at their June 12th, 2018 meeting, voted to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator's Office on April 13th, 2018, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners on April 13th, 2018, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A", attached hereto and incorporated herein; and annexed into the City:

a)

Parcel ID: 2419-332-0002-000-6

THE NORTHWEST ¼ OF SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 19, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA. LESS AND EXPECTING THEREFROM THE NORTH 200 FEET AND ALSO LESS THE WEST 40 FEET FOR JENKINS ROAD RIGHT-OF-WAY.
Said property containing 6.753 acres, more or less.

and further depicted on Exhibit "B", attached hereto and incorporated herein; said property being generally located at 2850 S. Jenkins Road in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit A hereof as of January 1, 2018 and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described on Exhibit A and annexed into the territorial limits of the City of Fort Pierce shall be zoned C-3, General Commercial Zone, and assigned a Future Land Use Designation of GC, General Commercial, as depicted on Exhibit "C" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

James M. Messer, Esq.
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

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. 18-022 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Thursday, June 21st, 2018 and Thursday, June 28th, 2018; 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 July 2nd, 2018; and was duly introduced, read by title only, and passed on second and final reading July 16th, 2018, 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 17th day of July, 2018.

Linda Hudson
MAYOR COMMISSIONER

ATTEST:

Linda W. Cox
CITY CLERK

(CITY SEAL)

EXHIBIT A
Territorial Limits Extension

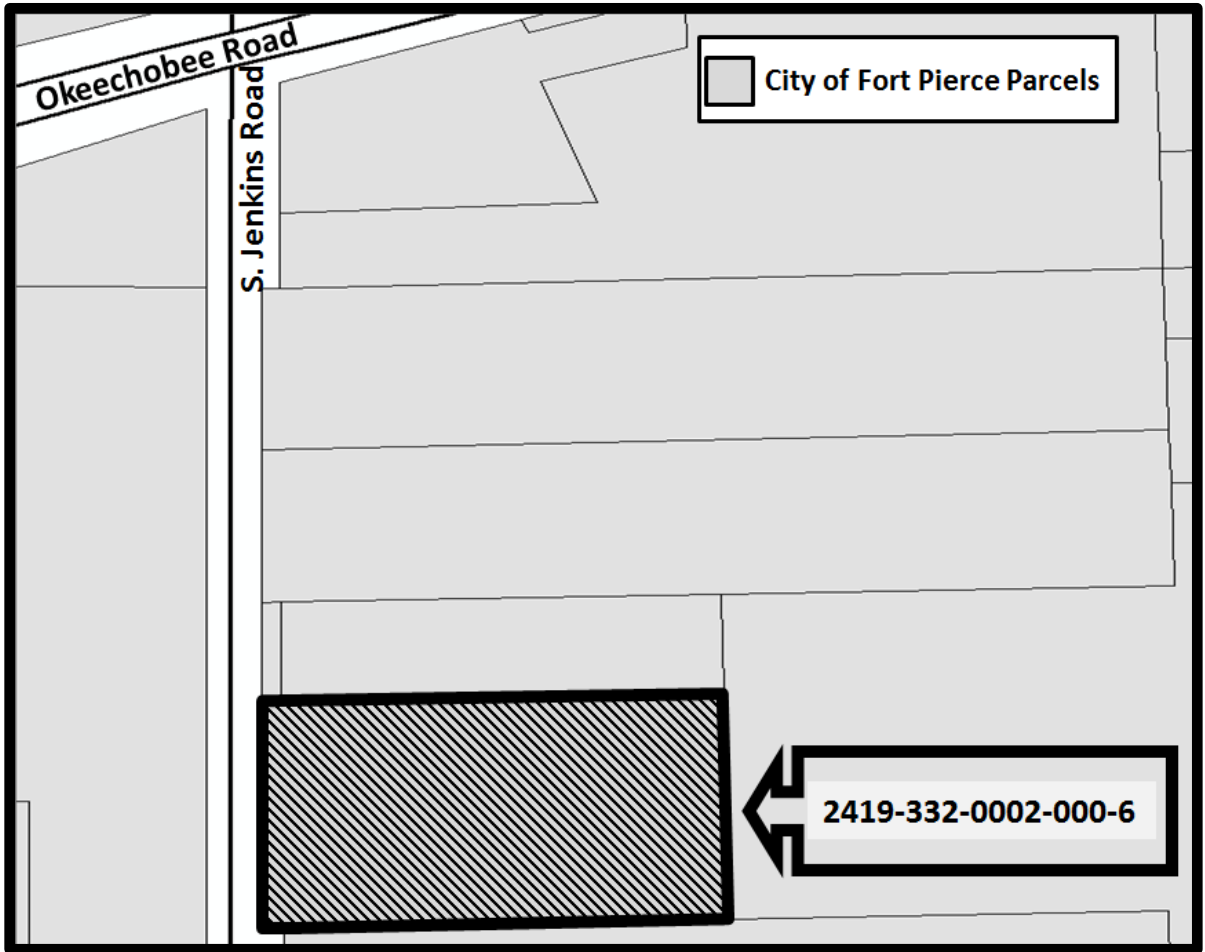
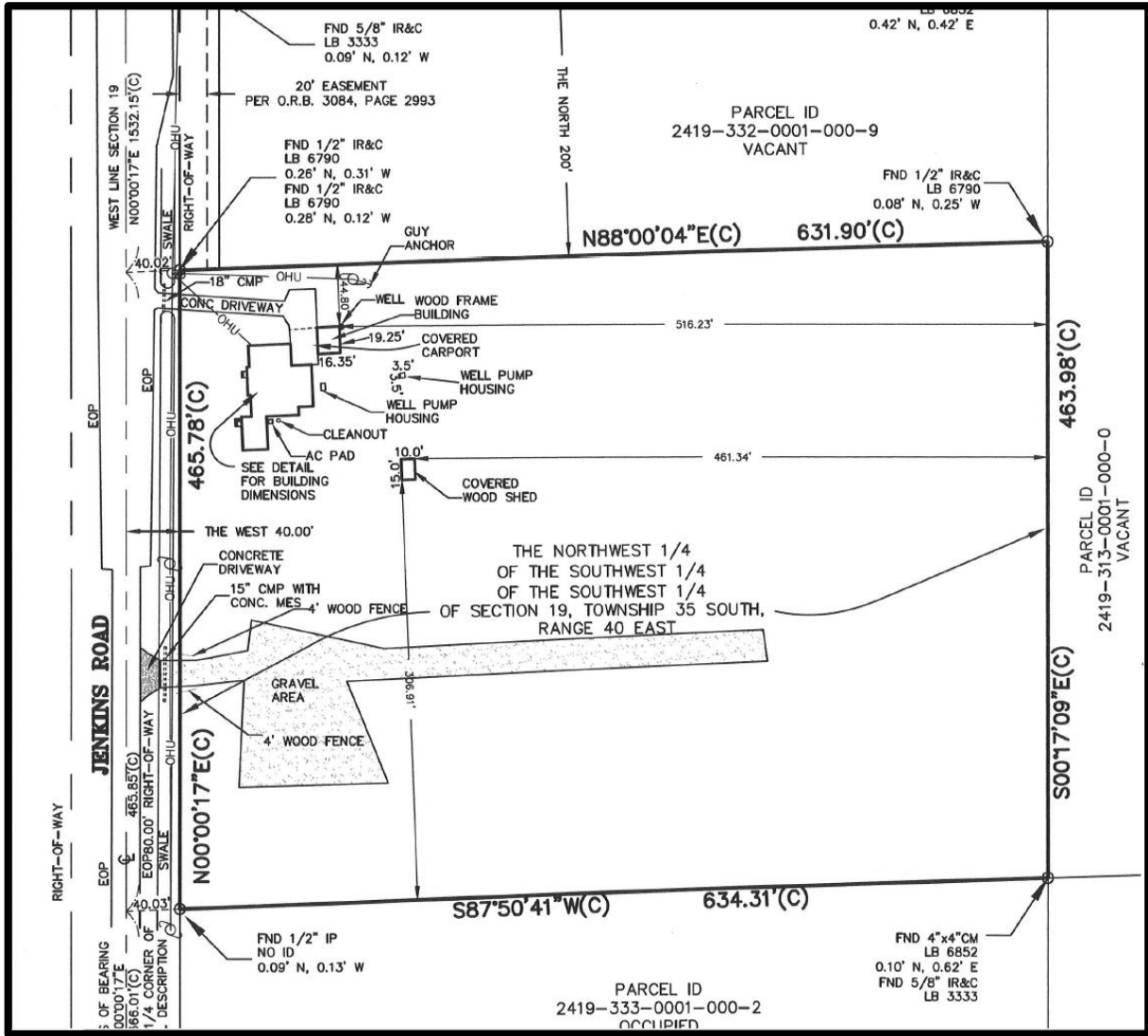
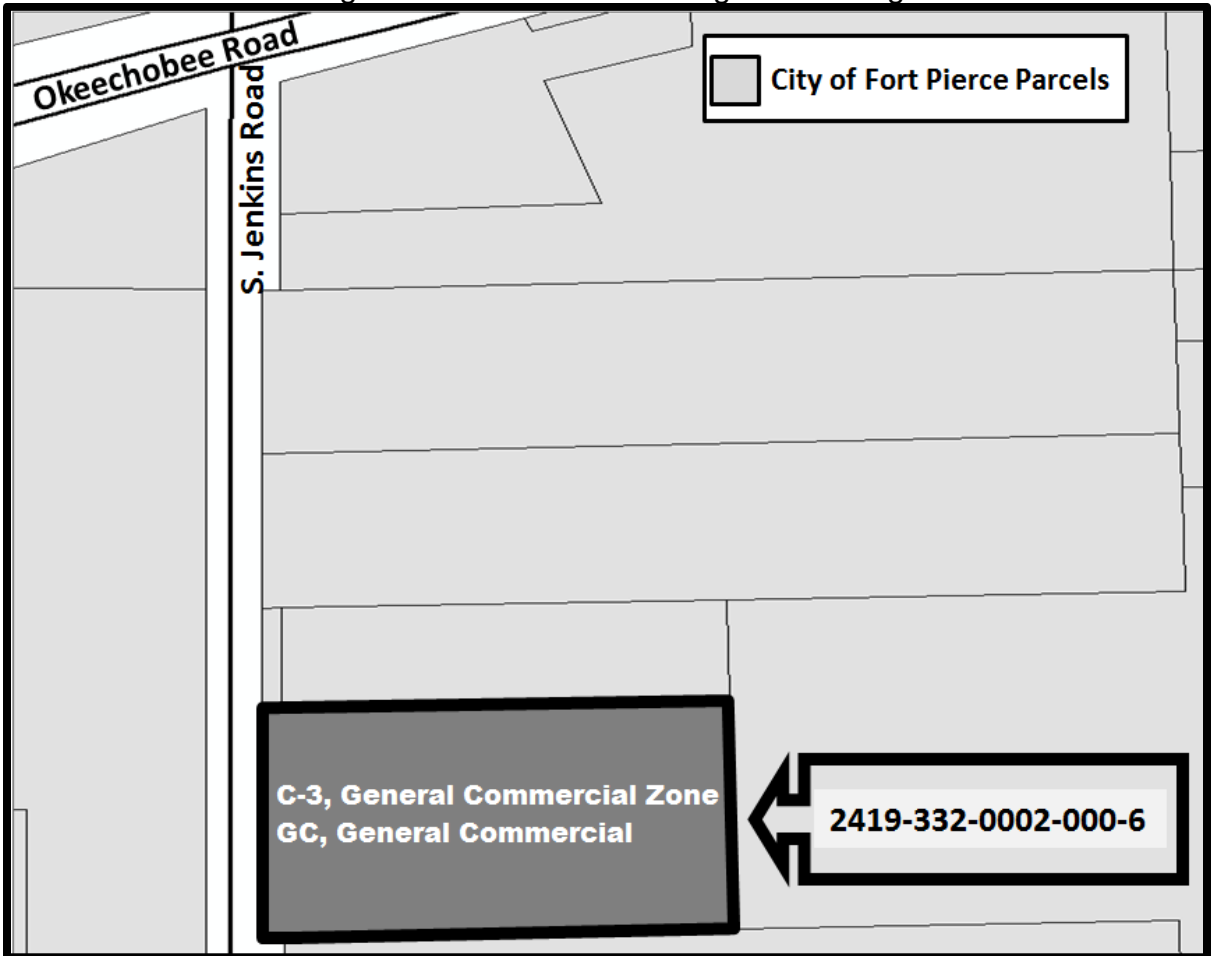


EXHIBIT B
Sketch of Subject Property



Said property located at 2850 S. Jenkins Road as recorded in Plat Book 2998 page 1238.

EXHIBIT C
Zoning & Future Land Use Designation Assignment



*The property to be annexed is currently zoned RS-3, Single Family, 3 du/ac (St. Lucie County Zoning) with a Future Land Use of RM, Residential Medium, 9 du/ac (St. Lucie County Future Land Use). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of C-3, General Commercial Zone and have a Future Land Use Designation of GC, General Commercial.



APPLICATION FOR ANNEXATION

Annexation applications will require the adoption of an ordinance which will require a public meeting before the Planning Board and two public hearings before the City Commission.

Application submission shall include the following:

- **TRC (*Initial Submission):** One (1) original and (8) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **Planning Board:** One (1) original and (16) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **City Commission:** One (1) original and (11) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.

In addition to a complete application, packets shall include:

- Warranty Deed
- Current Survey (completed within the last 12 months)

1. Address: 2850 Jenkins Rd. Ft. Pierce
2. Legal description of real property for which annexation is being requested:

Property Tax ID: _____

3. Size of described property: _____

4. Project description: Temporary Storage for Utility Vehicles / Staging Area

5. Current St. Lucie County Future Land Use Designation: _____

6. Current St. Lucie County Zoning: _____

7. Is this a Historic property? NO

8. Appraised value: _____

9. Name of Owner(s): William E. Petera, Angelos

Signature of Owner(s): William E. Petera, Angelos

Mailing Address: 2408 S. Ocean Dr. C-332

City Ft. Pierce State FL Zip 34949

Phone 772-579-7801 Fax _____

Michelle Franklin, CFA -- Saint Lucie County Property Appraiser -- All rights reserved.

Property Identification

Site Address: 2850 S JENKINS RD
Map ID: 24/19S
Parcel ID: 2419-332-0002-000-6
Zoning: RS-3
Account #: 27360
Use Type: 0100
Sec/Town/Range: 19/35S/40E
Jurisdiction: Saint Lucie County

Ownership

Kronos LLC
%WM G Angelos
1708 Coconut Dr
Fort Pierce, FL 34949

Legal Description

19 35 40 NW 1/4 OF SW 1/4 OF SW 1/4-LESS N 200 FT AND LESS W 40 FTFOR RD R/W- (25) (6.62 AC) (OR 2998-1238)

Current Values

Just/Market: \$192,800
Exemptions: \$0
Assessed: \$187,770
Taxable: \$187,770

Historical Values 3-year

Year	Just/Market	Assessed	Exemptions	Taxable
2017	\$192,800	\$187,770	\$0	\$187,770
2016	\$170,700	\$170,700	\$0	\$170,700
2015	\$166,600	\$166,600	\$0	\$166,600

Sale History

Date	Book/Page	Sale Code	Deed	Grantor	Price
07-21-2008	2998 / 1238	XX03	WD	Angelos, Peter G	\$100
12-17-2002	1630 / 2909	XX00	WD	Wilson, Richard L	\$170,000
03-31-2000	1295 / 1469	XX01	PR	Wilson (EST), Julia M	\$100

Primary Building Information

Finished Area of this building: 2,440 SF
Gross Area of this building: 3,163 SF

View:
Year Built: 1930
Primary Wall: Abs Shingle

Roof Cover: Fibrglss Shg
Frame:
Story Height: 1 Story

Exterior Data

Roof Structure: Gable
Grade: C+
No. Units: 1

Building Type: HC+
Effective Year: 1930
Secondary Wall:

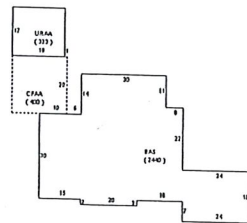
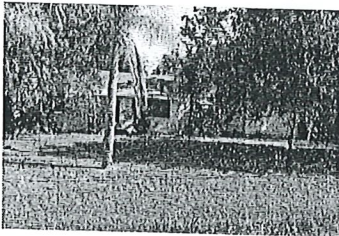
Bedrooms: 3
Full Baths: 1
Half Baths: 0

A/C %: 100%
Heated %: 100%
Sprinkled %: N/A%

Interior Data

Electric: MAXIMUM
Heat Type: FrcdHotAir
Heat Fuel: ELEC

Primary Int Wall:
Avg Hgt/Floor: 0
Primary Floors: Sing Pine



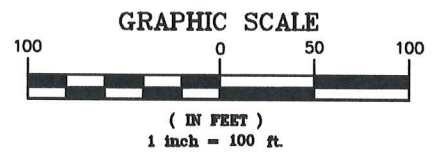
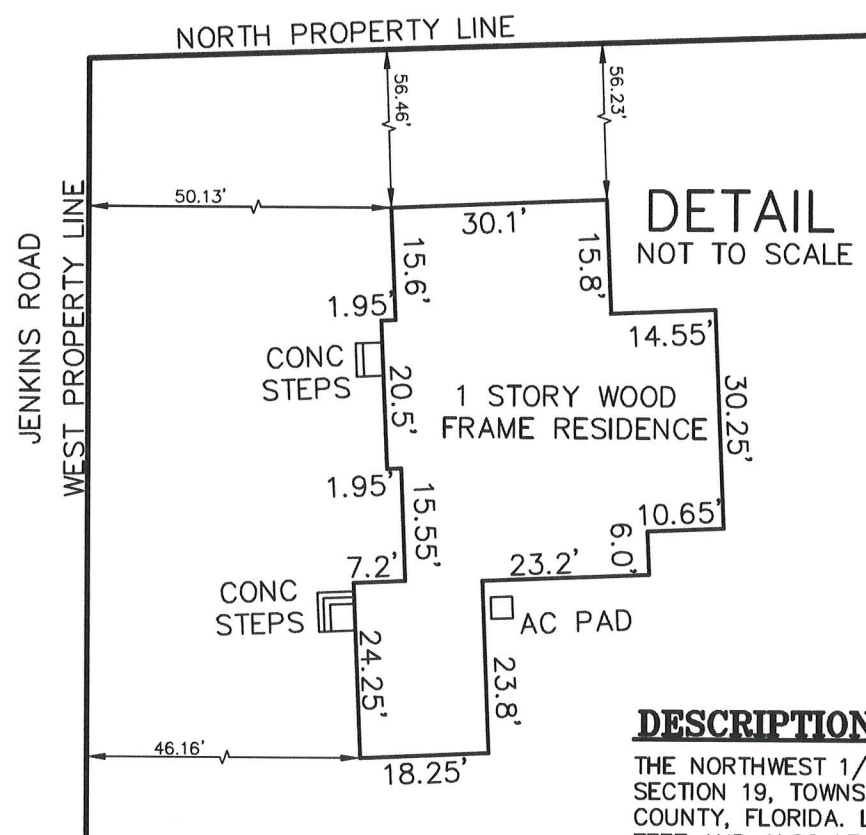
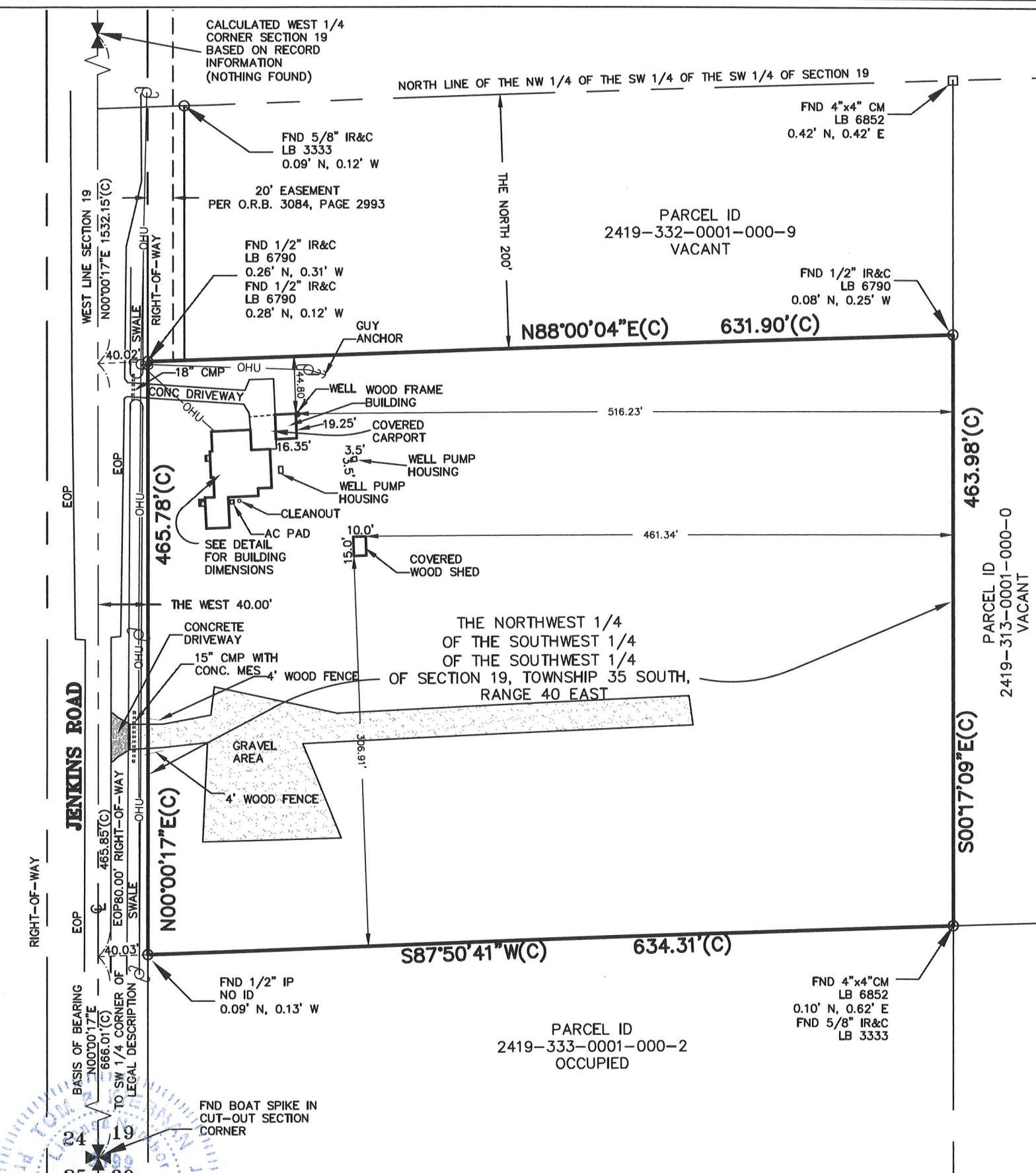
Total Areas

Finished/Under Air (SF):	2,440
Gross Area (SF):	3,163
Land Size (acres):	6.62
Land Size (SF):	288,367.2
Total Building Count:	1

Special Features and Yard Items

Type	Qty	Units	Year Blt
Driv-Concret	1	905	1960

This information is believed to be correct at this time but it is subject to change and is not warranted.
© Copyright 2018 Saint Lucie County Property Appraiser. All rights reserved.



DESCRIPTION:

THE NORTHWEST 1/4 OF SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA. LESS AND EXCEPTING THEREFROM THE NORTH 200 FEET AND ALSO LESS THE WEST 40 FEET FOR JENKINS ROAD RIGHT-OF-WAY.

NOTES:

- 1) REPRODUCTIONS OF THIS MAP ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER.
- 2) LANDS SHOWN HEREON WERE NOT ABSTRACTED BY THIS OFFICE FOR RIGHTS-OF-WAY, EASEMENTS OF RECORD, OWNERSHIP, ABANDONMENT'S, DEED RESTRICTIONS, OR MURPHY ACT DEEDS. THIS INFORMATION SHOULD BE OBTAINED THROUGH APPROPRIATE TITLE VERIFICATION.
- 3) ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- 4) VISIBLE ENCROACHMENTS ARE AS SHOWN.
- 5) DESCRIPTION FURNISHED BY CLIENT.
- 6) BEARINGS SHOWN HEREON ARE ASSUMED AND RELATIVE TO THE CENTERLINE OF JENKINS ROAD HAVING A BEARING OF N 00°00'17" E.
- 7) LANDS SHOWN HEREON LIE WITHIN ZONE X ACCORDING TO THE FLOOD INSURANCE RATE MAP PANEL NO. 12111C0170 F, DATED AUGUST 19, 1991.
- 8) DATE OF FIELD SURVEY: 8-10-2010
- 9) SUBJECT PARCEL CONTAINS 6.753 ACRES, MORE OR LESS.

LEGEND

⊙	DENOTES CENTERLINE
IR&C	DENOTES 5/8" IRON ROD & CAP
LB	DENOTES LICENSED BUSINESS
FND	DENOTES FOUND
O.R.B.	DENOTES OFFICIAL RECORDS BOOK
P.U.E.	DENOTES PRIVATE UTILITY EASEMENT
CONC	DENOTES CONCRETE
C.B.S.	DENOTES CONCRETE BLOCK STRUCTURE
EOP	DENOTES EDGE OF PAVEMENT
CMP	DENOTES CORRUGATED METAL PIPE
CM	DENOTES CONCRETE MONUMENT
IP	DENOTES IRON PIPE
OHU	DENOTES OVERHEAD UTILITIES
(C)	DENOTES CALCULATED DATA
⊕	DENOTES WOOD POWER POLE
MES	DENOTES MITRED END SECTION

THOMAS P. KIERNAN
Professional Surveyor & Mapper
Florida Certificate No. 6199
DATE 3/7/18

REVISED: ADD DRIVEWAY ND 03/07/2018
REVISED: SIGNING SURVEYOR ND 03/07/2018

BOUNDARY SURVEY
OF
2850 JENKINS ROAD
Prepared For
PETER ANGELOS/KRONOS, LLC

File: 10-148map.dwg
Date: 8-10-2010
Tech: GLM

CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS
2980 SOUTH 25th STREET
FORT PIERCE, FLORIDA 34981
PHONE 772-464-3537 FAX 772-464-9497
www.ct-eng.com
STATE OF FLORIDA CERTIFICATION No. LB 4286

Good afternoon,

Below are FPUA comments regarding the submissions for the TRC meeting on April 19, 2018.

Annexation - Peter Angelos - 2850 Jenkins Road - (Vennis Gilmore)

- W/WW Engineering: Approved
- Electric & Gas Engineering: Approved

Thank you

Regards,

Martha Kerr

Staff Assistant

W/WW Engineering Department

Fort Pierce Utilities Authority

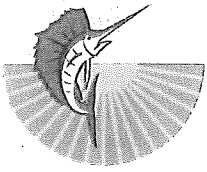
1701 S. 37th Street

Fort Pierce, FL 34947

Telephone: (772) 466-1600, Ext. 3473

Fax: (772) 468-2414

mkerr@fpu.com



THE SUNRISE CITY

FORT PIERCE

ENGINEERING
DEPARTMENT

Florida

To : Vennis Gilmore, Planning Analyst

FROM : John R. Andrews, P.E., City Engineer

**RE : Angelos Annexation – 2850 Jenkins Road
TRC No. 18-02000002**

DATE : April 6, 2018

This is to advise you that we have completed the review of the following documents as received by this office on April 6, 2018:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Annexation Application | <input type="checkbox"/> Construction Drawings |
| <input type="checkbox"/> Test Reports & Related Documents | <input type="checkbox"/> Executed Construction Contract |
| <input type="checkbox"/> Record Drawings | <input type="checkbox"/> Permits from applicable Local, State & Federal Agencies |
| <input type="checkbox"/> Clearances from all applicable Local, State and Federal Agencies | |

Based on our reviews and appropriate site final inspection, we

- | | | |
|--|---|------------------------------|
| <input checked="" type="checkbox"/> Recommend | <input type="checkbox"/> Do Not Recommend | |
| <input checked="" type="checkbox"/> Annexation Request | <input type="checkbox"/> Building Permit | <input type="checkbox"/> C/O |

Developer, Owner, Engineer, Contractor and other members of the Development Team must be aware, the above recommendation is based only on the construction requirements of the engineering plans and other engineering documentation approved by this department. The Development Team shall be responsible for the compliance with other City department requirements and all approved documents, as well as Local, State and Federal regulations. The development requirements for this project may necessitate additional construction requirements that are not subject to this department's review for approval.

See attached for engineering comments

JRA/TST/tst

Q:\ENGINEERING\Site Development Projects\A\Angelos Annexation\Submittal No. 1 - 040618\Annexation Approval- 040618.docx

Project: PETER ANGELOS

Subject: Review Comments

To: Vennis Gilmore

From: Rod Reed, County Surveyor
PW-Engineering Division

Date April 6, 2018

All comments are based on the Standards of Practice per 5J-17.050 thru 5J-17.052

SURVEY:

- 1) Please add to the notes. "The expected use of the survey and map is commercial" and "All measurements are in accordance with the United States standard, in feet."
- 2) Please bold the property boundaries.

Please provide a written response to all comments

Rod Reed, County Surveyor

St. Lucie County, Fl.

2300 Virginia Avenue

Ft. Pierce, Fl. 34982-5652

www.stlucieco.org

Ph. (772) 462-1721

E-mail reedr@stlucieco.org

The School District does not have any comments or concerns regarding the request for annexation.

Please feel free to call me if you have any questions.

Marty E. Sanders, P.E.

Growth Management, Land Acquisition & Inter-Governmental Relations

School Board of St. Lucie County

cell 772.216.5755



THE SUNRISE CITY

FORT PIERCE
BUILDING DEPARTMENT
Florida



TECHNICAL REVIEW COMMITTEE (TRC) COMMENTS FORM

FROM : Paul Thomas, CBO, CFM, Building Official 

RE : 2850 Jenkins Rd. – Peter Angelos - Annexation

DATE : April 19, 2018

Building Official has no comment.

PT/km



PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: Annexation - Peter Angelos Annexation - 2850 S. Jenkins Road

NOTICES PROVIDED PURSUANT TO: F.S.S. Section 171.044(2)

NOTICE BY NEWSPAPER: June 21st, 2018 and June 28th, 2018

NOTICE BY MAIL: N/A

NOTICE BY SIGNS: N/A

VERIFIED BY: Vennis Gilmore

TITLE: Planning Analyst

SIGNATURE:

DATE: June 20th, 2018

City Commission Regular Meeting

12.c.

Meeting Date: 07/02/2018

Re: Ordinance 18-023 - Mayfair at Lawnwood

Submitted For: Rebecca Grohall, Director, Planning & Zoning

SUBJECT:

(PLEASE CONTINUE TO THE JULY 16, 2018 MEETING AT THE REQUEST OF THE APPLICANT) Legislative Hearing - Ordinance 18-023 - Affirming the Prior Approval for the Planned Development for Mayfair at Lawnwood – [2416-504-0199-000-1](#), [2416-504-0199-050-6](#) & [2416-504-0199-200-3](#) FIRST READING

SUMMARY:

On November 21st, 2016, the City Commission heard the Mayfair at Lawnwood Planned Development (PD) application. The adjacent HOA (Village of Lawnwood) had previously contested the development and at the meeting, both parties proclaimed a resolution. The City Commission approved the PD with the understanding that the resolution between both parties would be memorialized in writing and subsequently become a part of the approving development order, the Ordinance. The agreement was recorded in February of 2018, and the developer also requested and was granted an extension of approval. With the execution of the Ordinance, the PD will have a new expiration date of July 16, 2020. This item now completes the final step, incorporating the agreement into the Ordinance.

RECOMMENDATION:

Approval of the Ordinance

ALTERNATIVES:

Provide Staff with alternative direction
Deny

RESPONSIBLE STAFF:

Rebecca Grohall, AICP

COORDINATED WITH:

Jim Messer, City Attorney

Fiscal Impact

Budgeted Y/N: N

OTHER INFORMATION:

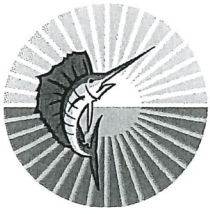
N/A

Attachments

City Approval Nov 21 2016

Form Review

Inbox	Reviewed By	Date
City Manager	Rebecca Grohall	06/12/2018 04:42 PM
City Manager	Rebecca Grohall	06/21/2018 04:20 PM
City Manager	Nick Mimms	06/28/2018 11:18 AM
Form Started By: Rebecca Grohall		Started On: 06/12/2018 12:09 PM
Final Approval Date: 06/28/2018		

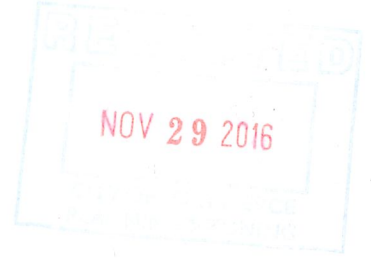


THE SUNRISE CITY

FORT PIERCE
CITY CLERK'S OFFICE
Florida

November 29, 2016

Richard Wohlfarth, PE - Associate Director
IBI Group (Florida) Inc.
2300 Maitland Center Parkway-Suite 101
Maitland FL 32751-7410



Dear Mr. Wohlfarth:

At their meeting on Monday, November 21, 2016, the City Commission of the City of Fort Pierce, Florida, approved your request for a Planned Development (PD) Plan generally located at 1801 Nebraska Avenue conditioned on the incorporation of the agreement between the applicant and adjacent properties' HOA being reduced to writing and incorporated into the development order.

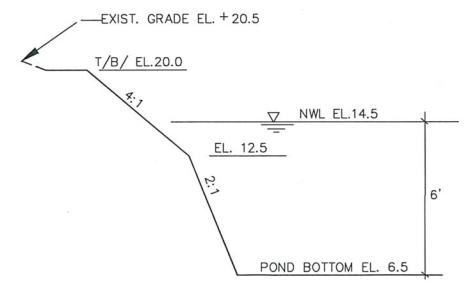
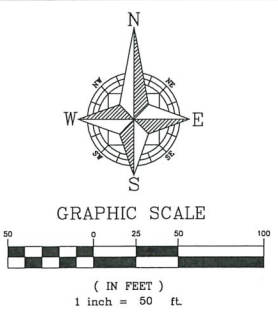
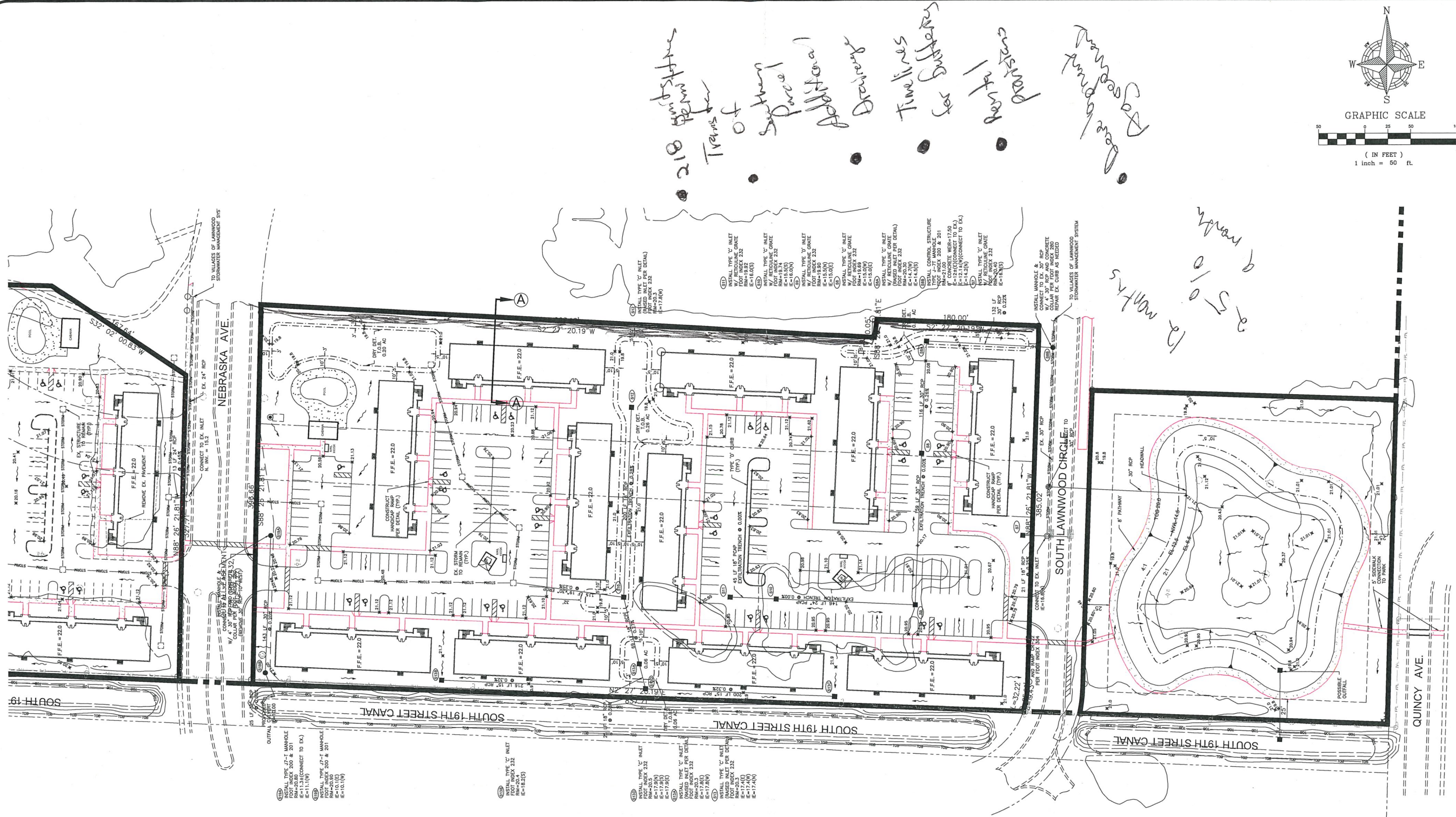
If you have any questions, please feel free to contact me or the City Planning Department.

Very truly yours,

Linda W. Cox
City Clerk

cc: Rebecca Grohall, Planning Manager

Mayfair At Lawnwood Reph LLC
780 NW 42nd Ave Ste 300
Miami, FL 33126



TYPICAL POND SECTION
NOTE: SOD SIDESLOPES TO EL. 14.5

945 LF - 8' PATHWAY
2,080 SY - POND BANK SOD
5,815 SY - PARK SOD

AREA @ T.O.B. = 1.27 AC
AREA @ N.W.L. = 0.84 AC

INSTALL TYPE 'C' INLET
W/ REINFORCE GRADE
FOOT INDEX 200 & 201
E=11.1(W)
E=10.1(B)
E=10.1(W)

INSTALL TYPE 'C' INLET
W/ REINFORCE GRADE
FOOT INDEX 200 & 201
E=17.8(S)
E=17.8(W)
E=17.8(N)

INSTALL TYPE 'C' INLET
W/ REINFORCE GRADE
FOOT INDEX 200 & 201
E=17.8(S)
E=17.8(W)
E=17.8(N)

INSTALL TYPE 'C' INLET
W/ REINFORCE GRADE
FOOT INDEX 200 & 201
E=15.0(S)
E=15.0(W)
E=15.0(N)

INSTALL TYPE 'C' INLET
W/ REINFORCE GRADE
FOOT INDEX 200 & 201
E=14.5(S)
E=14.5(W)
E=14.5(N)

INSTALL TYPE 'C' INLET
W/ REINFORCE GRADE
FOOT INDEX 200 & 201
E=13.0(S)
E=13.0(W)
E=13.0(N)

DRAWN: BW		SCALE: 1" = 50'	
DESIGNED:		PROJECT: 38890	
CHECKED: RW		SHEET: PGD-ALT	
DATE: 11/16/2016		DATE: 11/16/2016	
IBI GROUP FLORIDA ENGINEERING BUSINESS NO. 2966			
MAYFAIR FORT PIERCE, FLORIDA		IBI GROUP (FLORIDA) INC. PLANNERS SURVEYORS ENVIRONMENTAL CONSULTANTS	
PAVING, GRADING AND DRAINAGE PLAN		LANDSCAPE ARCHITECTS ENVIRONMENTAL CONSULTANTS	
ORLANDO	POMPAHO BEACH	2300 WINTER GARDEN PARKWAY SUITE 101 MAITLAND, FLORIDA 32751 (407) 960-2100	2300 PARK CENTRAL BLVD. N. SUITE 100 POMPAHO BEACH, FLORIDA 32064 (850) 294-2200
REV.	DATE	DESCRIPTION	BY

NOT FOR CONSTRUCTION
11/16/16

ORDINANCE NO. 18-023

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **AFFIRMING THE PRIOR APPROVAL OF A PLANNED DEVELOPMENT (PD) PLAN MODIFICATION** FOR MAYFAIR AT LAWNWOOD PURSUANT TO SECTION 22-40, PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Pierce land development code provides for regulation of uses allowed in zoning districts established within the City limits;

WHEREAS, the City of Fort Pierce land development code sets forth the regulation of Planned Developments in Section 22-40;

WHEREAS, the regulation of Planned Developments allows for minor and major modification;

WHEREAS, the Planned Development was originally approved in 1982 as a subcomponent of the master Planned Unit Development known as Longwood; and

WHEREAS, the Planned Development was subsequently modified in 2005; and

WHEREAS, an owner of real property within the City of Fort Pierce has petitioned the City of Fort Pierce to revise the approved Planned Development for the project known as Mayfair at Lawnwood; and

WHEREAS, the City of Fort Pierce Planning Board held a public meeting on June 14, 2016, to consider Planned Development amendment and motioned to place the item on the table till July 12, 2016, to allow further discussions between the Applicant and the surrounding residential development Longwood of Fort Pierce Homeowner's Association, Inc (Longwood); and

WHEREAS, the Applicant worked to schedule several meetings with the Longwood representatives; bringing forth a new revised plan; and

WHEREAS, the Applicant continued to the August 9, 2016 meeting of the Planning Board and motioned to place the item on the table until September 13, 2016, to allow further discussions between the Applicant and the surrounding residential development Longwood of Fort Pierce Homeowner's Association, Inc. (Longwood); and

WHEREAS, the City of Fort Pierce Planning Board held a public meeting on September 13, 2016, to consider the Planned Development and the Planning Board voted 8-2 to recommend disapproval of the application; and

WHEREAS, the City Commission held a duly noticed and advertised public hearing on October 17, 2016, to consider the land development code amendment and after closing the public hearing, motioned to continue the meeting to November 21, 2016; and

WHEREAS, the City Commission heard the conclusion of this item at November 21, 2016, meeting and a motion was made to approve the Planned Development with the Condition that the written agreement between the Applicant and Longwood be incorporated into a final development order; and

WHEREAS, the written agreement between the Applicant and Longwood has been completed and recorded by Joseph E. Smith, Clerk of the Circuit Court, in the records of St. Lucie County OR Book 4094, Pages 2679-2708; and

WHEREAS, the proposed amendment to the Planned Development has been reviewed in accordance with the City's Land Development Code; and

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

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

Parcel IDs 2416-504-0199-000-1, 2416-504-0199-050-6 & 2416-504-0199-200-3:

Being a parcels of land lying in St. Lucie County, Florida, being more particularly described as follows; LAWNWOOD ADDN THAT PART OF LAWNWOOD ADDN MPDAF: BEG AT INT NLI NEBRASKA AV AND E LI S 19 ST (CANAL), TH N 1 25 E ALG E LI OF SD S 19 ST 582.85 TO S R/W LI OF N LAWNWOOD CIR, TH ELY ALG SD S R/W ON A CURVE CONCAVE SLY, DELTA 20 21 26, R OF 1189.24, ARC DIST 422.54, TH S 01 25 01 W 375.70 FT, TH S 30 59 45 W 183.44 FT TO N R/W LI NEBRASKA AV, TH N 89 28 42 W 327.66 FT TO POB INCL VAC STS AND ALLEYS AS IN OR 265-675 (5.43 AC) (OR 3116-1904);

LAWNWOOD ADDN THAT PART OF LAWNWOOD ADDN MPDAF: BEG INT S R/W NEBRASKA AV AND E R/W S 19 ST (CANAL), TH RUN S 01 25 00 W ALG SD E R/W 837.73 FT TO N R/W OF S LAWNWOOD CIR, TH ELY ALG SD N R/W ON A CURVE CONC NLY DELTA 19 25 59, R OF 95 FT, ARC DIST 32.22 FT, TH S 89 28 42 E 385.02 FT, TH N 01 25 00 E 180 FT, TH N 89 28 42 W 20.04 FT, TH N 01 25 00 E 663.12 FT TO S R/W NEBRASKA AV, TH N 89 28 42 W ALG SD S R/W 395.42 FT TO POB INCL VAC STS AND ALLEYS AS IN OR 265-675 (7.75 AC) (OR 3116-1904); and

LAWNWOOD ADDN THAT PART OF LAWNWOOD ADDN MPDAF: BEG AT PT OF INT OF E LI OF S 19 ST CANAL AND LI DESC IN OR 83-343, TH CONT ELY ALG SD LI DESC IN OR 83-343 350 FT, TH N 01 25 E 330.54 FT TO S LI S LAWNWOOD CIR, TH WLY ON S R/W 350.17 FT, TH SLY 334 FT TO POB (2.69 AC) (OR 3116-1904)

and further depicted on Exhibit "A", attached hereto and incorporated herein, shall be and the same are hereby known as the PD, Planned Development (PD-Mayfair); said properties being generally located at 1801 Nebraska Avenue in Fort Pierce, Florida.

SECTION 2. The Development Plan for the subject Planned Development as depicted on Exhibit B, subject to the conditions set forth in Exhibit C, both of which are attached hereto and incorporated herein by reference, be and the same are hereby approved, and shall serve as the Development Plan associated with the subject Planned Development. The written agreement between the Applicant and Longwood be incorporated into a final development order is attached as Exhibit D.

SECTION 3. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall no further force of effect whatsoever.

SECTION 5. This Ordinance is and the same shall become effective immediately upon final passage.

SECTION 6. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

James M. Messer
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

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.18-023 was duly advertised by title only in the St. Lucie News Tribune on June17, 2018; 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 July 2nd, 2018; and was duly introduced, read by title only, and passed on second and final reading July 16th, 2018, 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 16th day of July, 2018.

Linda Hudson
Mayor Commissioner

ATTEST:

Linda W. Cox
City Clerk

(City Seal)

EXHIBIT A

Sketch and Legal Description of Subject Property



Legal Description of Subject Property

Parcel IDs: 2416-504-0199-000-1, 2416-504-0199-050-6 & 2416-504-0199-200-3:

Being a parcels of land lying in St. Lucie County, Florida, being more particularly described as follows; LAWNWOOD ADDN THAT PART OF LAWNWOOD ADDN MPDAF: BEG AT INT NLI NEBRASKA AV AND E LI S 19 ST (CANAL), TH N 1 25 E ALG E LI OF SD S 19 ST 582.85 TO S R/W LI OF N LAWNWOOD CIR, TH ELY ALG SD S R/W ON A CURVE CONCAVE SLY, DELTA 20 21 26, R OF 1189.24, ARC DIST 422.54, TH S 01 25 01 W 375.70 FT, TH S 30 59 45 W 183.44 FT TO N R/W LI NEBRASKA AV, TH N 89 28 42 W 327.66 FT TO POB INCL VAC STS AND ALLEYS AS IN OR 265-675 (5.43 AC) (OR 3116-1904);

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EXHIBIT B
Development Plan

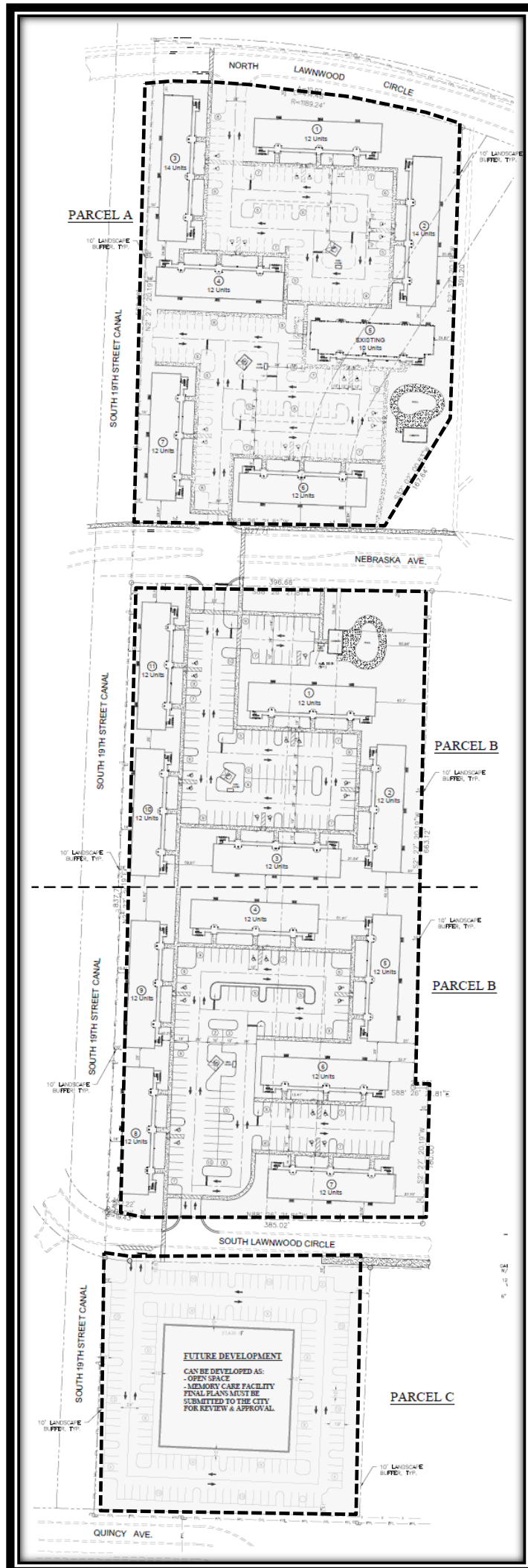


EXHIBIT B



	Parcel A	Parcel B	Parcel C	Total
Gross Area	5.24	7.76	2.66	15.66
# of Buildings	7	11	0	18
1 BR	40	66	0	106
2 BR	42	66	0	108
3BR	4			4
	86	132	0	218
	16.41	17.01	0.00	13.92
Required Parking				
1.5 Spaces Per Unit	129	198	0	327
Provided	151	224	0	375
Parking Ratio	1.76	1.70	0.00	1.72

The property has a zoning of PUD and an overall density of 13.86. The underlying Land Use is Medium with a 6.5 to 12 DU/Acre. There is a bonus program for 5 additional units for a total of 17. The site should qualify for the total bonus.

Existing and Proposed Land Use Tables

The following is a Land Use Table of the existing and the proposed design criteria for the PD:

Land Use Table

Parcel ID	Acreage
2416-504-0199-000-1	5.35 acres
2416-504-0199-050-6	7.75 acres
2416-504-0199-200-3	2.69 acres
Total	15.8 acres 15.66 acres Surveyed
Existing Land Use	RM – Residential Medium
Proposed Land Use	RM – Residential Medium
Existing Zoning	PUD /PD
Proposed Zoning	PUD /PD
Adjacent Zoning	
North	R-4
South	OS-1
East	PUD /PD
West	C-1
FEMA Firm	12111C0187J
Flood Zone	X

	Existing	Proposed
Maximum Building Height	3 Story (35 Feet)	Residential 2 Story (24 Ft.) Commercial 3 Story (35 Ft)* (Subject to Further Approval)
Property Set-back		
North		15 Feet
South		15 Feet
East		25 Feet
West		15 Feet
Building Separation	25 Feet	25 Feet
Open Space	20%	25% (Min.)
Parking		
Required	1.5 Spaces per unit (345)	1.5 Spaces per Unit (327)
Provided		1.71 Spaces per Unit (373)
HC Parking		
Required		2% (8)
Provided		11 % (44)

EXHIBIT C

Conditions of Approval

- 1) The property owner and/or applicant secure the necessary authorization and/or easements to complete the proposed off-site sidewalk connections;
- 2) The applicant adjusts the Site Plan to reflect the prospective enlargement of the central amenity structure.
- 3) The development of the southern parcel as a forty (40) unit ACLF/Memory Care facility is subject to the review and approval of a design review application pursuant to City Code Section 22-59. - Design subject to consideration by the Planning Board and City Commission.
- 4) The written agreement between the Applicant (Mayfair) and the adjacent HOA (Longwood) is incorporated into the Ordinance.

EXHIBIT D

**Agreement for Development Order between
Mayfair at Lawnwood REPH LLC and
Longwood of Fort Pierce Homeowner's Association, Inc.**

This instrument prepared by, and
Upon recording return to:

David B. Earle, Esquire
Ross Earle Bonan & Ensor, P.A.
P.O. Box 2401
Stuart, FL 34995

**Agreement for Development Order
between
Mayfair at Lawnwood REPH LLC ("Mayfair") and
Longwood of Ft. Pierce Homeowners Association, Inc. ("Longwood")**

The Parties, Mayfair at Lawnwood REPH LLC, a Florida limited liability company ("Mayfair") with a mailing address at 780 N.W. 42nd Avenue, Miami, Florida 33126, and Longwood of Ft. Pierce Homeowners Association, Inc., a Florida not-for-profit corporation ("Association") with a mailing address at 1505 Nebraska Avenue, Ft. Pierce, Florida 34950 (collectively referred to the "Parties") hereby enter into this Agreement for Development Order ("Agreement"); and

WHEREAS, Mayfair has applied for a Development Order from the City of Ft. Pierce ("City") for the real property more particularly described in Exhibit "B" ("Mayfair Property"); and

WHEREAS, the Association is a Florida Homeowners Association organized pursuant to Chapters 617 and 720, Florida Statutes, for the purpose of operating and managing that certain real property described in the Declaration of Covenants, Conditions and Restrictions of Longwood Village, recorded in Official Record Book 408, Page 635, Public Records of St. Lucie County, Florida, as amended from time to time ("Longwood Property"); and

WHEREAS, the Association has raised several objections to the Mayfair Development Order application; and

WHEREAS, the Parties have reached an agreement with regard to the development of the Mayfair Property, as set forth below;

NOW THEREFORE, in consideration of the exchange of promises and other good and valuable consideration, acknowledged by each party as received and accepted, the Parties agree as follows:

1. All the recitals above and below are true, correct and shall be incorporated into this Agreement and the Development Order.
2. This Agreement provides for the construction of no more than 218 rental units in the project on the north and middle parcels of the Mayfair Property, as depicted on Exhibit "A." Such units shall be developed substantially in accordance with the Plan attached as Exhibit "A". The Association agrees to the Development Order as applied for by Mayfair and supports the same, subject to the terms and conditions set forth herein.
3. The southern parcel of the Mayfair Property ("South Parcel") shall be improved by Mayfair at Mayfair's sole cost with (i) a lake or water retention basin as shown on the plans approved by City of Fort Pierce ("Plans") as depicted on Exhibit "D"; (ii) the enlargement of the existing discharge weir and/or opening; (iii) connection of the existing drainage to the new lake; and (iv) the connection of new lake or water retention basin to the South 19th Street Canal, all as more

particularly described and detailed in Exhibit "D" (collectively, "Improvements"). Within sixty (60) days after completion of such Improvements as certified by a licensed engineer or architect acceptable to the Parties, the South Parcel shall be conveyed by special warranty deed ("Deed") to the Association, free and clear of monetary liens but subject to a use restriction of the South Parcel as part of the water management system benefitting both the Longwood Property and the Mayfair Property ("Water Management System"). The Association shall assume all obligations for ad valorem taxes relating to the Improvements and the South Parcel prorated for the year of closing and then solely thereafter. Mayfair shall be responsible to pay the design and permitting costs of the Improvements and any documentary stamp or transfer taxes and recording costs for the Deed (collectively, "Mayfair Costs").

4. All obligations of Mayfair and the Association under this Agreement are contingent upon the receipt of approvals from South Florida Water Management District, and the City of Fort Pierce, as applicable, and/or any other agency from which a permit shall be required (collectively, "Lake Permit") for the construction of the Improvements. The obligations of Mayfair and the Association under this Agreement are subject to the City's approval of a density transfer sufficient to allow for a residential community and related amenities consisting of up to 218 units to be constructed on the northern and middle parcels of the Mayfair Property. At least 50% of the constructed units shall be two or three bedroom units, each with a minimum square footage of 997 square feet, and no more than 50% of the constructed units shall be one bedroom units, each with a minimum of 806 square feet (collectively, "Project").
5. Mayfair will apply for the Lake Permit prior to the commencement of any construction of the Project. Mayfair shall be permitted to commence construction of up to two buildings of the Project following the application for the Lake Permit. Subject to having obtained the Lake Permit, Mayfair shall commence the construction of the Improvements no later than 18 months after the date of execution of the Development Order by the City ("DO Approval"). Mayfair shall proceed diligently and complete the construction of the Improvements no later than 2 years from DO Approval. Mayfair will expend up to \$100,000.00, which Mayfair reasonably believes is sufficient to complete the Improvements and to pay the Mayfair Costs. In the event that a portion of the said \$100,000.00 is not used for construction of the Improvements and the Mayfair Costs, then the remainder of the funds shall be used to enhance the South Parcel with landscaping and other amenities agreed upon by the Parties. In the event the Mayfair Costs exceed \$100,000.00, Mayfair shall be responsible to pay such excess; provided however, Mayfair shall be entitled to recover any economic benefit of any fill removed from the Lake.
6. The Parties agree that the Project units may be rental units provided that the minimum initial lease term for all units shall be twelve (12) months. Thereafter, up to twenty-five percent (25%) of the units may be leased for a term of no less than nine (9) months (and the remaining seventy-five percent (75%) of the units will continue to be subject to a twelve (12) month minimum lease term).
7. The Shared Use Agreement attached as Exhibit "C" will be amended within sixty (60) days from the effective date of this Agreement. The amended Shared Use Agreement will acknowledge that, in consideration for and upon completion of the Improvements and conveyance of the South Parcel as described in paragraphs 3, 4 and 5 above, Mayfair will no longer owe the Association any contribution for Shared Costs accruing through December 31, 2017. Commencing January 1, 2018, Mayfair and the Association will each be responsible for fifty percent (50%) of the Shared

Costs of maintaining the Water Management System (and such Shared Costs shall include, but not be limited to, routine maintenance, repair, replacement and capital reserves for same).

8. Mayfair will construct the sidewalks on the west side of the Mayfair Property as detailed in the Development Order.
9. Mayfair will construct concrete walls, on the eastern portion of the north and middle parcels of the Mayfair Property. Mayfair is not obligated to construct any wall bordering the South Parcel. The north and middle parcel walls shall be constructed at the start of vertical construction on each respective parcel, provided, however that both walls shall be completed no later than 2 years from DO Approval, regardless of whether vertical construction has commenced on either or both parcels.
10. This Agreement represents a compromise and a settlement of disputed claims.
11. Mayfair and Longwood acknowledge that each has had the opportunity to consult with such professionals, experts, and legal counsel of their choice as either may have desired with respect to the matters set forth herein.
12. Each party has participated fully in the negotiation and preparation of this Agreement and each party has carefully reviewed this Agreement and is entering into the same freely. Accordingly, this Agreement shall not be more strictly construed against either party.
13. Each party represents and warrants each signatory hereto has the full power and authority to enter into this Agreement.
14. This Agreement shall be governed by, and construed in accordance with, the laws of the State of Florida.
15. This Agreement may be executed in one or more counterparts, each of which shall be a duplicate original, but a complete set of which taken together shall constitute one and the same instrument. Either of the parties hereto may execute this Agreement by signing any such counterpart or counterparts. Electronically mailed digital copies and/or faxed copies shall be deemed originals for all purposes, including enforcement.
16. If any obligation cannot be performed or completed at or within the time specified in this Agreement for any reason beyond the control of the obligor that is recognized as an excuse to timely performance under the laws of the State of Florida, the time for performance or completion shall be extended as necessary.
17. Should any provision of this Agreement, for any reason and to any extent, be determined invalid or unenforceable, the remainder hereof shall not be affected thereby, but rather shall be enforced to the greatest extent permitted by Florida law.
18. This Agreement shall be recorded in the official records of Saint Lucie County and shall constitute covenants running with the land against the Longwood Property and the Mayfair Property.
19. Any and all disputes, claims and controversies arising out of, or relating to, this Agreement (including, but not limited to, the breach or validity thereof) shall be settled in a court of competent jurisdiction located in St. Lucie County, Florida. The parties consent to such venue and jurisdiction and waive any claims that such venue is an inconvenient forum. The parties may seek all remedies for any breach of this Agreement to which either may be entitled in law or equity. The prevailing party in any action that is brought to enforce this Agreement shall be entitled to the recovery of reasonable attorney's and paralegals' fees and costs, including

bankruptcy and appellate fees and costs, earned and incurred as a result thereof, in addition to any award and/or decision entered in connection therewith.

20. No modification of this Agreement shall be valid or effective unless in writing and signed by the Parties.
21. This Agreement is binding upon and inures to the benefit of each Party, and/or its successors and assigns.

ALL SIGNATURES ON FOLLOWING PAGES

ON

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the 18th day of January, 2018.

WITNESSES:

[Signature]
Printed Name: Joseph Moussa
[Signature]
Printed Name: MYRNA LEEA

MAYFAIR AT LAWNWOOD REPH LLC,
a Florida limited liability company

By: REPH Management, Inc., a Florida corporation, its Manager
[Signature]
By: Carlos Sandino
Name: Carlos Sandino
Title: Vice President

STATE OF FLORIDA
COUNTY OF Duval

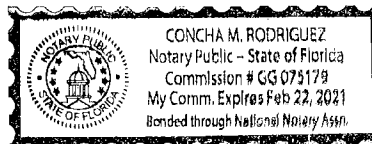
The foregoing instrument was subscribed to and acknowledged before me this 18th day of January, 2018, by Carlos Sandino as Vice President of REPH Management, Inc., a Florida corporation, on behalf of the corporation as Manager of MAYFAIR AT LAWNWOOD REPH LLC, a Florida limited liability company, in such capacity on behalf of the company, and who is personally known to me or has produced _____ as identification.

[Signature]
NOTARY PUBLIC, State of Florida at Large

My Commission Expires:

[NOTARIAL SEAL]

[signatures continue]



WITNESSES:

[Signature]
Printed Name: Beth Ann Wilson
[Signature]
Printed Name: Michelle Caille

LONGWOOD OF FT. PIERCE
HOMEOWNERS ASSOCIATION, INC.,
a Florida not-for-profit corporation

By: [Signature]
Name: James H. Gilliland
Title: Vice President

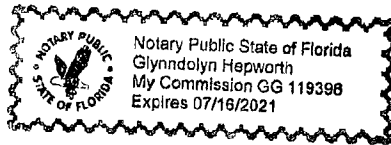
STATE OF FLORIDA
COUNTY OF

The foregoing instrument was subscribed to and acknowledged before me this 23 day of January, 2018, by James H. Gilliland, as Vice President of Longwood of Ft. Pierce Homeowners Association, Inc., a Florida not-for-profit corporation, in such capacity on behalf of the corporation, and who is personally known to me, or has produced _____ as identification.

[Signature]
NOTARY PUBLIC, State of Florida at Large

My Commission Expires:
7/16/21

[NOTARIAL SEAL]

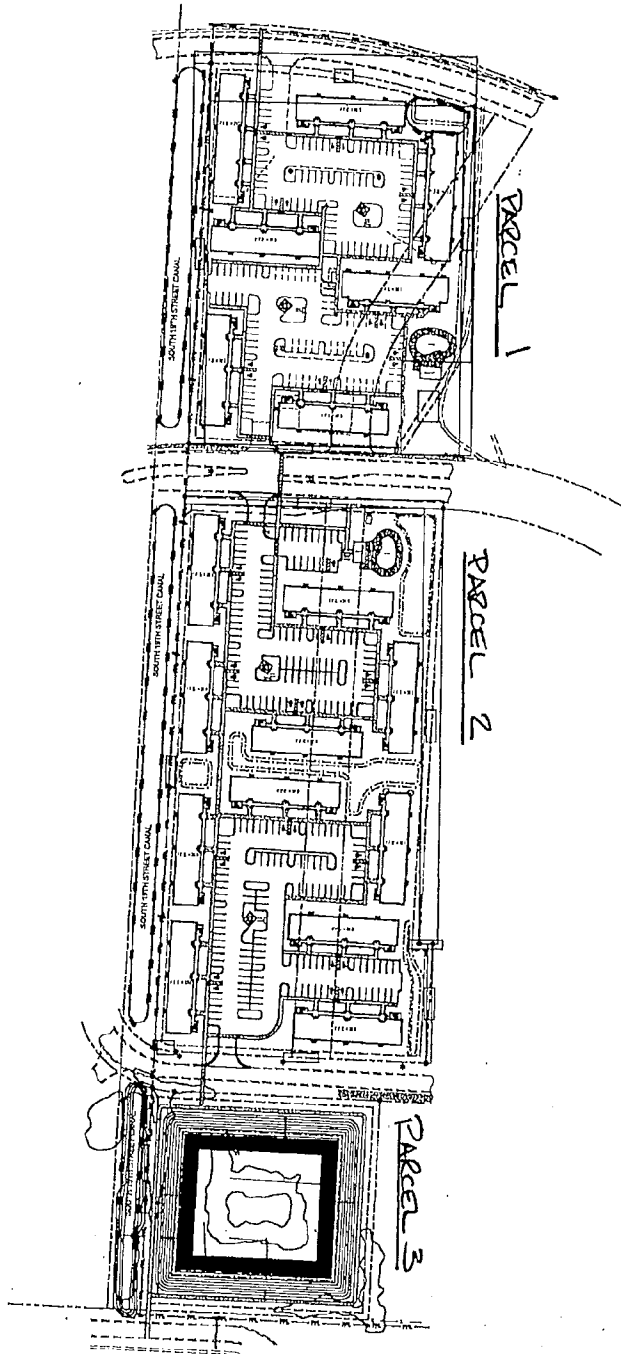


- Exhibit A Plan for 218 Rental Units and Lake
- Exhibit B Legal Description for the North, Middle and Southern Parcels
- Exhibit C Shared Cost Agreement
- Exhibit D Plan of the proposed improvements to the Southern Parcel

EXHIBIT A

Plan for 218 Rental Units and Lake

[see attached]



**WOHLFARTH CONSULTING
GROUP LLC**
ENGINEERS & PLANNERS

246 N. WESTMONTA DRIVE
ALVARADO SPRINGS, FL 32714
(407) 256-3123

OVERALL SITE PLAN

MAYFAIR
FORT PIERCE, FL

SCALE	DATE	SHEET
1" = ---'	10/25/2017	EX-01
PROJECT	REVISION	
---	---	

EXHIBIT B

Legal Description for the North, Middle and Southern Parcels

[see attached]

LEGAL DESCRIPTION

PARCEL 1:

A PART OF LAWNWOOD ADDITION SUBDIVISION, AS RECORDED IN PLAT BOOK 2, PAGE 16, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, BEING GEOMETRICALLY DESCRIBED AS FOLLOWS:

COMMENCING (P.O.C.) AT THE SOUTHWEST CORNER OF A 16 FOOT ALLEY RUNNING EAST AND WEST THROUGH BLOCK 31 OF SAID LAWNWOOD ADDITION SUBDIVISION, THENCE RUN SOUTH 01°25' WEST, ALONG THE EAST LINE OF THE SOUTH 19TH STREET CANAL RIGHT-OF-WAY, 839.34 FEET TO THE POINT OF BEGINNING (P.O.B.); THENCE RUN NORTH 01°25' EAST ALONG THE EAST LINE OF THE SOUTH 19TH STREET CANAL RIGHT-OF-WAY, 582.38 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF LAWNWOOD CIRCLE NORTH; THENCE RUN SOUTHEASTERLY ALONG A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 1189.24 FEET, AN ARC DISTANCE OF 414.43 FEET, SAID CURVE HAVING A CHORD BEARING OF SOUTH 82°58'44" EAST AND A CHORD DISTANCE OF 412.34 FEET. THE LAST DESCRIBED COURSE BEING ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF LAWNWOOD CIRCLE NORTH; THENCE RUN SOUTH 01°25' WEST PARALLEL WITH THE EAST RIGHT-OF-WAY LINE OF THE SOUTH 19TH STREET CANAL, 535.88 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF NEBRASKA AVENUE; THENCE RUN WESTERLY ALONG A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 635 FEET, AN ARC DISTANCE OF 15.00 FEET TO A POINT OF TANGENCY, SAID CURVE HAVING A CHORD BEARING OF NORTH 88°48'06" WEST AND A CHORD DISTANCE OF 15.00 FEET; THENCE RUN NORTH 89°28'42" WEST, PARALLEL WITH THE NORTH RIGHT-OF-WAY LINE OF QUINCY AVENUE, 395.42 FEET TO THE POINT OF BEGINNING, THE LAST TWO (2) DESCRIBED COURSES BEING ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF NEBRASKA AVENUE.

LESS AND EXCEPT:

PART OF LAWNWOOD ADDITION'S SUBDIVISION, AS RECORDED IN PLAT BOOK 2, PAGE 16, AND A PART OF LONGWOOD VILLAGE PHASE 3-A, AS RECORDED IN OFFICIAL RECORDS BOOK 586, PAGE 321, BOTH OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF NEBRASKA AVENUE AND THE WEST LINE OF SOUTH 13TH STREET, SAID POINT BEING LOCATED 600 FEET NORTH OF THE INTERSECTION OF THE NORTH LINE OF QUINCY AVENUE AND THE SAID WEST LINE OF SOUTH 13TH STREET; AS MEASURED ALONG SOUTH 13TH STREET; RUN THENCE NORTH 89°28'42" WEST, ALONG THE SOUTH LINE OF NEBRASKA AVENUE, 401.23 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 805.94 FEET. THENCE RUN NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°18'40", AN ARC DISTANCE OF 327.90 FEET TO A POINT, SAID POINT BEING A POINT OF REVERSE CURVATURE OF THE ABOVE-MENTION CURVE AND A CURVE CONNECTING THE SOUTH RIGHT-OF-WAY LINE OF NEBRASKA AVENUE WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF LAWNWOOD CIRCLE SOUTH; THENCE CONTINUE WESTERLY AND NORTHWESTERLY FROM SAID POINT OF REVERSE CURVATURE ALONG SAID CURVE HAVING A RADIUS OF 805.94 FEET; THROUGH CENTRAL ANGLE OF 26°51'20", AN ARC DISTANCE OF 377.76 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE LEAVING THE SOUTH RIGHT-OF-WAY OF NEBRASKA AVENUE ALONG A LINE WHICH IS RADIAL TO SAID CURVE, ON A BEARING OF NORTH 50°41'19" EAST, A DISTANCE OF 80.00 FEET TO THE NORTHERLY RIGHT-OF-WAY OF SAID NEBRASKA AVENUE. THENCE RUN NORTH 39°18'41" WEST, 188.33 FEET TO A POINT OF CURVATURE OF A CURVE HAVING A RADIUS OF 635.00 FEET; THENCE RUN NORTHWESTERLY AND WESTERLY ALONG SAID CURVE CONCAVE TO THE SOUTHWEST THROUGH A CENTRAL ANGLE OF 48°48'48", HAVING AN ARC LENGTH OF 540.99 FEET, TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL. THENCE, CONTINUING ALONG SAID CURVE AND THE NORTH LINE OF NEBRASKA AVENUE, THROUGH A CENTRAL ANGLE OF 01°21'12", AN ARC DISTANCE OF 15.00 FEET TO THE POINT OF TANGENCY; THENCE NORTH 89°28'41" WEST CONTINUING ALONG SAID NORTH RIGHT-OF-WAY OF NEBRASKA AVENUE, A DISTANCE OF 67.76 FEET; THENCE NORTH 30°59'45" EAST, DEPARTING SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 167.64 FEET; THENCE SOUTH 01°25'00" WEST A DISTANCE OF 144.69 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID NEBRASKA AVENUE AND THE POINT OF BEGINNING.

CONTAINING 0.14 ACRES, MORE OR LESS.

PARCEL 2:

A PART OF LAWNWOOD ADDITION SUBDIVISION, AS RECORDED IN PLAT BOOK 2, PAGE 16, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, BEING GEOMETRICALLY DESCRIBED AS FOLLOWS:

COMMENCING (P.O.C.) AT THE SOUTHWEST CORNER OF A 16 FOOT ALLEY RUNNING EAST AND WEST THROUGH BLOCK 31, OF SAID LAWNWOOD ADDITION SUBDIVISION. THENCE RUN SOUTH 01°25' WEST, ALONG THE EAST LINE OF THE SOUTH 19TH STREET CANAL RIGHT-OF-WAY, 919.35 FEET TO THE POINT OF BEGINNING (P.O.B.), THENCE RUN SOUTH 89°28'42" EAST, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF NEBRASKA AVENUE, SAID LINE BEING PARALLEL WITH THE NORTH RIGHT-OF-WAY LINE OF QUINCY AVENUE, A DISTANCE OF 396.67 FEET; THENCE RUN SOUTH 01°25' WEST, PARALLEL WITH THE EAST LINE OF THE SOUTH 19TH STREET CANAL, 663.12 FEET THENCE RUN SOUTH 89°28'42" EAST, PARALLEL WITH THE NORTH RIGHT-OF-WAY LINE OF QUINCY AVENUE, 20.05 FEET, THENCE RUN SOUTH 01°25' WEST, PARALLEL WITH THE EAST LINE OF THE SOUTH 19TH STREET CANAL 180.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF LAWNWOOD CIRCLE SOUTH, THENCE RUN NORTH 89°28'42" WEST, PARALLEL WITH THE NORTH RIGHT-OF-WAY LINE OF QUINCY AVENUE, 389.02 FEET TO A POINT OF CURVATURE OF A CURVE TO THE NORTHEAST HAVING A RADIUS OF 95 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°25'59", AN ARC DISTANCE OF 32.22 FEET TO THE EAST LINE OF THE SOUTH 19TH STREET CANAL. THE LAST TWO (2) DESCRIBED COURSES BEING ALONG THE NORTH RIGHT-OF-WAY LINE OF LAWNWOOD CIRCLE SOUTH; THENCE RUN NORTH 01°25' EAST, ALONG THE EAST LINE OF THE SOUTH 19TH STREET CANAL, 837.71 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

A PART OF LAWNWOOD ADDITION SUBDIVISION, AS RECORDED IN PLAT BOOK 2, PAGE 16, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, BEING GEOMETRICALLY DESCRIBED AS FOLLOWS:

COMMENCE (P.O.C.) AT THE SOUTHWEST CORNER OF A 16 FOOT ALLEY RUNNING EAST AND WEST THROUGH BLOCK 31, OF SAID LAWNWOOD ADDITION SUBDIVISION. THENCE RUN SOUTH 01°25' WEST, ALONG THE EAST LINE OF THE SOUTH 19TH STREET CANAL RIGHT-OF-WAY, 2153.02 FEET TO THE POINT OF BEGINNING (P.O.B.), THENCE RUN NORTH 01°25' EAST ALONG THE EAST LINE OF THE SOUTH 19TH STREET CANAL 334.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF LAWNWOOD CIRCLE SOUTH; THENCE RUN SOUTHEASTERLY ALONG A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 155 FEET, THROUGH A CENTRAL ANGLE OF 12°07'54", AN ARC DISTANCE OF 32.82 FEET TO A POINT OF TANGENCY, SAID CURVE HAVING A CHORD BEARING OF SOUTH 83°24'42" EAST AND A CHORD DISTANCE OF 32.76 FEET. THENCE RUN SOUTH 89°28'42" EAST, PARALLEL WITH THE NORTH RIGHT-OF-WAY LINE OF QUINCY AVENUE, 317.37 FEET. THE LAST TWO (2) DESCRIBED COURSES BEING ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF LAWNWOOD CIRCLE SOUTH; THENCE RUN SOUTH 01°25' WEST, PARALLEL WITH THE EAST LINE OF THE SOUTH 19TH STREET CANAL, 330.54 FEET TO THE NORTH RIGHT-OF-WAY LINE OF QUINCY AVENUE; THENCE RUN NORTH 89°28'42" WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF QUINCY AVENUE, 350 FEET TO THE POINT OF BEGINNING.

SAID PARCELS (1-3) CONTAIN 15.66 ACRES, MORE OR LESS (15.52 NET ACRES).

EXHIBIT C

Shared Cost Agreement

[see attached]

EDWIN M. FRY, Jr., CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 2905109 OR BOOK 2624 PAGE 765, Recorded 07/31/2006 at 02:24 PM

Prepared by and Return to:

Joel D. Kopelman, Esq.
Ruden, McClosky, Smith,
Schuster & Russell, P.A.
200 E. Broward Blvd., Suite 1500
Fort Lauderdale, FL 33301

FIRST AMENDMENT TO SHARED COST AGREEMENT

THIS FIRST AMENDMENT TO SHARED COST AGREEMENT ("First Amendment") is made as of the 29 day of MARCH, 2006, by and between LONGWOOD OF FT. PIERCE HOMEOWNERS ASSOCIATION, INC., a Florida corporation, not-for-profit, whose address is 1505 Nebraska Avenue, Ft. Pierce, Florida 34950 (the "Association") and MAYFAIR AT LAWNWOOD, LLLP, a Florida limited liability limited partnership, ("Mayfair") whose address is 6400 Congress Avenue, Suite 2000, Boca Raton, Florida 33487.

WITNESSETH

WHEREAS, the Association and Mayfair entered into that certain Shared Cost Agreement dated October 26, 2005, and recorded in Official Records Book 2432, Page 2160 of the Public Records of Saint Lucie County, Florida (the "Agreement").

WHEREAS, the parties hereinto are desirous of amending the Agreement to correct the legal description attached thereto as Exhibit A.

NOW, THEREFORE, in consideration of Ten (\$10.00) Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, agree as follows:

1. The foregoing recitations are true and correct and are incorporated herein by reference.
2. Exhibit "A" attached to the Agreement is hereby deleted and replaced with Exhibit "A" attached to this Amendment.
3. Except as amended by this by this Amendment, the Agreement shall remain in full force and effect.

[Signatures to follow on next page]

OR BOOK 2624 PAGE 767

Signed, sealed and delivered
in the presence of:

Judy Weeden
Signature
Judy Weeden
Print Name

Lilianne Perez
Signature
Lilianne Perez
Print Name

MAYFAIR AT LAWNWOOD,
LLLP, a Florida limited liability
limited partnership

By: OHC MANAGEMENT, INC.
a Florida corporation, its
general partner

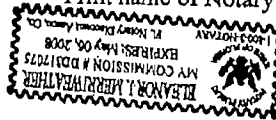
By: Mark Levy as Pres.
Print Name: Mark Levy
Title: President
Date: 3/10/06

STATE OF FLORIDA)
COUNTY OF Palm Beach) SS:

I HEREBY CERTIFY that on this 10th day of March, 2006, before me,
an officer duly authorized in the State aforesaid and in the County aforesaid to take
acknowledgements, the foregoing instrument was acknowledged before me by Mark
Levy as President of OHC MANAGEMENT, INC, a Florida corporation, general partner
of MAYFAIR AT LAWNWOOD, LLLP, a Florida limited liability limited partnership,
on behalf of said partnership. He/She is personally known to me or has produced
_____ as identification.

Eleanor J. Merriweather
Notary Public
Eleanor J. Merriweather
Print name of Notary Public

My Commission expires:



OR BOOK 2624 PAGE 768

Exhibit "A"

Parcel 1: A part of Lawnwood Addition Subdivision, as recorded in Plat Book 2, Page 16, Public records of St. Lucie County, Florida, being geometrically described as follows:

Commencing (P.O.C.) at the Southwest corner of a 16 foot alley running East and West through Block 31 of said Lawnwood Addition Subdivision, thence run South $01^{\circ}25'$ West, along the East line of the South 19th Street Canal Right-Of-Way, 839.34 feet to the point of beginning (P.O.B.); thence run North $01^{\circ}25'$ East along the East line of the South 19th Street Canal Right-Of-Way, 582.38 feet to the South Right-Of-Way line of Lawnwood Circle North; thence run Southeasterly along a curve concave to the Southwest having a radius of 1189.24 feet, an arc distance of 414.43 feet, said curve having a chord bearing of South $82^{\circ}58'44''$ East, and a chord distance of 412.34 feet, the last described course being along the Southerly Right-Of-Way line of Lawnwood Circle North; thence run South $01^{\circ}25'$ West parallel with the East Right-Of-Way line of the South 19th Street Canal, 535.88 feet to the Northerly Right-Of-Way line of Nebraska Avenue; thence run Westerly along a curve concave to the South having a radius of 635 feet, an arc distance of 15.00 feet to a point of tangency, said curve having a chord bearing of North $88^{\circ}48'06''$ West and a chord distance of 15.00 feet; thence run North $89^{\circ}28'42''$ West, parallel with the North Right-Of-Way line of Quincy Avenue, 395.42 feet to the point of beginning, the last two (2) described courses being along the Northerly Right-Of-Way line of Nebraska Avenue, less and except the following described real property:

PART OF LAWNWOOD ADDITION'S SUBDIVISION, AS RECORDED IN PLAT BOOK 2, PAGE 16, AND A PART OF LONGWOOD VILLAGE PHASE 3-A, AS RECORDED IN OFFICIAL RECORDS BOOK 586, PAGE 321, BOTH OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF NEBRASKA AVENUE AND THE WEST LINE OF SOUTH 13TH STREET, SAID POINT BEING LOCATED 600 FEET NORTH OF THE INTERSECTION OF THE NORTH LINE OF QUINCY AVENUE AND THE SAID WEST LINE OF SOUTH 13TH STREET AS MEASURED ALONG SOUTH 13TH STREET; RUN THENCE NORTH $89^{\circ}28'42''$ WEST, ALONG THE SOUTH LINE OF NEBRASKA AVENUE, 401.23 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 805.94 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $23^{\circ}18'40''$, AN ARC DISTANCE OF 327.90 FEET TO A POINT, SAID POINT BEING A POINT OF REVERSE CURVATURE OF THE ABOVE-MENTIONED CURVE AND A CURVE CONNECTING THE SOUTH RIGHT-OF-WAY LINE OF NEBRASKA AVENUE WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF LAWNWOOD CIRCLE SOUTH; THENCE CONTINUE WESTERLY AND NORTHWESTERLY FROM SAID POINT OF REVERSE CURVATURE ALONG SAID CURVE HAVING A RADIUS OF 805.94 FEET; THROUGH A CENTRAL ANGLE OF $26^{\circ}51'20''$, AN ARC DISTANCE OF 377.76 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE LEAVING THE SOUTH RIGHT-OF-WAY OF NEBRASKA AVENUE ALONG A LINE WHICH IS RADIAL TO SAID CURVE, ON A BEARING OF NORTH $50^{\circ}41'19''$ EAST, A DISTANCE OF 80.00 FEET TO THE NORTHERLY RIGHT-OF-WAY OF SAID NEBRASKA AVENUE, THENCE RUN NORTH $39^{\circ}18'41''$ WEST, 188.33 FEET TO A POINT OF CURVATURE OF A CURVE HAVING A RADIUS OF 635.00 FEET; THENCE RUN NORTHWESTERLY AND WESTERLY ALONG SAID CURVE CONCAVE TO THE SOUTHWEST, THROUGH A CENTRAL ANGLE OF $48^{\circ}48'48''$, HAVING AN ARC LENGTH OF 340.99 FEET, TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL:

THENCE CONTINUING ALONG SAID CURVE AND THE NORTH LINE OF NEBRASKA AVENUE, THROUGH A CENTRAL ANGLE OF $1^{\circ}21'12''$, AN ARC DISTANCE OF 15.00 FEET TO THE POINT OF TANGENCY; THENCE NORTH $89^{\circ}28'41''$ WEST CONTINUING ALONG SAID NORTH RIGHT-OF-WAY OF NEBRASKA AVENUE, A DISTANCE OF 67.76 FEET; THENCE NORTH $30^{\circ}59'45''$ EAST, DEPARTING SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 167.64 FEET; THENCE SOUTH $01^{\circ}25'00''$ WEST A DISTANCE OF 144.69 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID NEBRASKA AVENUE AND THE POINT OF BEGINNING.

OR BOOK 2624 PAGE 769

Parcel 2: A part of Lawnwood Addition Subdivision, as recorded in Plat Book 2, Page 16, Public records of St. Lucie County, Florida, being geometrically described as follows:

Commencing (P.O.C.) at the Southwest corner of a 16 foot alley running East and West through Block 31, of said Lawnwood Addition Subdivision, thence run South $01^{\circ}25'$ West, along the East line of the South 19th Street Canal Right-Of-Way, 919.35 feet to the point of beginning (P.O.B.); thence run South $89^{\circ}28'42''$ East, along the Southerly Right-Of-Way line of Nebraska Avenue, said line being parallel with the North Right-Of-Way line of Quincy Avenue, a distance of 396.67 feet; thence run South $1^{\circ}25'$ West, parallel with the East line of the South 19th Street Canal, 663.12 feet; thence run South $89^{\circ}28'42''$ East, parallel with the North Right-Of-Way line of Quincy Avenue, 20.05 feet; thence run South $1^{\circ}25'$ West, parallel with the East line of the South 19th Street Canal 180.00 feet to the North Right-Of-Way line of Lawnwood Circle South; thence run North $89^{\circ}28'42''$ West, parallel with the North Right-Of-Way line of Quincy Avenue, 385.02 feet to a point of curvature of a curve to the Northeast having a radius of 95 feet; thence run Northwesterly along said curve through a central angle of $19^{\circ}25'59''$, an arc distance of 32.22 feet to the east line of the South 19th Street Canal, the last two (2) described courses being along the North Right-Of-Way line of Lawnwood Circle South; thence run North $01^{\circ}25'$ East, along the East line of the South 19th Street Canal, 837.71 feet to the point of beginning.

Parcel 3: A part of Lawnwood Addition Subdivision, as recorded in Plat Book 2, Page 16, Public records of St. Lucie County, Florida, being geometrically described as follows:

Commencing (P.O.C.) at the Southwest corner of a 16 foot alley running East and West through Block 31, of said Lawnwood Addition Subdivision, thence run South $01^{\circ}25'$ West, along the East line of the South 19th Street Canal Right-Of-Way, 2153.02 feet to the point of beginning (P.O.B.); thence run North $01^{\circ}25'$ East along the East line of the South 19th Street Canal 334.00 feet to the South Right-Of-Way line of Lawnwood Circle South; thence run Southeasterly along a curve concave to the Northeast having a radius of 155 feet, through a central angle of $12^{\circ}07'54''$, an arc distance of 32.82 feet to a point of tangency, said curve having a chord bearing of South $83^{\circ}24'45''$ East and a chord distance of 32.76 feet; thence run South $89^{\circ}28'42''$ East, parallel with the North Right-Of-Way line of Quincy Avenue, 317.37 feet, the last two (2) described courses being along the Southerly Right-Of-Way line of Lawnwood Circle South; thence run South $01^{\circ}25'$ West, parallel with the East line of the South 19th Street Canal, 330.54 feet to the North Right-Of-Way line of Quincy Avenue; thence run North $89^{\circ}28'42''$ West, along the North Right-Of-Way line of Quincy Avenue, 350 feet to the point of beginning.

Prepared by: Return to:

Joel D. Kopelman, Esq.
Ruden, McClosky, Smith,
Schuster & Russell, P.A.
200 E. Broward Blvd., Suite 1500
Fort Lauderdale, FL 33301

EDWIN M. FRY, Jr., CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 2758418 12/08/2005 at 11:13 AM
OR BOOK 2432 PAGE 2160 + 2169 Doc Type: AGR
RECORDING: \$66.50
D'DOC STAMP COLLECTION: \$0.70

SHARED COST AGREEMENT

THIS SHARED COST AGREEMENT ("Agreement") is made of the 26th day of October, 2005, by and between LONGWOOD OF FT. PIERCE HOMEOWNERS ASSOCIATION, INC., a Florida corporation, not-for-profit, whose address is 1505 Nebraska Avenue, Ft. Pierce, Florida 34950 (the "Association") and MAYFAIR AT LAWNWOOD, LLLP, a Florida limited liability limited partnership, ("Mayfair").

WITNESSETH

WHEREAS, the Association has been created to administer property encumbered by the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Longwood Village Phases, I, II and 3-A as recorded in Official Records Book 1673, Page 2014 of the Public Records of St. Lucie County, Florida (the "Declaration");

WHEREAS, the property encumbered by the Declaration includes two (2) ponds (the "Ponds") used for storm water quality treatment, attenuation, water storage, flowage and such other purposes (the "Pond Purposes) required by and pursuant to South Florida Water Management District Standard General Environmental Resource Permit No. 56-00463-S for Villages of Longwood (AKA Longwood Village) permit amended or modified from time to time (the "Permit") issued by the South Florida Water Management District (the "District") and which Ponds, as part of the surface water management system, are also to be used for the aforesaid purposes for properties other than the property encumbered by the Declaration; and

WHEREAS, the real property described in Exhibit "A" attached hereto and made a part hereof (the "Mayfair Property") pursuant to permit(s) issued by the District is to have its storm water surface management system connect to drainage lines and facilities so that the Ponds will also service the Mayfair Property for the Pond Purposes; and

WHEREAS, the Association acknowledges that the surface water management system for the Mayfair Property (pursuant to a District permit issued or to be issued to the owner of the Mayfair Property) is to connect to the Association's surface water management system ("Association System") to discharge surface and storm water from the Mayfair Property into the Association System which includes, but is not limited to the Ponds to allow the Ponds to service the Mayfair Property for the Pond Purposes; and

WHEREAS, the Association and Mayfair are desirous of establishing the basis upon which the costs with respect to the maintenance and repair of the Ponds as shall be required by the District and the Permit issued by the District, are to be shared.

NOW, THEREFORE, in consideration of Ten (\$10.00) Dollars and other good and valuable consideration each to the other in hand paid, the receipt and sufficiency of which is hereby acknowledged, the parties hereto intending to be legally bound hereby agree as follows:

1. Recitals. The foregoing Recitals are true and correct or are incorporated herein by reference.

2. Maintenance. Pursuant to the Permit issued by the District, the Ponds are the obligation of the Association to maintain for Pond Purposes. The Ponds shall be maintained in accordance with the Permit issued by the District for the benefit of the property administered by the Association, the Mayfair Property and any other property as required by the Permit issued by the District.

3. Grant. In furtherance of the purposes of this Agreement, Association hereby grants the owner of the Mayfair Property a perpetual non-exclusive easement to connect to the Association System and discharge surface water and storm water from the Mayfair Property through the Association System and drainage pipes and facilities that are a part thereof for the Pond Purposes and for such other purposes as shall be required by the Permit governing the Association System.

4. Common Costs. For the purposes of this Agreement, the term "Common Costs" shall mean the cost and expense incurred by or on behalf of the Association with respect to the maintenance of the Ponds as part of the Association System. The Association and the owner of the Mayfair Property shall each be responsible for one-half (1/2) of the Common Costs. The Association shall bill Mayfair for its share of the Common Costs. Mayfair shall be obligated to pay its share of the Common Costs on an annual basis, in advance. The initial budget for the Common Costs in the amount of Two Thousand Five Hundred (\$2,500.00) Dollars is attached to this Agreement as Exhibit "B" ("Initial Budget") and the Initial Budget shall commence in the calendar year in which a declaration of condominium or declaration of covenants, restrictions and easements is recorded with respect to all or a portion of the Mayfair Property, and shall be prorated for a portion of a calendar year. No later than October 31st of each calendar year during the term of this Agreement after the first calendar year in which the owner of the Mayfair Property is obligated to pay its share of the Common Costs, the Association shall prepare

a budget for the Common Costs and submit same to the owner of the Mayfair Property. If the increase in the budget for Common Costs for the calendar year is not more than Two Hundred Fifty (\$250.00) Dollars greater than the prior year's budget for Common Costs, then the approval of the budget by the owner of the Mayfair Property shall not be required; provided, however, notwithstanding that approval by the owner of the Mayfair Property is not required, Association shall with the applicable budget provide to the owner of the Mayfair Property copies of document(s) that support and evidence the basis for the increase in the Common Costs. In the event that the budget for Common Costs for the applicable calendar year is more than Two Hundred Fifty (\$250.00) Dollars greater than the budget for Common Costs for the preceding calendar year, then such budget shall first be approved by the owner of the Mayfair Property; provided, however, that such approval shall not be unreasonably withheld. The owner of the Mayfair Property shall have a period of thirty (30) calendar days from the receipt of the applicable budget to approve or disapprove same, where such right of approval or disapproval is applicable. In this regard, in the event that the owner of the Mayfair Property has the right to approve or disapprove of the budget, and if such approval or disapproval is not provided to the Association within the aforesaid thirty (30) day period, the budget shall be deemed approved by the owner of the Mayfair Property. Within forty five (45) days after the end of each calendar year, Association shall provide to the owner of the Mayfair Property, written evidence of the actual expenditures for the maintenance of the Ponds, and reasonable back up information if requested by the owner of the Mayfair Property. If the actual expenditures for the Common Costs are less than the amount budgeted for the applicable calendar year, the overpayment by owner of the Mayfair Property shall be credited to the portion of the Common Costs due from the owner of the Mayfair Property for the following calendar year, or refunded to the owner of the Mayfair Property if the owner of the Mayfair Property has already funded its share of the Common Costs for the following calendar year.

5. Decisions. All decisions regarding the maintenance of the Ponds and the expenditure of monies for Common Costs shall be made by the Association; provided however, that the Ponds shall be maintained by the Association in accordance with requirements of the District. If the Association fails to maintain the ponds in accordance with the standards established by the District, the owner of the Mayfair Property shall have the right, but not the obligation, to perform such maintenance and seek payment from the Association for its share of the Common Costs resulting therefrom, in this respect, the owner of the Mayfair Property is hereby granted such easements as are reasonably necessary to accomplish such maintenance should the Association fail to perform the required maintenance with respect to the Ponds.

6. Failure to pay. If either party fails to pay its portion of the Common Costs, then the other party shall have the right, but not the obligation, to pay the share of the defaulting party, and shall be owed immediate reimbursement from the defaulting party, plus interest at the highest rate permitted by law, plus reasonable costs and attorney's fees incurred and collecting such sums.

7. Successor's and Assigns. This Agreement shall be binding on the successors and assigns of each party.

8. Covenants running with the land. The terms in this Agreement shall be deemed a covenant running with the Mayfair Property and the property encumbered by the Declaration. If the Mayfair Property is transferred to another owner, the obligation to pay its share of Common Costs shall become the obligation of the subsequent owner of the Mayfair Property, and the prior owner, shall be relieved of all responsibility for payment of Common Costs, except for any past due Common Costs as of the date of the conveyance of the Mayfair Property. Notwithstanding the foregoing, in the event that the Mayfair Property is subjected to a declaration of condominium or a declaration of covenants, restrictions and easements which is administered, by a condominium association or homeowner's association, as applicable, the payment of the share of Common Costs due from the owner of the Mayfair Property shall be the obligation of the condominium association or homeowner's association formed to govern and administer the Mayfair Property, and such condominium association or homeowner's association, as applicable, shall for the purposes of this Agreement be deemed the owner of the Mayfair Property.

9. Duration. This Agreement shall be effective and remain in effect as long as surface and storm water from the Mayfair Property is or is to be discharged into the Association System pursuant to the requirements of the Association's Permit or the applicable District permit issued or to be issued (pursuant to an application therefor) with respect to the Mayfair Property or is otherwise being discharged into the Association System.

10. Notices. All notices of request, demand and other communications hereunder shall be addressed to the parties as follows:

To Association: Longwood of Ft. Pierce Homeowner's Association, Inc.
Attention: President
1505 Nebraska Avenue
Fort Pierce, Florida 34950

To Mayfair Mayfair at Lawnwood, LLLP
Attention: Mr. Mark Levy
6400 Congress Avenue
Suite 2000
Boca Raton, Florida 33487
Phone: (561) 999-1860
Fax: (561) 988-9490

unless the address is changed by the party by like notice given to the other parties. Notice shall be in writing, mailed certified mail, return receipt requested, postage-prepaid and shall be deemed delivered when mailed or upon hand delivery to the address indicated. Notwithstanding the foregoing, notice, requests or demands or other communications referred to in this Agreement may be sent by telecopier, federal express or other method of delivery, but shall be deemed to have been given only when received.

11. Law. This Agreement shall be governed by the laws of the State of Florida.

12. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which shall constitute one and the same Agreement.

13. Legal Proceedings. The parties further agree that in the event it becomes necessary for any party to litigate in order to enforce its respective rights under the terms of this Agreement, then, and in that event, the prevailing party shall be entitled to recover reasonably attorneys' and paralegal fees and the costs of such litigation, through and including all trial and appellate litigation. The venue for any litigation under this Agreement shall be in St. Lucie County, Florida.

14. Non-terminable Agreement. No breach of the provision of this Agreement shall entitle any party Owner of any other party to cancel, rescind or otherwise terminate this Agreement, but such limitation shall not affect, in any manner, any other rights or remedies which any party may have hereunder by reason of any breach of the provisions of this Agreement.

15. Recording. This Agreement shall be recorded in the public records of St. Lucie County, Florida.

16. Construction. This Agreement is the product of negotiation between the parties hereto and the parties agree that this Agreement shall not be more harshly construed against either party.

17. Entire Agreement and Amendments. This Agreement, together with all exhibits attached hereto or referred to herein, contain all representations and the entire understanding between the parties hereto with respect to the subject matter hereof. This Agreement may only be modified or amended upon the written consent of the Association and the owner of the Mayfair Property.

[Signatures to follow on next page]

In witness whereof, the undersigned have executed this Agreement as of the day and year above first written.

Signed, sealed and delivered in the presence of:

Witnesses:

Sharon Orend
Signature
Sharon Orend
Print Name

[Signature]
Signature
Elmer McA...
Print Name


LONGWOOD OF FT. PIERCE HOMEOWNER'S ASSOCIATION, INC., a Florida corporation not-for-profit

By: [Signature]
Name: Scott T. Lentz
Title: President
Date: _____

STATE OF FLORIDA)
) ss:
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that on this 16th day of October, 2005, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, the foregoing instrument was acknowledged before me by SCOTT T. LENTZ as PRESIDENT of LONGWOOD OF FT PIERCE HOMEOWNER'S ASSOCIATION, INC., a Florida corporation not-for-profit, on behalf of said corporation. He/She is personally known to me or has produced _____ as identification.

[Signature]
Notary Public
LINDA J. GASKILL
Print name of Notary Public

 Linda J Gaskill
My Commission DD202774
Expires May 06, 2007

My Commission expires:

Signed, sealed and delivered
in the presence of:

Eleanor J. Merriweather
Signature
Eleanor J. Merriweather
Print Name

MAYFAIR AT LAWNWOOD,
LLLP, a Florida limited liability
limited partnership

Regina Pacella
Signature
REGINA PACELLA
Print Name

By: OHC MANAGEMENT, INC.
a Florida corporation, its
general partner

By: *Mark Levy*
Name: Mark Levy
Title: President
Date: 10/21/05

STATE OF FLORIDA)
COUNTY OF Palm Beach) ss:

I HEREBY CERTIFY that on this 21st day of October, 2005, before
me, an officer duly authorized in the State aforesaid and in the County aforesaid to take
acknowledgements, the foregoing instrument was acknowledged before me by
Mark Levy as President of OHC MANAGEMENT,
INC, a Florida corporation, general partner of MAYFAIR AT LAWNWOOD, LLLP, a
Florida limited liability limited partnership, on behalf of said partnership. He/She is
personally known to me or has produced _____ as
identification.

Eleanor J. Merriweather
Notary Public
Eleanor J. Merriweather
Print name of Notary Public

My Commission expires:



Exhibit "A"

Parcel 1: A part of Lawnwood Addition Subdivision, as recorded in Plat Book 2, Page 16, Public records of St. Lucie County, Florida, being geometrically described as follows:

Commencing (P.O.C.) at the Southwest corner of a 16 foot alley running East and West through Block 31 of said Lawnwood Addition Subdivision, thence run South $01^{\circ}25'$ West, along the East line of the South 19th Street Canal Right-Of-Way, 839.34 feet to the point of beginning (P.O.B.); thence run North $01^{\circ}25'$ East along the East line of the South 19th Street Canal Right-of-Way, 582.38 feet to the South Right-Of-Way line of Lawnwood Circle North; thence run Southeasterly along a curve concave to the Southwest having a radius of 1189.24 feet, an arc distance of 414.43 feet, said curve having a chord bearing of South $82^{\circ}58'44''$ East, and a chord distance of 412.34 feet, the last described course being along the Southerly Right-Of-Way line of Lawnwood Circle North; thence run South $01^{\circ}25'$ West parallel with the East Right-Of-Way line of the South 19th Street Canal, 535.88 feet to the Northerly Right-Of-Way line of Nebraska Avenue; thence run Westerly along a curve concave to the South having a radius of 635 feet, an arc distance of 15.00 feet to a point of tangency, said curve having a chord bearing of North $88^{\circ}48'06''$ West and a chord distance of 15.00 feet; thence run North $89^{\circ}28'42''$ West, parallel with the North Right-Of-Way line of Quincy Avenue, 395.42 feet to the point of beginning, the last two (2) described courses being along the Northerly Right-Of-Way line of Nebraska Avenue, less and except the following described real property:

PART OF LAWNWOOD ADDITION'S SUBDIVISION, AS RECORDED IN PLAT BOOK 2, PAGE 16, AND A PART OF LONGWOOD VILLAGE PHASE 3-A, AS RECORDED IN OFFICIAL RECORDS BOOK 586, PAGE 321, BOTH OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF NEBRASKA AVENUE AND THE WEST LINE OF SOUTH 13TH STREET, SAID POINT BEING LOCATED 600 FEET NORTH OF THE INTERSECTION OF THE NORTH LINE OF QUINCY AVENUE AND THE SAID WEST LINE OF SOUTH 13TH STREET AS MEASURED ALONG SOUTH 13TH STREET; RUN THENCE NORTH $89^{\circ}28'42''$ WEST, ALONG THE SOUTH LINE OF NEBRASKA AVENUE, 401.23 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 805.94 FEET; THENCE RUN NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $23^{\circ}18'40''$, AN ARC DISTANCE OF 327.90 FEET TO A POINT, SAID POINT BEING A POINT OF REVERSE CURVATURE OF THE ABOVE-MENTIONED CURVE AND A CURVE CONNECTING THE SOUTH RIGHT-OF-WAY LINE OF NEBRASKA AVENUE WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF LAWNWOOD CIRCLE SOUTH; THENCE CONTINUE WESTERLY AND NORTHWESTERLY FROM SAID POINT OF REVERSE CURVATURE ALONG SAID CURVE HAVING A RADIUS OF 805.94 FEET; THROUGH A CENTRAL ANGLE OF $26^{\circ}51'20''$, AN ARC DISTANCE OF 377.76 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE LEAVING THE SOUTH RIGHT-OF-WAY OF NEBRASKA AVENUE ALONG A LINE WHICH IS RADIAL TO SAID CURVE, ON A BEARING OF NORTH $50^{\circ}41'19''$ EAST, A DISTANCE OF 80.00 FEET TO THE NORTHERLY RIGHT-OF-WAY OF SAID NEBRASKA AVENUE, THENCE RUN NORTH $39^{\circ}18'41''$ WEST, 188.33 FEET TO A POINT OF CURVATURE OF A CURVE HAVING A RADIUS OF 635.00 FEET; THENCE RUN NORTHWESTERLY AND WESTERLY ALONG SAID CURVE CONCAVE TO THE SOUTHWEST, THROUGH A CENTRAL ANGLE OF $48^{\circ}06'33''$, HAVING AN ARC LENGTH OF 533.19 FEET, TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL:

THENCE CONTINUING ALONG SAID CURVE AND THE NORTH LINE OF NEBRASKA AVENUE, THROUGH A CENTRAL ANGLE OF $2^{\circ}03'27''$, AN ARC DISTANCE OF 15.00 FEET TO THE POINT OF TANGENCY; THENCE NORTH $89^{\circ}28'41''$ WEST CONTINUING ALONG SAID NORTH RIGHT-OF-WAY OF NEBRASKA AVENUE, A DISTANCE OF 67.76 FEET; THENCE NORTH $30^{\circ}59'45''$ EAST, DEPARTING SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 183.44 FEET; THENCE SOUTH $01^{\circ}25'00''$ WEST A DISTANCE OF 158.34 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID NEBRASKA AVENUE AND THE POINT OF BEGINNING.

Parcel 2: A part of Lawnwood Addition Subdivision, as recorded in Plat Book 2, Page 16, Public records of St. Lucie County, Florida, being geometrically described as follows:

Commencing (P.O.C.) at the Southwest corner of a 16 foot alley running East and West through Block 31, of said Lawnwood Addition Subdivision, thence run South $01^{\circ}25'$ West, along the East line of the South 19th Street Canal Right-Of-Way, 919.35 feet to the point of beginning (P.O.B.); thence run South $89^{\circ}28'42''$ East, along the Southerly Right-Of-Way line of Nebraska Avenue, said line being parallel with the North Right-Of-Way line of Quincy Avenue, a distance of 396.67 feet; thence run South $1^{\circ}25'$ West, parallel with the East line of the South 19th Street Canal, 663.12 feet; thence run South $89^{\circ}28'42''$ East, parallel with the North Right-Of-Way line of Quincy Avenue, 20.05 feet; thence run South $1^{\circ}25'$ West, parallel with the East line of the South 19th Street Canal 180.00 feet to the North Right-Of-Way line of Lawnwood Circle South; thence run North $89^{\circ}28'42''$ West, parallel with the North Right-Of-Way line of Quincy Avenue, 385.02 feet to a point of curvature of a curve to the Northeast having a radius of 95 feet; thence run Northwesteily along said curve through a central angle of $19^{\circ}25'59''$, an arc distance of 32.22 feet to the east line of the South 19th Street Canal, the last two (2) described courses being along the North Right-Of-Way line of Lawnwood Circle South; thence run North $01^{\circ}25'$ East, along the East line of the South 19th Street Canal, 837.71 feet to the point of beginning.

Parcel 3: A part of Lawnwood Addition Subdivision, as recorded in Plat Book 2, Page 16, Public records of St. Lucie County, Florida, being geometrically described as follows:

Commencing (P.O.C.) at the Southwest corner of a 16 foot alley running East and West through Block 31, of said Lawnwood Addition Subdivision, thence run South $01^{\circ}25'$ West, along the East line of the South 19th Street Canal Right-Of-Way, 2153.02 feet to the point of beginning (P.O.B.); thence run North $01^{\circ}25'$ East along the East line of the South 19th Street Canal 334.00 feet to the South Right-Of-Way line of Lawnwood Circle South; thence run Southeasterly along a curve concave to the Northeast having a radius of 155 feet, through a central angle of $12^{\circ}07'54''$, an arc distance of 32.82 feet to a point of tangency, said curve having a chord bearing of South $83^{\circ}24'45''$ East and a chord distance of 32.76 feet; thence run South $89^{\circ}28'42''$ East, parallel with the North Right-Of-Way line of Quincy Avenue, 317.37 feet, the last two (2) described courses being along the Southerly Right-Of-Way line of Lawnwood Circle South; thence run South $01^{\circ}25'$ West, parallel with the East line of the South 19th Street Canal, 330.54 feet to the North Right-Of-Way line of Quincy Avenue; thence run North $89^{\circ}28'42''$ West, along the North Right-Of-Way line of Quincy Avenue, 350 feet to the point of beginning.

ESCOBAR LAWN MAINTENANCE

2705 Rhode Island Ave.
Fort Pierce, FL 34947
(772) 464-5509
(772) 201-1625

October 31, 2005

Villages of Longwood
Longwood of Fort Pierce Homeowner's Association Inc.
1505 Nebraska Ave.
Fort Pierce, FL 34950

In addition to the current contract, which is currently in place regarding the lawn maintenance of the Villages of Longwood, I, Willie Escobar, will maintain the mowing, trimming, cleanout, algae control or other additional needs as required around the retention pond(s) on the common ground area(s) for an annual cost of \$2500.00.

The Board of Directors of the Village of Longwood will determine as to when the retention ponds may need additional maintenance.

Willie Escobar
Willie Escobar

11-3-05
Date

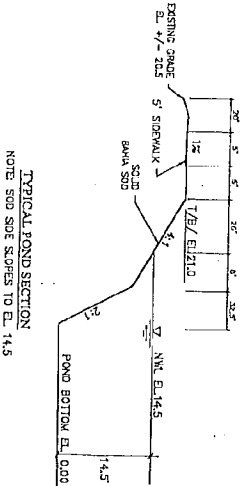
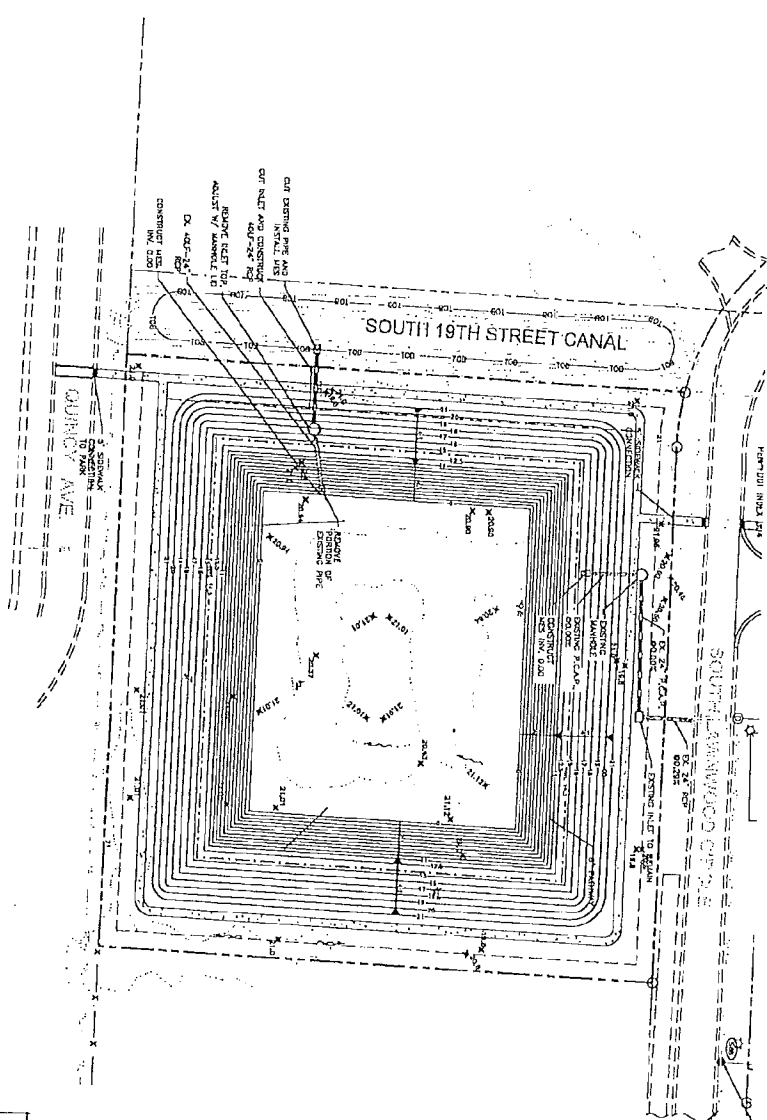
Exhibit "B"

EXHIBIT D

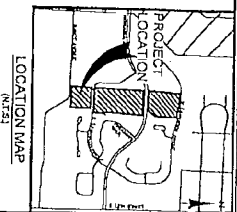
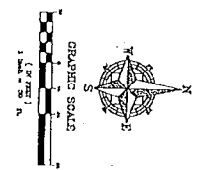
In accordance with the provisions of the Agreement, Improvements shall consist of clearing and grubbing of the site, excavation of the proposed pond as shown on the Plans, sodding the banks with Bahia Sod, seeding and mulching the remainder of the property, and connection of the existing drainage to the new lake as depicted on the attached.

GRADING AND DRAINAGE PLAN

1" = 30'



TYPICAL POND SECTION
NOTE: SEE SITE SLOPES TO EL. 14.5



<p>NOT FOR CONSTRUCTION</p> <p>IBI GROUP</p>	<p>SCALE: 1" = 20'</p> <p>PROJECT: 38890</p> <p>SHEET: EXBT</p>	<p>DRAWN: DW</p> <p>DESIGNED: DW</p> <p>CHECKED: DW</p> <p>DATE: 11/12/07</p>	<p>MAYFAIR FORT PIERCE, FLORIDA</p> <p>IMPROVEMENTS TO SOUTH PARCEL</p>	<p>IBI GROUP (FLORIDA) INC.</p> <p>ENGINEERS ARCHITECTS LANDSCAPE ARCHITECTS</p> <p>2300 PARK CENTRAL BLVD. N. SUITE 100 PALM BEACH, FLORIDA 33411 (561) 840-1100</p> <p>ORLANDO</p>	<p>PLANNERS ENVIRONMENTAL CONSULTANTS</p> <p>2300 PARK CENTRAL BLVD. N. SUITE 100 PALM BEACH, FLORIDA 33411 (561) 840-1100</p> <p>POUPANO BEACH</p>																
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NO.	DATE	DESCRIPTION																			

City Commission Regular Meeting

12.d.

Meeting Date: 07/02/2018

Re: Zoning Text Amendment - Section 22-22 - Allowed Uses

Submitted For: Rebecca Grohall, Director, Planning & Zoning

SUBJECT:

Legislative Hearing - Ordinance 18-024, Amending Chapter 22 to add Amusement Arcade as an eligible Conditional Use under the C-3, General Commercial zoning district. **FIRST READING**

SUMMARY:

- The City Planning Department is requesting an amendment to Chapter 22-22, Allowed Uses, to fulfill the intent of Ordinance L-217 identifying Amusement Arcade as a Conditional Use in the C3, General Commercial zoning district.
- The Use Table along with Section 22-22, Allowed Uses was created with the adoption of Ordinance L-295.
- During the creation of the Use Table, the Amusement Arcade was omitted from the table.
- This amendment seeks to correct this error by adding the Amusement Arcade to the Use Table.
- **Amusement arcade:** That portion of an interior premises consisting of three (3) or more amusement devices, but no more than forty-nine (49) amusement devices.
- **Arcade amusement center:** That portion of an interior premises consisting of fifty (50) or more amusement devices. Arcade amusement centers shall operate in accordance with the provisions outlined in F.S. § 849.161(1)(a)(1) as amended from time to time. This classification is currently identified in City Code Section 22-22, Allowed Uses.
- At their meeting on June 12, 2018 the Planning Board voted 7-0 to recommend approval of the request as presented.

RECOMMENDATION:

Approve

ALTERNATIVES:

Deny

RESPONSIBLE STAFF:

Brandon C. Creagan, LEED Green Associate, Planner

COORDINATED WITH:

Rebecca Grohall, AICP, Planning Director

Fiscal Impact

OTHER INFORMATION:

N/A

Attachments

Planning Staff Report
Ordinance #18-024
Ordinance L-217
Ordinance L-295
TRC Comments

Form Review

Inbox

City Manager

Form Started By: Brandon Creagan

Final Approval Date: 06/28/2018

Reviewed By

Nick Mimms

Date

06/28/2018 11:18 AM

Started On: 06/20/2018 09:58 AM



TO: Nicholas Mimms, PE, City Manager

THROUGH: Rebecca Grohall, AICP, Planning Director

FROM: Brandon Creagan, LEED Green Associate, Planner

RE: **Amending the Use Table**
City Code 22-22, Allowed Uses
Amusement Arcade as Conditional Use (C-3 Zoning District)

DATE: June 19, 2018

STAFF REPORT

Requested Action: Review a proposed amendment to City Code 22-22, Allowed Uses, specifically with-in the C-3, General Commercial zoning district to fulfill the intent of Ordinance L-217 identifying Amusement Arcade as a Conditional Use in the C3, General Commercial zoning district

Staff Analysis:

The City Planning Department is requesting an amendment to Chapter 22-22, Allowed Uses, to fulfill the intent of Ordinance L-217 identifying Amusement Arcade as a Conditional Use in the C3, General Commercial zoning district. The Use Table along with Section 22-22, Allowed Uses was created with the adoption of Ordinance L-295. During the creation of the Use Table, the Amusement Arcade was omitted from the table. This amendment seeks to correct this error by adding the Amusement Arcade to the Use Table.

Below are the definitions from City Code Section 22-3 that define what constitutes an Amusement Arcade and Arcade Amusement Center.

Definitions:

Amusement arcade: That portion of an interior premises consisting of three (3) or more amusement devices, but no more than forty-nine (49) amusement devices.

Arcade amusement center: That portion of an interior premises consisting of fifty (50) or more amusement devices. Arcade amusement centers shall operate in accordance with the provisions outlined in F.S. § 849.161(1)(a)(1) as amended from time to time. This classification is currently identified in City Code Section 22-22, Allowed Uses.

Technical Review Committee:

All affected City Departments have reviewed the proposed Zoning Text Amendment and have provided conditional approval based on compliance with requirements of the City Code. Any comments generated from the technical review are provided.

Planning Board:

At their meeting on June 12, 2018 the Planning Board voted 7-0 to recommend approval of the request as presented.

Staff Recommendation:

Staff recommends that the City Commission approve Ordinance 18-024 for the proposed Amendment to Section 22-22, Allowed Uses, to classify Amusement Arcade as a Conditional Use in the C-3, General Commercial zoning district.

ZONING DISTRICT	E 1	E 2	E 3	R 1	R 2	R 3	R 4	R4 A	R 5	C 1	C 2	C 3	C 4	C 5	C 6	C P	I1	I2	I3	OS 1	OS 2	A 1	A 2
– Cemetery/Columbarium/Mausoleum	C	C	C	C	C	C	-	-	C	C	C	C	-	-	-	-	-	-	-	C	-	-	-
–Country Club/Golf Course	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	-	-	-	C	-	-	-
–Game and Wildlife Management Preserves	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-
–Water Dependent Recreation Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	C	C
Passenger Terminal																							
–Airport/Heliport	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-
–Rail/Bus Terminal	-	-	-	-	-	-	-	-	-	C	C	C	C	-	C	C	C	C	C	-	-	-	-
–Bus Shelter	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-
–Taxi Terminal	-	-	-	-	-	-	-	-	-	C	C	C	C	-	C	C	C	C	C	-	-	-	-
Religious Institution	C	C	C	C	C	C	C	C	C	C	C	P	P	C	-	C	-	-	-	-	-	-	-
Social Service Institution (except as noted below)	-	-	-	-	-	-	-	-	-	C	-	C	C	-	-	-	C	C	-	-	-	-	-
–Halfway Houses	-	-	-	-	-	C	C	C	C	C	-	C	C	-	-	-	C	-	-	-	-	-	-
Utilities																							
–Minor, other	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	P	C	C	C	C
–Major	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	P	C	C	C	C
–Utility Cabinets, Above Ground	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C	C	C
COMMERCIAL																							
Eating and Drinking Establishments																							
–Brew Pub	-	-	-	-	-	-	-	-	C	P	C	P	P	P	P	C	C	C	-	-	-	-	-
–Coffee Shop	-	-	-	-	-	-	C	-	C	C	P	P	P	P	P	C	C	C	-	-	-	-	-
–Neighborhood Bistro	-	-	-	-	-	-	-	-	C	C	C	P	P	P	P	C	C	C	-	-	-	-	-
–Neighborhood Café	-	-	-	-	-	-	-	-	C	C	C	P	P	P	P	C	C	C	-	-	-	-	-
–Restaurants, Fast Food	-	-	-	-	-	-	-	-	C	-	-	P	P	P	P	C	C	C	-	-	-	-	-
–Restaurant and Bar	-	-	-	-	-	-	-	-	C	C	C	P	P	P	P	C	C	C	-	C	-	-	C
–Wine/Cigar Bar	-	-	-	-	-	-	-	-	C	C	C	P	P	P	P	C	C	C	-	-	-	-	-
Entertainment, Indoor (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	C	-	-	-
–Adult Establishment	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-
–Arcade Amusement Center/ <u>Amusement Arcade</u>	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-	-	-	-	-
–Bar or Nightclub	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-
–Theater	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-
Entertainment, Outdoor (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	C	-	P	-	-	-	-	-	C	-	-	-
–Batting Cages, Driving Ranges	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-
–Stables or Equestrian Facilities	C	C	C	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-	-	-	-	-	-
–Stadium or Arena	-	-	-	-	-	-	-	-	-	-	-	C	-	C	C	-	C	C	-	-	-	-	-
Marine-Related Commercial (except as noted below)	-	-	-	-	-	-	-	-	-	C	-	P	P	C	P	-	-	C	-	C	-	-	C
–Boat and Marine Equipment Sales	-	-	-	-	-	-	-	-	-	-	-	P	C	C	P	-	-	C	-	-	-	-	-
–Marina/Boat Livery	-	-	-	-	-	-	-	-	-	C	-	C	C	C	C	-	-	P	-	C	-	-	C
Office																							
–Administrative, Professional, General, Medical Office	-	-	-	-	-	-	C	C	C	P	P	P	P	P	P	P	C	C	-	-	-	-	-
–Day Labor Employment Agency	-	-	-	-	-	-	-	-	-	P	C	P	P	-	-	P	-	-	-	-	-	-	-

ZONING DISTRICT	E 1	E 2	E 3	R 1	R 2	R 3	R 4	R4 A	R 5	C 1	C 2	C 3	C 4	C 5	C 6	C P	I1	I2	I3	OS 1	OS 2	A 1	A 2
-Medical and Dental Clinic	-	-	-	-	-	-	-	-	-	P	C	P	P	C	-	P	-	C	-	-	-	-	-
-Television and Radio Studios	-	-	-	-	-	-	-	-	-	P	P	P	P	P	C	P	-	C	-	-	-	-	-
Overnight Accommodations																							
-Bed & Breakfast	-	-	-	-	-	-	C	C	C	C	P	P	P	P	-	-	-	-	-	-	-	-	-
-Dwelling Rental	-	C	C	C	C	C	C	C	C	-	-	-	P	P	-	-	-	-	-	-	-	-	-
-Hotel/Motel	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	C	-	-	-	-	-	-	-
-Recreational Vehicle Park	-	-	-	-	-	-	-	-	-	-	-	C	-	C	-	-	-	-	-	-	-	-	-
-Resort Hotel	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	-	-	-
Parking, Commercial	-	-	-	-	-	-	-	C	-	C	-	P	C	C	-	C	-	C	-	-	-	-	-
Retail Sales & Service, Sales-Oriented (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
-Art Gallery	-	-	-	-	-	-	-	-	-	C	C	P	P	P	-	C	-	-	-	-	-	-	-
-Farmers Market or Farm Stand	P	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	P	-	-	-	-	-	-
-Grocery or Liquor Store	-	-	-	-	-	-	C	-	C	-	P	P	P	C	-	C	-	-	-	-	-	-	-
-Neighborhood Commercial Sale	-	-	-	-	C	C	P	P	P	-	P	P	P	C	-	C	-	-	-	-	-	-	-
-Office Supplies & Electronics	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
-Pet Stores	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
Retail Sales & Service, Personal-Service Oriented (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
-Art Studio	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
-Animal Care Facilities & Service	-	-	-	-	-	-	-	-	-	-	-	C	-	P	-	C	-	-	-	-	-	-	-
-Animal Grooming Services	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
-Check Cashing/Loan Service	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-
-Educational Service Establishments	-	-	-	-	-	-	-	-	C	C	C	P	P	C	P	P	P	C	C	-	-	-	-
-Laundry & Dry Cleaners Pick-Up	-	-	-	-	-	-	C	C	C	C	P	P	P	P	-	C	-	-	-	-	-	-	-
-Laundromat	-	-	-	-	-	-	C	C	C	C	P	P	P	C	-	C	-	-	-	-	-	-	-
-Mortuaries or Funeral Homes	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	C	-	-	-	-	-	-	-
-Neighborhood Commercial Services	-	-	-	-	C	C	P	P	P	C	P	P	P	P	-	C	-	-	-	-	-	-	-
-Pawn Shop	-	-	-	-	-	-	-	-	-	-	-	P	P	C	-	C	-	-	-	-	-	-	-
-Personal Improvement Service	-	-	-	-	-	-	C	C	C	C	-	P	P	P	-	C	-	-	-	-	-	-	-
-Veterinary (Without Outdoor Runs)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
Retail Sales & Service, Repair-Oriented	-	-	-	-	-	-	-	P	-	C	-	P	P	P	-	P	-	-	-	-	-	-	-
Self-Service Storage	-	-	-	-	-	-	-	-	-	-	-	C	-	C	C	-	P	-	P	-	-	-	-
Vehicle Sales & Service																							
-Automobile Rentals	-	-	-	-	-	-	-	-	-	-	-	P	C	C	C	C	P	-	P	-	-	-	-
-Automobile Sales	-	-	-	-	-	-	-	-	-	-	-	P	C	C	C	C	P	-	P	-	-	-	-
-Boat Rentals	-	-	-	-	-	-	-	-	-	-	-	P	C	P	C	C	P	-	P	-	-	-	C
-Boat Sales	-	-	-	-	-	-	-	-	-	-	-	P	C	C	C	C	P	-	P	-	-	-	P
-Fueling Station	-	-	-	-	-	-	-	-	-	C	C	P	C	C	-	C	-	P	-	-	-	-	-
-Travel Plaza	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	C	-	-	-	-	-	-	-
-Truck Stop	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	C	-	-	-	-	-	-	-
-Vehicle Repair, General	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	C	-	-	-	-	-	-	-

ZONING DISTRICT	E 1	E 2	E 3	R 1	R 2	R 3	R 4	R4 A	R 5	C 1	C 2	C 3	C 4	C 5	C 6	C P	I1	I2	I3	OS 1	OS 2	A 1	A 2
-Vehicle Repair, Limited	-	-	-	-	-	-	-	-	-	-	-	P	C	-	-	P	-	-	-	-	-	-	-
-Vehicle Storage	-	-	-	-	-	-	-	-	-	-	-	C	-	-	C	-	P	C	P	-	-	-	-
INDUSTRIAL																							
Artisan	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	P	P	-	P	-	-	-	-
-Cabinet Shops, Woodworking	-	-	-	-	-	-	-	-	-	-	-	C	C	-	C	P	P	-	P	-	-	-	-
Light Industrial Service (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	P	P	-	P	-	-	-	-
-Catering Facility, Large-Scale	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	P	P	-	P	-	-	-	-
-Crematorium	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-	-	-	-	-
-Building Maintenance Facilities And Services	-	-	-	-	-	-	-	-	-	-	-	C	-	-	C	-	-	-	-	-	-	-	-
-Contractors/Others Performing Services Off-Site	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	P	P	-	P	-	-	-	-
-Microbrewery	-	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	-	-	-	-	-	-	-
-Research Service	-	-	-	-	-	-	-	-	-	-	-	C	-	-	P	P	P	-	P	-	-	-	-
Marine-Related Industrial	-	-	-	-	-	-	-	-	-	-	-	C	-	-	P	-	C	P	P	-	-	-	P
Warehouse & Freight (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	P	P	C	P	-	-	-	-
-Parcel Service	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	C	P	-	-	-	-
Waste-Related Use (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-
-Solid Waste Separation, Transfer Station	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-
-Recycling Center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	-	-	-	-
-Wrecking or Salvage Yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-
Wholesale Trade	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	P	P	C	P	-	-	-	-
Heavy Industrial (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-
-Heavy Equipment Sales & Rentals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	C	P	-	-	-	-
-Processing of Food & Related Products	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	C	P	P	-	-	-	-
OTHER																							
Aquaculture Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	C
Community Gardens	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	-	-
Dock/Moorage Facility (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C
-Docks for Single Family Homes	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P
-Docks for Single Family Homes on canals within Surfside or Jennings Cove	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C
Navigational Aids	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P
Telecommunication Facility																							
-Antenna Support Structure	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
-Antenna (on existing structure)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

SECTION 2. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity

of any part.

SECTION 3. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 4. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

James M. Messer, Esq.
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

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. 18-____ was duly advertised by title only in the St. Lucie News Tribune on Sunday, June 17th, 2018; 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 July 2nd, 2018; and was duly introduced, read by title only, and passed on second and final reading July, 16th 2018, 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 16th day of July, 2018.

Linda Hudson
MAYOR COMMISSIONER

ATTEST

Linda W. Cox
CITY CLERK

(CITY SEAL)

ORDINANCE NO. L-217

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING CHAPTER 22, ARTICLE I, SECTION 22-3, DEFINITIONS-GENERALLY, TO AMEND THE DEFINITION OF INDOOR AMUSEMENT, ENTERTAINMENT, AND RECREATION FACILITIES; AMENDING CHAPTER 22, ARTICLE I, SECTION 22-3, DEFINITIONS-GENERALLY, TO CREATE THE DEFINITIONS OF AN **AMUSEMENT ARCADE, ARCADE AMUSEMENT CENTER AND AMUSEMENT DEVICES**; AMENDING CHAPTER 22, ARTICLE III, BASIC ZONING DISTRICTS, CREATING SECTION 22-31(c)(21), AMUSEMENT ARCADE AND ARCADE AMUSEMENT CENTER AS A CONDITIONAL USE; AMENDING CHAPTER 22, ARTICLE IV, SUPPLEMENTARY REGULATIONS; CREATING SECTION 22-71, AMUSEMENT ARCADES AND ARCADE AMUSEMENT CENTERS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statute Chapter 849 allows amusement games or machines which are considered "games of skill"; and

WHEREAS, it is in the best interest of health, safety, and general welfare of the community, residents, and businesses of the City of Fort Pierce ("City") to regulate the operation of amusement games or machines within the City in order to ensure the proper safeguards with respect to the prohibition of gambling; and

WHEREAS, the purpose and intent of this ordinance, as amended, is to narrow the definition of amusement games or machines by making it conform with State law and specifically, to eliminate any misconstruction of the definition of the types of machines permitted as one which expands rights beyond the limitations imposed under the exception to gambling by State law; and

WHEREAS, the purpose and intent of this ordinance, as amended, is to make changes to the regulations for adequate supervision of the operation of amusement games or machines within the City; and

WHEREAS, a regulatory scheme is to be implemented to ensure that the operators of amusement games or machines comply with all state and local statutes and ordinances; and

WHEREAS, a regulatory fee should be imposed to cover the costs the City will incur as a result of enforcing the regulations herein adopted; and

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida, as follows:

SECTION 1. Section 22-3 of Chapter 22, Article I of the Code of Ordinances, is and the same shall be amended so that such Section shall read hereinafter as follows:

Indoor amusement, entertainment and/or recreation facilities: Enclosed facilities, which for each wall face have no entrance/exit points wider than five (5) feet or twenty (20) per cent of the main wall face, whichever is greater, pertaining to amusement entertainment and/or recreational activities, such as: Theaters, bowling alleys, pool halls, dance halls and indoor tennis court, handball and swimming pool facilities. This shall not include adult establishments or amusement arcades.

SECTION 2. Section 22-3 of Chapter 22, Article I of the Code of Ordinances, is and the same shall be created so that such Section shall read thereafter as follows:

Amusement Device: An amusement device shall mean any table, platform, mechanical or electronic device or apparatus operated or intended to be operated indoors for amusement, pleasure, test of a skill, competition or sport, where the use or operation of which is conditioned upon payment of a consideration either by insertion of a coin, electronic card, or token in a slot or otherwise so long as the person playing does not receive anything of value or any prize in violation of state or federal law. The definition of an "amusement device" shall include but not be limited to, devices commonly known or simulated baseball, simulated football, simulated basketball, simulated hockey, simulated boxing, pinball, shuffleboard, ray guns, bowling games, bumper games, skiball, electronic video games, and shall also include billiard tables and pool tables (whether coin or not). Such definition does not include a bowling alley, juke box, or other coin-operated music machine, or a mechanical children's amusement riding device.

Amusement Arcade: That portion of an interior premise consisting of three (3) or more amusement devices, but no more than 49 amusement devices.

Arcade Amusement Center: That portion of an interior premise consisting of fifty (50) or more amusement devices. Arcade Amusement Centers shall operate in accordance with the provisions outlined in Florida Statute 849.161(1)(a)(1) as amended from time to time.

SECTION 3. Section 22-31(c) (21) of Chapter 22, Article III of the Code of Ordinances, is and the same shall be created that such Section shall read thereafter as follows:

(c) Conditional uses permitted. The following uses and their accessory uses are permitted in a C-3 Zone if the City Commission, after a public hearing, determines that the location and development plans comply with the applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:

- (1) Repair service establishments not allowed as a semi-restricted use in this zone.
- (2) Wholesale trade, warehouse and distribution establishments (including trucking terminals).
- (3) Contract construction service establishments.
- (4) Kennels.
- (5) Bus depots.
- (6) Hospitals, sanitariums, rest homes, convalescent homes, and adult congregate living facilities. The maximum residential density for an adult congregate living facility shall not exceed thirty (30) units per acre.
- (7) Public utility structures and public works maintenance facilities.
- (8) Cemeteries.
- (9) Amusement parks.
- (10) Marinas, including marinas with charter fishing facilities.
- (11) Expansion of a structure with a nonconforming commercial or industrial use if the structure is not enlarged by more

- than twenty (20) per cent and the structure being enlarged does not violate provisions in Section 22-102.
- (12) Multifamily housing developments which satisfy the standards for multifamily housing developments in an R-5 Zone.
 - (13) Reserved.
 - (14) Flea markets.
 - (15) Nonprofit bingo halls.
 - (16) Industrial, semi-restricted uses permitted in Section 22-34(b) [Light industrial zone (I-1)] except the uses specified in Sections 22-34(b)(6) and (7).
 - (17) Ship and boat building and repair facilities.
 - (18) Recreational vehicle parks.
 - (19) Day care centers and schools other educational service establishments.
 - (20) Railroad passenger station.
 - (21) Amusement Arcades and Arcade Amusement Centers.

SECTION 4. Section 22-71 of Chapter 22, Article IV, of the Code of Ordinances, is and the same shall be created so that such Section shall read hereinafter as follows:

Amusement Arcades and Arcade Amusement Centers shall comply with the following regulations:

(a) General Operating Standards.

- (1) No amusement arcade or arcade amusement centers shall operate after the hour of 12:00 a.m. and before the hour of 8:00 a.m. on weekdays, and between 2:00 a.m. and 8:00 a.m. on weekends.
- (2) No game shall be played by persons who are under 18 years of age.
- (3) No arcade amusement center shall be located within 1,250 feet of another arcade amusement center. Such distance shall be measured from closest property line to closest property line.
- (4) No amusement arcade or arcade amusement centers shall be permitted within the Downtown Business and Entertainment Overlay District.
- (5) No amusement arcade or arcade amusement centers shall be located within 250 feet of the Downtown Business and Entertainment Overlay District boundaries.
- (6) Alcohol sales or consumption shall be prohibited in amusement arcades and arcade amusement centers.
- (7) Amusement arcades or arcade amusement centers shall not exceed 9,000 square feet.
- (8) Amusement arcades or arcade amusement centers shall operate in full compliance with all state and federal law.

(b) Design Standards.

- (1) No sign, display, or merchandise, shall be placed on or adjacent to any window if such placement would interfere with the clear and unobstructed view of the entire interior of the establishment from ground level through exterior windows.
- (2) Placement of game machines along front windows are prohibited.
- (3) Window tinting, mirrored windows, or other obscuring elements are prohibited.
- (4) All entrances shall be adequately lighted.
- (5) All amusement arcades or arcade amusement centers must post at least two conspicuous signs within the premises, and one conspicuous sign at the entrance, stating the following:
 - a. Minimum age requirements as described above.
 - b. School hours use restrictions as described above.
 - c. No smoking.
 - d. No drugs.
 - e. No alcohol.
- (6) Amusement arcades or arcade amusement centers shall provide bicycle racks within enough stalls to accommodate one bicycle for each 5 game machines located within the premises. Bicycle racks shall be located as close as practical to the entrance of the facility and shall not be located in a manner that obstructs any entrances, exits, sidewalks, driveways, or parking areas.
- (7) All amusement arcades or arcade amusement centers must provide public restrooms in accordance with applicable country health department requirements.
- (8) Lighting for parking lots must satisfy lighting requirements of Section 22-60(g)(1) if the City Code prior to the issuance of a business tax receipt.
- (9) Landscaping must comply with requirements of the City's Landscaping Ordinance prior to the issuance of a business tax receipt.
- (10) Sidewalks shall be installed along all public right-of-ways for properties that have arcade uses and shall be installed prior to the issuance of a business tax receipt. No location shall be exempt from sidewalk provisions contained in Section 22-62.
- (11) Any proposed exterior change to a building used for arcade uses will be subject to city design review guidelines pursuant to Section 22-59. This shall not apply to buildings located in historic districts or buildings that are individually designated.
- (12) Parking shall be provided at a rate of 0.75 parking spaces per machine (or three (3) spaces for every four (4) machines).

(c) Permitting Requirements.

- (1) All amusement arcades or arcade amusement centers shall pay a fee per machine annually in conjunction with the business tax receipt. The fee shall established by resolution by the City Commission. The fee shall apply to all operating and non-operating machines located on premises.
- (2) All amusement arcades or arcade amusement centers shall pay a fee per machine annually in connection with the business tax receipt. The fee shall be established by Resolution by the City Commission. The fee shall apply to all operating and non-operating machines located on premises.
- (3) An applicant for a permit to operate an amusement arcade or arcade amusement center shall submit the following information to the Police Department:
 - a. All applications shall include a list of all current owners and employees of the arcade.
 - b. If the city determines that any applicant lacks good moral character, it shall deny the license application. For purposes of this section, an applicant will be deemed to have good moral character if the applicant, its owners, and its employees meet the level two standards of screening set forth in F.S. §435.04.
 - c. The applicant shall pay a fee established by resolution by the City Commission to cover the cost of Police Department background checks.
 - d. Whenever an amusement arcade or arcade amusement center hires a new employee or changes its ownership composition, the police department shall inspect the new employee's or owner's background to ensure that the employee or owner has not been convicted of any of the crimes described in subsection (b)(2) of this section. Any failure by an amusement arcade to provide the police department with the information necessary for the officer to conduct such an inspection shall constitute a willful violation of this chapter.
 - e. The city may deny an application for a permit to operate an amusement arcade or arcade amusement center or may revoke a permit issued pursuant to this chapter if the applicant fails to meet any of the requirements of Section 22-71. If the city denies an application, the city shall provide reasons for the denial in writing within five days of receipt of the completed application. If the city revokes a permit issued pursuant tot this chapter, the city shall provide reasons for the revocation in writing.
- (4) Provide an operating plan consisting of an interior layout plan drawn to scale showing the location of all machines, devices, equipment and access ways, and such other information as may be reasonably requested.

- (5) Amusement arcades or arcade amusement centers that serve food or provide catering services on premises must be licensed by the Department of Health, Department of Business Professional Regulation, or Department of Agriculture and Consumer Services.

(d) Machine Registration Requirements:

- (1) The permittee is required to maintain its premises a complete inventory, along with serial numbers or equivalent identification, as set forth in subsections (d) and (e) below, of the amusement devices in operation on the premises of the amusement arcade at all times. The initial application for permit shall include a certificate of inspection by the Planning Department of the inventory, along with serial numbers or equivalent of identification, as set forth in subsection (d) and (e) below, of the machines that the permittee intends to put into operation when the amusement arcade begins its business activities.
- (2) Each renewal permit application shall contain a certificate of inspection of updated inventory, along with serial numbers or equivalent identification, as set forth in subsection (d) and (e) below, of the amusement device that the permittee intends to put into operation when the amusement arcade begins its business activities under the renewal license.
- (3) Before a new amusement device is put into operation at the amusement arcade or arcade amusement center, the permittee shall notify the Planning Department of the addition of the device to the inventory and update its inventory accordingly.
- (4) Upon review of the inventory of devices under subsections (1), (2) and (3) above, the Planning Department shall enter each amusement device into a registry that the license administrator shall create. For each amusement device registered, the permit administrator shall cause to be issued and delivered to permittee for each amusement device within seven days of the notification required under section (c) a numbered metal or plastic decal. The registration decal of r each amusement device shall be affixed to the upper left front of the game in a prominent position where easily viewed by zoning inspectors, code enforcement inspectors and police. Registration decals are not transferable. The failure of any amusement device to display a current registration decal shall be a violation of this section and subject to enforcement action by the City.
- (5) The inventory of devices under subsections (1), (2) and (3) above shall provide the following information: the manufacturer(s) serial number(s); common name, type or description of the game played on the machine. The registration decal shall contain the inventory number of the amusement device.
- (6) Each inventory of amusement devices submitted under subsections (a), (b), and (c) above shall be accompanied by a certificate issued by an independent testing laboratory licensed by the State of Florida

pursuant to F.S. Ch. 551, certifying that the game played by the skill-based amusement devices identified in the inventory meet the application of skill requirement contained in Sections 551.104(d), 551.105 and 551.107 of this Chapter.

(e) Waiver of Distance.

(1) The city commission shall determine if the health, safety, or general welfare has been provided for with any waiver request and may impose any condition which it finds to be necessary to protect the best interest of the surrounding property of the city.

(2) The city commission may not waive distance restrictions imposed by Section 22-71(a)(4) and Section 22-71(a)(5).

(3) The city commission shall consider the following for any waiver request:

a. The actual location and distance of the proposed establishment with respect to other places of business licensed to sell intoxicating beverages, whether on or off the premises;

b. The type and size of the establishment, including the number of machines, seating capacity, and whether, in view of such type or size, the proposed establishment is likely to create a public nuisance or traffic impediment by drawing crowds or persons milling about outside the building;

c. Whether adequate parking and landscaping for the facility is provided so as to meet the requirements set forth in Sections 22-187 and 22-61;

d. Whether the facility is physically separated or well-buffered from all adjacent residentially zoned areas;

e. Whether traffic generated by patrons or pickup/delivery vehicles will pass through low or moderate density residentially zoned neighborhood;

f. The number of police calls to the proposed location and/or adjacent properties within the past year.

(f) Pre-existing Amusement Arcades or Arcade Amusement Centers:

(1) Pre-existing amusement arcades or arcade amusement centers will be required to immediately comply with all procedural requirements such as permitting, licensing, general operating standards, fees, and non-hardscape design standards. Hardscape design standards such as parking lots, exterior lighting, landscaping, sidewalks, etc. will be subject to a 24 month time for compliance.

(g) Florida Law Compliance:

It is not the intent of this ordinance to allow amusement arcades or arcade amusement centers that:

- (1) Mimic the look and feel of gambling venues which are prohibited by law.
- (2) Include any game, machine or device that violates any provision of state and federal law, including, but not limited to Chapter 849 Florida Statutes.
- (3) All amusement arcades or arcade amusement centers shall operate in full compliance with all Florida State Statute requirements and other applicable laws.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.


SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

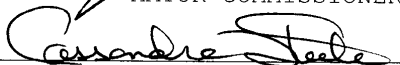
SECTION 7. This Ordinance is and the same shall become effective immediately upon final passage hereof.

STATE OF FLORIDA)
ST. LUCIE COUNTY)^{SS}

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. L-217 was duly advertised in accordance with F.S. 166.041(3)(c)(2) in the St. Lucie Tribune on October 26, 2011 and on November 14, 2011; 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 21, 2011; and was duly introduced, read by title only, and passed on second and final reading on December 5, 2011, 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 5th day of December, 2011.



MAYOR COMMISSIONER


CITY CLERK

(CITY SEAL)

District	E1	E2	RT	R2	R3	R4	R4A	R5	C1	C2	C3	C4	C5	C6	CP	P	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P						
Wholesale Trade	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Heavy Industrial (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Heavy Equipment Sales & Rentals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Processing of Food & Related Products	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
OTHER																																									
Aquaculture Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Community Gardens	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Dock/Moorage Facility (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Docks for Single Family Homes	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Docks for Single Family Homes on canals within Surfside or Jennings Cove	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Navigation Aids	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Telecommunication Facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Antenna Support Structure	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Antenna (on existing structure)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

SECTION 2. Sections 22-23(b) and 22-23(c) are hereby amended so that the same shall read as follows:

Sec. 22-23. - Single-Family Estate Density zone (E-1).

- (a) *Purpose.* This classification is intended to provide for areas of single-family dwellings with an average net density of approximately one unit per acre.
- (b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in an E-1 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:
 - (1) Single family dwellings, except mobile homes.
 - (2) Home occupations which satisfy requirements in section 22-63
 - (3) Temporary uses which fulfill provisions in section 22-65
 - (4) Farmstand sales establishments.
- (c) *Conditional use permitted.* The following uses and their accessory uses are permitted in an E-1 zone, if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:
 - (1) Churches, excluding schools, except those that only provide religious instruction.
 - (2) Park or recreation areas.
 - (3) Cemeteries.
 - (4) Public utility structures, such as utility substations.
- (d) *Basic use standards.* Uses in an E-1 zone must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.
 - (1) *Lot size.*
 - a. The minimum lot area for single-family dwellings shall be thirty thousand (30,000) square feet.
 - b. The minimum lot width shall be one hundred (100) feet.

c. The minimum lot depth shall be two hundred (200) feet.

(2) *Yards.*

a. The minimum depth of the front yard will be eighty-five (85) feet.

b. The minimum depth of the side yards shall be fifteen (15) feet, except on corner lots the minimum side yard depth on a street side will be twenty (20) feet.

c. The minimum depth of the rear yard shall be forty (40) feet for a distance equal to thirty (30) per cent of the length of a line which is parallel to the rear lot line, is forty (40) feet from the rear lot line and extends to the closest property lines. The minimum depth of the rear yard for the remainder of the lot will be fourteen (14) feet, except on double-frontage and waterfront lots it shall be forty (40) feet.

(3) *Lot coverage.* Buildings will not cover more than twenty-five (25) per cent of the lot.

(4) *Building heights.* No building shall exceed a height of thirty-five (35) feet above grade.

(e c) *Other applicable use standards.*

(1) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter, except that buildings not on double-frontage lots may be in the rear yard if they are at least seven (7) feet from the rear lot line.

(2) On any lot used for residential purposes, no more than one residential building will be allowed on the lot, except one building without kitchen facilities may be allowed as a guest house, provided that the lot on which such guest house is located is thirty thousand (30,000) square feet or more in size.

(3) Every lot shall abut a street other than an alley for at least twenty-five (25) feet, except the minimum frontage for a lot on a cul-de-sac shall be fifteen (15) feet.

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

(5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61

(6) Conditional uses will meet the requirements in sections 22-74 through 22-86

(7) Signs will comply with standards referred to in section 22-55

(8) All other applicable ordinance requirements will also be satisfied.

(f d) *Nonconforming situations.* Nonconforming structures and characteristics of farmstand sales establishments that have been damaged or destroyed by natural disaster or other catastrophic event, i.e., fire or other calamity, may be replaced or reconstructed provided that:

(1) The significance of the property owner's hardship is more compelling than, and reasonably overbalances, the public benefit resulting from not allowing the use or structure to be reestablished;

(2) Replacement or reconstruction of the use or structure is compatible with the character of the neighborhood and will not jeopardize future development of the area in compliance with the provisions and intent of the city's land development regulations;

(3) The value of properties in the vicinity of the replacement or reconstruction will not be adversely affected;

(4) No expansion of gross floor area occurs;

(5) The degree of nonconformity is not increased;

(6) The replacement structure is in compliance with the city's adopted building code, Coastal Construction Control Line, and FEMA regulations; and,

- (7) A building permit is issued within twenty-four (24) months after the date of destruction and the construction is diligently pursued to completion.

SECTION 3. Sections 22-23.1(b) and 22-23.1(c) are hereby amended so that the same shall read as follows:

Sec. 22-23.1. - E-2 Residential Single-Family—Two units per acre.

- (a) *Purpose.* This classification is primarily intended to provide for areas of single-family dwellings with an average net density of less than two (2) units per acre for conventional developments. Regulations for the district are designed to promote sound neighborhoods and accommodate compatible nonresidential uses. Water and sewer service should be available.

~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in an E-2 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Single family dwellings, except mobile homes.~~
- ~~(2) Home occupations which satisfy requirements in section 22-63~~
- ~~(3) Temporary uses which fulfill provisions in section 22-65~~

~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an E-2 zone if the city commission, after a public hearing determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Churches.~~
- ~~(2) Schools.~~
- ~~(3) Park or recreation areas.~~
- ~~(4) Cemeteries.~~
- ~~(5) Public utility structures, such as utility substations.~~
- ~~(6) Dwelling rentals.~~

~~(db) *Basic use standards.* Uses in an E-2 zone, except innovative residential developments, must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.~~

- (1) *Lot size.*
 - a. The minimum lot area for single-family dwellings shall be fifteen thousand (15,000) square feet.
 - b. The minimum lot width shall be one hundred (100) feet.
 - c. The minimum lot depth shall be one hundred ten (110) feet.
- (2) *Yards.*
 - a. The minimum depth of the front yard will be twenty-five (25) feet.
 - b. The minimum depth of the side yards shall be ten (10) feet, except on corner lots the minimum side yard depth on a street side will be twenty (20) feet.
 - c. The minimum depth of the rear yard shall be twenty (20) feet for a distance equal to thirty (30) per cent of the length of a line which is parallel to the rear lot line, is twenty (20) feet from the rear lot line and extends to the closest property lines. The minimum depth of the rear yard for the remainder of the lot will be seven (7) feet, except on double-frontage and waterfront lots it shall be twenty (20) feet.
- (3) *Lot coverage.* Buildings will not cover more than twenty-five (25) per cent of the lot.

(4) *Building heights.* No building shall exceed a height of thirty-five (35) feet above grade.

(ec) *Other applicable use standards.*

- (1) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter, except that buildings not on double-frontage lots may be in the rear yard if they are at least seven (7) feet from the rear lot line.
- (2) On any lot used for residential purposes, no more than one residential building will be allowed on the lot, except one building without kitchen facilities may be allowed as a guest house, provided that the lot on which such guest house is located is thirty thousand (30,000) square feet or more in size.
- (3) Every lot shall abut a street other than an alley for at least twenty-five (25) feet, except the minimum frontage for a lot on a cul-de-sac shall be fifteen (15) feet.
- (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.
- (5) All uses will comply with applicable access, parking and loading standards sections 22-60 and 22-61
- (6) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (7) Signs will comply with standards referred to in section 22-55
- (8) All other applicable ordinance requirements will also be satisfied.

SECTION 4. Sections 22-23.2(b) and 22-23.2(c) are hereby amended so that the same shall read as follows:

Sec. 22-23.2. - E-3 Residential Single-Family—Three units per acre.

- (a) *Purpose.* This classification is primarily intended to provide for areas of single-family dwellings with an average net density of less than three (3) units per acre for conventional developments. Regulations for the district are designed to promote sound neighborhoods and accommodate compatible nonresidential uses. Water and sewer service should be available.
- ~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in an E-3 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - ~~(1) Single family dwellings, except mobile homes.~~
 - ~~(2) Home occupations which satisfy requirements in section 22-63~~
 - ~~(3) Temporary uses which fulfill provisions in section 22-65~~
- ~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an E-3 zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - ~~(1) Churches.~~
 - ~~(2) Schools.~~
 - ~~(3) Park or recreation areas.~~
 - ~~(4) Cemeteries.~~
 - ~~(5) Public utility structures, such as utility substations.~~
 - ~~(6) Dwelling rentals.~~

(db) *Basic use standards.* Uses in an E-3 zone, except innovative residential developments, must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.

(1) *Lot size.*

- a. The minimum lot area for single-family dwellings shall be twelve thousand (12,000) square feet.
- b. The minimum lot width shall be seventy-five (75) feet.
- c. The minimum lot depth shall be one hundred ten (110) feet.

(2) *Yards.*

- a. The minimum depth of the front yard will be twenty-five (25) feet.
- b. The minimum depth of the side yards shall be ten (10) feet, except on corner lots the minimum side yard depth on a street side will be twenty (20) feet.
- c. The minimum depth of the rear yard shall be twenty (20) feet for a distance equal to thirty (30) per cent of the length of a line which is parallel to the rear lot line, is twenty (20) feet from the rear lot line and extends to the closest property lines. The minimum depth of the rear yard for the remainder of the lot will be seven (7) feet, except on double-frontage and waterfront lots it shall be twenty (20) feet.

(3) *Lot coverage.* Buildings will not cover more than twenty-five (25) per cent of the lot.

(4) *Building heights.* No building shall exceed a height of twenty-eight (28) feet above grade, except that conditional uses with buildings that have a maximum height of thirty-five (35) feet above grade may be approved.

(ec) *Other applicable use standards.*

- (1) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter, except that buildings not on double-frontage lots may be in the rear yard if they are at least seven (7) feet from the rear lot line.
- (2) On any lot used for residential purposes, no more than one residential building will be allowed on the lot, except one building without kitchen facilities may be allowed as a guest house, provided that the lot on which such guest house is located is thirty thousand (30,000) square feet or more in size.
- (3) Every lot shall abut a street other than an alley for at least twenty-five (25) feet, except the minimum frontage for a lot on a cul-de-sac shall be fifteen (15) feet.
- (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.
- (5) All uses will comply with applicable access, parking and loading standards sections 22-60 and 22-61
- (6) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (7) Signs will comply with standards referred to in section 22-55
- (8) All other applicable ordinance requirements will also be satisfied.

SECTION 5. Sections 22-24(b) and 22-24(c) are hereby amended so that the same shall read as follows:

Sec. 22-24. - Single-Family Low Density zone (R-1).

- (a) *Purpose.* This classification is primarily intended to provide for areas of single-family dwellings with an average net density of less than four (4) units per acre for conventional

developments. Regulations for the district are designed to promote sound neighborhoods and accommodate compatible nonresidential uses. Water and sewer service should be available.

~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in an R-1 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Single family dwellings, except mobile homes.~~
- ~~(2) Home occupations which satisfy requirements in section 22-63~~
- ~~(3) Temporary uses which fulfill provisions in section 22-65~~

~~(e) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an R-1 zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Churches, excluding schools except those that only provide religious instruction.~~
- ~~(2) Park or recreation areas.~~
- ~~(3) Cemeteries.~~
- ~~(4) Public utility structures, such as utility substations.~~
- ~~(5) Dwelling rentals.~~

~~(db) *Basic use standards.* Uses in an R-1 zone, except innovative residential developments, must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.~~

~~(1) *Lot size.*~~

- ~~a. The minimum lot area for single-family dwellings shall be twelve thousand (12,000) square feet.~~
- ~~b. The minimum lot width shall be seventy-five (75) feet.~~
- ~~c. The minimum lot depth shall be one hundred ten (110) feet.~~

~~(2) *Yards.*~~

- ~~a. The minimum depth of the front yard will be twenty-five (25) feet.~~
- ~~b. The minimum depth of the side yards shall be seven (7) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet.~~
- ~~c. The minimum depth of the rear yard shall be twenty (20) feet for a distance equal to thirty (30) per cent of the length of a line which is parallel to the rear lot line, is twenty (20) feet from the rear lot line and extends to the closest property lines. The minimum depth of the rear yard for the remainder of the lot will be seven (7) feet, except on double-frontage and waterfront lots it shall be twenty (20) feet.~~

~~(3) *Lot coverage.* Buildings will not cover more than twenty-five (25) per cent of the lot.~~

~~(4) *Building heights.* No building shall exceed a height of twenty-eight (28) feet above grade, except that conditional uses with buildings that have a maximum height of thirty-five (35) feet above grade may be approved.~~

~~(ec) *Other applicable use standards.*~~

- ~~(1) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter, except that buildings not on double-frontage lots may be in the rear yard if they are at least seven (7) feet from the rear lot line.~~

- (2) On any lot used for residential purposes, no more than one residential building will be allowed on the lot, except one building without kitchen facilities may be allowed as a guest house, provided that the lot on which such guest house is located is thirty thousand (30,000) square feet or more in size.
- (3) Every lot shall abut a street other than an alley for at least twenty-five (25) feet, except the minimum frontage for a lot on a cul-de-sac shall be fifteen (15) feet.
- (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.
- (5) All uses will comply with applicable access, parking and loading standards sections 22-60 and 22-61
- (6) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (7) Signs will comply with standards referred to in section 22-55
- (8) All other applicable ordinance requirements will also be satisfied.

SECTION 6. Sections 22-25(b) and 22-25(c) are hereby amended so that the same shall read as follows:

Sec. 22-25. - Single-Family Intermediate Density zone (R-2).

- (a) *Purpose.* This district is designed mainly for areas of single-family dwellings with an average net density of less than five (5) units per acre for conventional developments. In addition to housing, various public facilities and other nonresidential uses are permitted under the conditions and safeguards referred to in this section. Areas in this classification should have public water and sewer service.
- ~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in an R-2 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - ~~(1) Single family dwellings, except mobile homes.~~
 - ~~(2) Home occupations which satisfy requirements in section 22-63~~
 - ~~(3) Temporary uses which fulfill provisions in section 22-65~~
- ~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an R-2 zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - ~~(1) Hospitals, sanitariums, rest homes, convalescent homes and adult congregate living facilities.~~
 - ~~(2) Churches, schools and day care centers.~~
 - ~~(3) Park or recreation areas.~~
 - ~~(4) Community centers and nonprofit clubs.~~
 - ~~(5) Cemeteries.~~
 - ~~(6) Public utility structures, such as utility substations.~~
 - ~~(7) Dwelling rentals.~~
- ~~(d) *Basic use standards.* Uses in an R-2 zone, except innovative residential developments, must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.~~
 - (1) *Lot size.*

- a. The minimum lot area for single-family dwellings shall be nine thousand (9,000) square feet.
- b. The minimum lot width shall be seventy (70) feet.
- c. The minimum lot depth shall be one hundred ten (110) feet.

(2) *Yards.*

- a. The minimum depth of the front yard will be twenty-five (25) feet.
- b. The minimum depth of the side yards shall be seven (7) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet.
- c. The minimum depth of the rear yard shall be fifteen (15) feet for a distance equal to thirty (30) per cent of the length of a line which is parallel to the rear lot line, is fifteen (15) feet from the rear lot line and extends to the closest property lines. The minimum depth of the rear yard for the remainder of the lot will be seven (7) feet, except on double-frontage and waterfront lots it shall be fifteen (15) feet.

(3) *Lot coverage.* Buildings will not cover more than thirty (30) per cent of the lot area.

(4) *Building heights.* No building shall exceed a height of twenty-eight (28) feet above grade, except that conditional uses with buildings that have a maximum height of thirty-five (35) feet above grade may be approved.

(eg) *Other applicable use standards.*

- (1) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter, except that buildings not on double-frontage lots may be in the rear yard if they are at least seven (7) feet from the rear lot line.
- (2) On any lot used for residential purposes, no more than one residential building will be allowed on the lot, except one building without kitchen facilities may be allowed as a guest house, provided that the lot on which such guest house is located is thirty thousand (30,000) square feet or more in size.
- (3) Every lot shall abut a street other than an alley for at least twenty-five (25) feet, except the minimum frontage for a lot on a cul-de-sac shall be fifteen (15) feet.
- (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.
- (5) All uses will comply with applicable access, parking and loading standards in section 22-60 and 22-61
- (6) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (7) Signs will comply with standards referred to in section 22-55
- (8) All other applicable ordinance requirements will also be satisfied.

SECTION 7. Sections 22-26(b) and 22-26(c) are hereby amended so that the same shall read as follows:

Sec. 22-26. - Single-Family Moderate Density zone (R-3).

- (a) *Purpose.* The major purpose of this zoning district is to provide for areas of single-family dwellings with an average net density in conventional developments of approximately six (6) units per acre or less. Innovative residential developments, however, may have higher densities. Duplexes and certain nonresidential uses are allowed when appropriate conditions and safeguards indicated in this section are fulfilled. This classification can be effectively applied to areas serving as a transition between lower density single-family zones and residential districts with medium or high densities. Public water and sewer service should be available.

~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in an R-3 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Single family dwellings, except mobile homes.~~
- ~~(2) Home occupations which satisfy requirements in section 22-63~~
- ~~(3) Temporary uses which fulfill provisions in section 22-65~~

~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an R-3 zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Innovative residential developments which satisfy standards in section 22-82~~
- ~~(2) Duplex subdivisions (not single duplexes) which fulfill provisions in section 22-83~~
- ~~(3) Mobile home subdivisions and conventional home/mobile home subdivisions which satisfy regulations in section 22-84~~
- ~~(4) Hospitals, sanitariums, rest homes, convalescent homes and adult congregate living facilities.~~
- ~~(5) Churches, schools and day care centers.~~
- ~~(6) Park or recreation areas.~~
- ~~(7) Cemeteries.~~
- ~~(8) Community centers and nonprofit clubs.~~
- ~~(9) Public utility structures, such as utility substations.~~
- ~~(10) Dwelling rentals.~~
- ~~(11) Student housing.~~

~~(db) *Basic use standards.* Uses in an R-3 zone, except innovative residential developments, must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.~~

~~(1) *Lot size.*~~

- ~~a. The minimum lot area for a single-family dwelling shall be seven thousand two hundred (7,200) square feet.~~
- ~~b. The minimum lot area for a duplex will be twelve thousand (12,000) square feet.~~
- ~~c. The minimum lot width shall be seventy-five (75) feet for a duplex.~~
- ~~d. The minimum lot width for other uses will be sixty-five (65) feet.~~
- ~~e. The minimum lot depth for a duplex will be one hundred twenty (120) feet.~~
- ~~f. The minimum lot depth for other uses shall be one hundred (100) feet.~~

~~(2) *Yards.*~~

- ~~a. The minimum depth of the front yard will be twenty-five (25) feet.~~
- ~~b. The minimum depth of the side yards shall be seven (7) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet.~~
- ~~c. The minimum depth of the rear yard shall be fifteen (15) feet for a distance equal to thirty (30) per cent of the length of a line which is parallel to the rear lot line, is fifteen (15) feet from the rear lot line and extends to the closest property lines. The~~

minimum depth of the rear yard for the remainder of the lot will be six (6) feet, except on double-frontage and waterfront lots it shall be fifteen (15) feet.

- (3) *Lot coverage.* Buildings will not cover more than thirty-five (35) per cent of the lot.
- (4) *Building heights.* No building shall exceed a height of twenty-eight (28) feet above grade, except that conditional uses with buildings that have a maximum height of thirty-five (35) feet above grade may be approved.

(ec) *Other applicable use standards.*

- (1) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter, except that buildings not on double-frontage lots may be in the rear yard if they are at least six (6) feet from the rear lot line.
- (2) On any lot used for residential purposes, no more than one residential building will be allowed on the lot, except one building without kitchen facilities may be allowed as a guest house, provided that the lot on which such guest house is located is thirty thousand (30,000) square feet or more in size.
- (3) Every lot shall abut a street other than an alley for at least twenty-five (25) feet, except the minimum frontage for a lot on a cul-de-sac shall be fifteen (15) feet.
- (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.
- (5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (6) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (7) Signs will comply with standards referred to in section 22-55
- (8) All other applicable ordinance requirements will also be satisfied.

SECTION 8. Sections 22-27(b) and 22-27(c) are hereby amended so that the same shall read as follows:

Sec. 22-27. - Medium Density Residential zone (R-4).

- (a) *Purpose.* The medium density residential district is designed to accommodate a variety of housing types, including conventional single-family dwellings, duplexes and, where desirable, townhome dwellings, mobile homes or multifamily housing with three (3) or more dwelling units. Maximum gross densities should generally not exceed ten (10) units per acre for conventional developments and twelve (12) units per acre for innovative residential developments. This intensity of residential use is envisioned for locations which have public water and sewer service and which have adequate access to arterial or collector streets. Certain nonresidential uses are permitted under the parameters and safeguards set forth in this section.

~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in an R-4 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Single family dwellings, except mobile homes.~~
- ~~(2) Duplexes.~~
- ~~(3) Triplexes and quadraplexes.~~
- ~~(4) Multifamily housing developments.~~
- ~~(5) Townhome dwellings; including those approved prior to December 18, 2006, which conform to standards in subsection 22-27(e), are hereby exempt from subsections 18-~~

~~11(g)(3) and (4), Design standards, lots, and subsections 22-27(d)(1) (5), Basic use standards.~~

~~(6) Home occupations which satisfy requirements in section 22-63~~

~~(7) Temporary uses which fulfill provisions in section 22-65~~

~~(e) Conditional uses permitted. The following uses and their accessory uses are permitted in an R-4 zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

~~(1) Innovative residential developments which satisfy standards in section 22-82~~

~~(2) Mobile home subdivisions and conventional home/mobile home subdivisions which satisfy regulations in section 22-84~~

~~(3) Mobile home parks.~~

~~(4) Boarding houses.~~

~~(5) Hospitals, sanitariums, rest homes, convalescent homes and adult congregate living facilities.~~

~~(6) Churches, schools and day care centers.~~

~~(7) Park or recreation areas.~~

~~(8) Community centers and nonprofit clubs.~~

~~(9) Cemeteries.~~

~~(10) Public utility structures, such as utility substations.~~

~~(11) Neighborhood commercial uses listed in subsection 22-30(b).~~

~~(12) Dwelling rentals.~~

~~(13) Student housing.~~

~~(db) Basic use standards. Uses in an R-4 zone, except innovative residential developments, must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.~~

~~(1) Lot size.~~

~~a. The minimum lot area for a single-family dwelling shall be five thousand (5,000) square feet.~~

~~b. The minimum lot area for a duplex, triplex or a quadraplex shall be four thousand (4,000) square feet per unit.~~

~~c. The minimum lot area for a townhome dwelling shall be one thousand five hundred (1,500) square feet.~~

~~d. Multifamily housing developments will utilize a lot with a gross density that shall not exceed ten (10) units per acre.~~

~~e. The minimum lot width for duplexes, triplexes, quadraplexes, and multifamily housing development shall be seventy-five (75) feet.~~

~~f. The minimum lot width for townhome developments shall be two hundred (200) feet. Townhome developments shall be subdivided into a minimum lot width of sixteen (16) feet and maximum lot width of twenty-four (24) feet.~~

~~g. The minimum lot width for other uses will be sixty (60) feet.~~

- h. The minimum lot depth for duplexes, triplexes, quadraplexes, townhomes and multifamily housing development shall be ninety (90) feet.
- i. The minimum lot depth for other uses will be seventy (70) feet.

(2) *Yards.*

- a. The minimum depth of the front yard for townhome developments will be ten (10) feet. The minimum depth of the front yard for other uses shall be twenty-five (25) feet.
- b. The minimum depth of the side yards for triplexes, quadraplexes and multifamily developments shall be ten (10) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet.
- c. The minimum depth of the side yards on the periphery of the townhome developments shall be ten (10) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet. The minimum depth of the side yard between individual townhome units or lots shall be zero (0) feet.
- d. The minimum depth of the side yards for other uses shall be six (6) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet.
- e. The minimum depth of the rear yard shall be twenty (20) feet for triplexes, quadraplexes and multifamily developments.
- f. The minimum depth of the rear yard for townhome lots that abut an alley shall be zero (0) feet. The minimum depth of the rear yard for townhome lots with all other conditions shall be fifteen (15) feet.
- g. The minimum depth of the rear yard for other uses shall be fifteen (15) feet for a distance equal to thirty (30) per cent of the length of a line which is parallel to the rear lot line, is fifteen (15) feet from the rear lot line and extends to the closest property lines. The minimum depth of the remainder of the rear yard will be five (5) feet, except on double-frontage and waterfront lots it shall be fifteen (15) feet.
- h. The minimum distance between residential buildings shall be twenty (20) feet except that screen porches located on the ground floor may project into the minimum distance, and except that screen porches in owner occupied condominium projects that maintain a minimum building separation of twenty-eight (28) feet or more may be enclosed with glass. The maximum combined projection between two (2) or more buildings shall be eight (8) feet.

(3) *Lot coverage.*

- a. Buildings in multifamily housing developments shall not cover more than fifty (50) per cent of the lot area.
- b. Buildings for principal residence in townhome developments and townhome dwelling lots shall not cover more than fifty (50) per cent of the lot area. Accessory buildings may cover an additional fifteen (15) per cent of the building site.
- c. Buildings in other developments shall not cover more than forty (40) per cent of the lot area.

(4) *Building heights.* No building shall exceed forty-five (45) feet above grade.

(5) *Additional requirements dwelling, townhome.*

- a. Ownership: One hundred (100) per cent of the total lot area shall be the minimum area conveyed to the lot owner, including the front yard, back yard and side yard. A homeowners maintenance shall be formed among the unit owners to assure compliance with exterior area maintenance regulations as may be adopted by the association.

- b. Common area: Any portion of the original lot not divided among and incorporated into the resulting individual townhome dwelling unit lots shall be held by either of the following or a combination of the following: Each lot owner shall have an undivided interest in the common area, which shall be appurtenant to that lot. The individual interest in the common areas shall not be conveyed separately from the ownership of the said lot; or, a property owners association (POA).
- c. Parking: Two (2) parking spaces per dwelling units shall be provided for townhome developments and shall be side-by-side parking and not in-line tandem parking. No off-street parking spaces shall be located between the front of the principal residence and the front property line.
- d. Access: When townhome lots abut an alley, the site plan shall include provisions to utilize the alley as a service corridor for the townhome units. When townhome lots do not abut an alley, the site plan shall include a twenty-foot-wide, unobstructed service corridor along the rear of the properties which shall be dedicated to service use. Garages, surface parking and garbage pickup shall be accessed and accommodated by the service corridor.
- e. Yards: Front yards of townhome units shall include a porch, stoop or covered entry. Rear yards shall be enclosed by a building wall or garden wall.

(ec) *Other applicable use standards.*

- (1) All multifamily housing developments with twenty (20) or more dwelling units shall be subject to site plan review procedures specified in section 22-58
- (2) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter, except that buildings not on double-frontage lots may be in the rear yard if they are at least five (5) feet from the rear lot line.
- (3) On any lot used for residential purposes, other than a multifamily housing development, no more than one residential building will be allowed on the lot, except one building without kitchen facilities may be allowed as a guest house.
- (4) Every lot shall abut a street other than an alley for at least twenty-five (25) feet, except the minimum frontage for a lot on a cul-de-sac shall be fifteen (15) feet, or the minimum frontage for a single townhome lot shall be sixteen (16) feet.
- (5) 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.
- (6) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (7) Conditional uses will meet the requirements in section 22-74 through 22-86
- (8) Signs will comply with standards referred to in section 22-55
- (9) All other applicable ordinance requirements will also be satisfied.

SECTION 9. Sections 22-27.1(b) and 22-27.1(c) are hereby amended so that the same shall read as follows:

Sec. 22-27.1. - Hutchinson Island Medium Density Residential zone (R-4A).

- (a) *Purpose.* It is the purpose of this section to establish height and density regulations for lands located within the city which are situated east of the Indian River. The R-4A zone is compatible with the Medium Density Residential Hutchinson Island designation in the comprehensive plan. Permitted gross residential densities in this district may not generally exceed eight (8) units per acre. Bonus density of up to one additional unit per acre is available as provided for in this section. This district is established because Hutchinson Island is a sensitive barrier island which presents development considerations which are

either unique to the area or are of added concern, such as environmental fragility, beach erosion, and hurricane evacuation.

~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in an R-4A zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

~~(1) Single family dwellings, except mobile homes.~~

~~(2) Duplexes.~~

~~(3) Triplexes and quadruplexes.~~

~~(4) Multifamily housing developments.~~

~~(5) Within multifamily housing developments the following uses are permitted, provided that all such uses located within an apartment structure and the area of the individual businesses combined does not comprise more than five (5) per cent of the total floor area:~~

~~a. Personal service establishments such as a beauty parlor, barber shop, tailor and other similar uses, provided not more than three (3) persons are employed in any one establishment.~~

~~b. Retail sales establishments intended primarily for the use of the tenants, provided that any one establishment does not exceed one thousand six hundred (1,600) square feet.~~

~~c. Doctors' offices and medical clinics primarily for the use of the tenants, provided that any one establishment does not exceed one thousand two hundred (1,200) square feet.~~

~~(6) Townhome dwellings.~~

~~(7) Home occupations which satisfy requirements in section 22-65~~

~~(8) Temporary uses which fulfill provisions in section 22-65~~

~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an R-4A zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

~~(1) Sanitariums, rest homes, convalescent homes and adult congregate living facilities.~~

~~(2) Churches, schools and day care centers.~~

~~(3) Park or recreation areas.~~

~~(4) Community centers and nonprofit clubs.~~

~~(5) Public utility structures, such as utility substations.~~

~~(6) Neighborhood commercial uses listed in subsection 22-30(b).~~

~~(7) Dwelling rentals.~~

~~(8) Commercial off-street parking lots.~~

~~(db) *Basic use standards.* Uses in an R-4A zone must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.~~

~~(1) *Lot size.*~~

~~a. The minimum lot area for a single-family dwelling shall be five thousand (5,000) square feet.~~

- b. The minimum lot area for a townhome dwelling lot shall be one thousand five hundred (1,500) square feet.
- c. The minimum lot area for a duplex, triplex or a quadraplex shall be five (5,000) square feet per unit.
- d. Multifamily housing developments will utilize a lot with a gross density that shall not exceed eight (8) units per acre.
- e. The minimum lot width for duplexes, triplexes, quadraplexes and multifamily housing developments shall be seventy-five (75) feet.
- f. The minimum lot width for townhome developments shall be two hundred (200) feet. Townhome developments shall be subdivided into a minimum lot width of sixteen (16) feet and maximum lot width of twenty-four (24) feet.
- g. The minimum lot width for other uses shall be sixty (60) feet.
- h. The minimum lot depth for duplexes, triplexes and multifamily housing developments shall be ninety (90) feet.
- i. The minimum lot depth for townhome development shall be ninety (90) feet.
- j. The minimum lot depth for other uses shall be seventy (70) feet.

(2) *Yards.*

- a. The minimum depth of the front yard for townhome developments will be ten (10) feet. The minimum depth of the front yard for other uses shall be twenty-five (25) feet.
- b. The minimum depth of the side yards for triplexes, quadraplexes and multifamily developments shall be ten (10) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet.
- c. The minimum depth of the side yards on the periphery of the townhome developments shall be ten (10) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet. The minimum depth of the side yard between individual townhome units or lots shall be zero (0) feet.
- d. The minimum depth of the side yards for other uses shall be six (6) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet.
- e. The minimum depth of the rear yard shall be twenty (20) feet for triplexes, quadraplexes and multifamily developments.
- f. The minimum depth of the rear yard for townhome lots that abut an alley shall be zero (0) feet. The minimum depth of the rear yard for townhome lots with all other conditions shall be fifteen (15) feet.
- g. All other uses: The minimum depth of the rear yard shall be fifteen (15) feet for a distance equal to thirty (30) per cent of the length of a line which is parallel to the rear lot line, is fifteen (15) feet from the rear lot line and extends to the closest property lines. The minimum depth of the rear yard for the remainder of the lot will be five (5) feet, except on double-frontage and waterfront lots it shall be fifteen (15) feet.
- h. The minimum distance between residential buildings shall be twenty (20) feet except that screen porches located on the ground floor may project into the minimum distance, and except that screen porches in owner occupied condominium projects that maintain a minimum building separation of twenty-eight (28) feet or more may be enclosed with glass. The maximum combined projection between two (2) or more buildings shall be eight (8) feet.

(3) *Lot coverage.*

- a. Buildings in multifamily housing developments shall not cover more than forty-five (45) per cent of the lot area.
 - b. Buildings for principal residence in townhome developments and townhome dwelling lots shall not cover more than fifty (50) per cent of the lot area. Accessory buildings may cover an additional fifteen (15) per cent of the building site.
 - c. Buildings in other developments shall not cover more than forty (40) per cent of the lot area.
- (4) *Buildings heights.* No building shall exceed forty-five (45) feet above grade.
- (5) *Density.* Unless otherwise provided, densities on land within the city situated east of the Indian River may not exceed eight (8) units a gross acre, other provisions of this chapter notwithstanding. However, upon application in the manner provided for by section 22-58, the commission may allow one additional density bonus for landscaping, for a maximum allowable addition of one (1) density bonus unit per acre upon consideration by the commission of their compatibility with the natural features of the area and surrounding development and the availability of supporting infrastructure. The application shall demonstrate compliance with each of the following criteria depending upon the categories for which density bonuses are sought:
- a. *Landscaping.*
 1. Landscape area requirements as specified in section 22-59 shall be increased by twenty (20) per cent;
 2. Landscape tree planting requirements as specified in section 22-59 shall be increased by twenty (20) per cent;
 3. Minimum height levels of required trees at time of planting, as specified in subsection 22-59(b)(3)b.1. shall be increased by fifty (50) per cent;
 4. Landscape irrigation/sprinkler systems shall be installed;
 5. All plant species must be salt tolerant and meet with the approval of the director of development. An approved species list may be obtained from the director of development.
- (6) *Additional requirements dwelling, townhome.*
- a. *Ownership:* One hundred (100) per cent of the total lot area shall be the minimum area conveyed to the lot owner, including the front yard, back yard and side yard. A homeowners maintenance shall be formed among the unit owners to assure compliance with exterior area maintenance regulations as may be adopted by the association.
 - b. *Common Area:* Any portion of the original lot not divided among and incorporated into the resulting individual townhome dwelling unit lots shall be held by either of the following or a combination of the following. Each lot owner shall have an undivided interest in the common area, which shall be appurtenant to that lot. The individual interest in the common areas shall not be conveyed separately from the ownership of the said lot; or, a property owners association (POA).
 - c. *Parking:* Two (2) parking spaces per dwelling units shall be provided for townhome developments and shall be side-by-side parking and not in-line tandem parking. No off-street parking spaces shall be located between the front of the principal residence and the front property line.
 - d. *Access:* When townhome lots abut an alley, the site plan shall include provisions to utilize the alley as a service corridor for the townhome units. When townhome lots do not abut an alley, the site plan shall include a twenty-foot-wide, unobstructed service corridor along the rear of the properties which shall be dedicated to service use. Garages, surface parking and garbage pickup shall be accessed and accommodated by the service corridor.

- e. Yards: Front yards of townhome units shall include a porch, stoop or covered entry. Rear yards shall be enclosed by a building wall or garden wall.

(ec) *Other applicable use standards.*

- (1) All multifamily housing developments with twenty (20) or more dwelling units shall be subject to site plan review procedures specified in section 22-58
- (2) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter, except that buildings not on double-frontage lots may be in the rear yard if they are at least five (5) feet from the rear lot line.
- (3) On any lot used for residential purposes, other than a multifamily housing development, no more than one (1) residential building will be allowed on the lot, except one (1) building without kitchen facilities may be allowed as a guest house.
- (4) Every lot shall abut a street other than an alley for at least twenty-five (25) feet, except the minimum frontage for a lot on a cul-de-sac shall be fifteen (15) feet, or the minimum frontage for a townhome development shall be sixteen (16) feet.
- (5) 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.
- (6) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (7) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (8) Signs will comply with standards referred to in section 22-55
- (9) All other applicable ordinance requirements will also be satisfied.

SECTION 10. Sections 22-28(b) and 22-28(c) are hereby amended so that the same shall read as follows:

Sec. 22-28. - High Density Residential zone (R-5).

- (a) *Purpose.* This residential category is intended to encourage the development of multifamily dwellings. Maximum gross densities should generally not exceed fifteen (15) units per acre for conventional developments and eighteen (18) units per acre for innovative residential developments. This zone provides for high density residential uses in locations which have suitable utilities and have good access to arterial or collector streets. Single-family homes, townhomes, duplexes, other residential uses, and various nonresidential uses are allowed when parameters and safeguards in this section are satisfied.
- ~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in an R-5 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
- ~~(1) Triplexes and quadraplexes.~~
 - ~~(2) Multifamily housing developments.~~
 - ~~(3) Within multifamily housing developments the following uses are permitted, provided that all such uses are located within an apartment structure and the area of the individual businesses combined does not comprise more than five (5) per cent of the total floor area:~~
 - ~~a. Personal service establishments such as a beauty parlor, barber shop, tailor and other similar uses, provided not more than three (3) persons are employed in any one establishment.~~
 - ~~b. Retail sales establishments primarily for the use of the tenants, provided that any one establishment does not exceed one thousand six hundred (1,600) square feet.~~

~~e. Doctors' offices and medical clinics primarily for the use of the tenants, provided that any one establishment does not exceed one thousand two hundred (1,200) square feet.~~

~~(4) Townhome dwellings.~~

~~(5) Home occupations which satisfy requirements in section 22-63~~

~~(6) Temporary uses which fulfill provisions in section 22-65~~

~~(e) Conditional uses permitted. The following uses and their accessory uses are permitted in an R-5 zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

~~(1) Innovative residential developments which satisfy standards in section 22-82~~

~~(2) Single family dwellings and duplexes.~~

~~(3) Mobile home parks.~~

~~(4) Boarding houses.~~

~~(5) Hospitals, sanitariums, rest homes, convalescent homes and adult congregate living facilities.~~

~~(6) Churches, schools and day care centers.~~

~~(7) Park or recreation areas.~~

~~(8) Community centers and nonprofit clubs.~~

~~(9) Cemeteries.~~

~~(10) Public utility structures, such as utility substations.~~

~~(11) Neighborhood commercial uses listed in subsection 22-30(b).~~

~~(12) Dwelling rentals.~~

~~(13) Restaurants that do not meet the criteria specified in subsection 22-28(b)(3).~~

~~(14) Student housing.~~

~~(db) Basic use standards. Uses in an R-5 zone, except innovative residential developments, must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.~~

~~(1) Lot size.~~

~~a. The minimum lot area for a single-family dwelling shall be five thousand (5,000) square feet.~~

~~b. The minimum lot area for a townhome dwelling shall be one thousand five hundred (1,500) square feet.~~

~~c. The minimum lot area for a duplex shall be seven thousand (7,000) square feet.~~

~~d. The minimum lot area for a triplex and quadraplex shall be twenty-five hundred (2,500) square feet per unit.~~

~~e. Multifamily housing developments will utilize a lot with a gross density that shall not exceed fifteen (15) units per acre.~~

~~f. The minimum lot width for duplexes, triplexes, quadraplexes and multifamily housing developments shall be sixty (60) feet.~~

- g. The minimum lot width for townhome developments shall be two hundred (200) feet. Townhome developments shall be subdivided into a minimum lot width of sixteen (16) feet and maximum lot width of twenty-four (24) feet.
 - h. The minimum lot width for other uses will be sixty (60) feet.
 - i. The minimum lot depth for duplexes, triplexes, quadraplexes and multifamily housing developments shall be eighty (80) feet.
 - j. The minimum lot depth for other uses will be seventy (70) feet.
 - k. The minimum lot depth for townhome development shall be ninety (90) feet.
- (2) *Yards.* The following yard requirements shall apply except when a lot has a building over forty-five (45) feet tall. In such cases, side and rear requirements and the minimum distance between residential buildings located on the same property will be increased by one foot for every foot the tallest building on the lot exceeds forty-five (45) feet in height.
- a. The minimum depth of the front yard for townhome developments will be ten (10) feet. The minimum depth of the front yard for other uses shall be twenty-five (25) feet.
 - b. The minimum depth of the side yards for triplexes, quadraplexes and multifamily housing developments shall be ten (10) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet.
 - c. The minimum depth of the side yards on the periphery of the townhome developments shall be ten (10) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet. The minimum depth of the side yard between individual townhome units or lots shall be zero (0) feet.
 - d. The minimum depth of the side yards for other uses shall be six (6) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet.
 - e. The minimum depth of the rear yard shall be twenty (20) feet for triplexes, quadraplexes and multifamily housing developments.
 - f. The minimum depth of the rear yard for townhome lots that abut an alley shall be zero (0) feet. The minimum depth of the rear yard for townhome lots with all other conditions shall be fifteen (15) feet.
 - g. The minimum depth of the rear yard for other uses shall be fifteen (15) feet for a distance equal to thirty (30) per cent of the length of a line which is parallel to the rear lot line, is fifteen (15) feet from the rear lot line and extends to the closest property lines. The minimum depth of the remainder of the rear yard will be five (5) feet, except on double-frontage and waterfront lots it shall be fifteen (15) feet.
 - h. The minimum distance between residential buildings shall be twenty (20) feet except that screen porches located on the ground floor may project into the minimum distance. The maximum combined projection between two (2) or more buildings shall be eight (8) feet.
- (3) *Lot coverage.*
- a. Buildings in multifamily housing developments shall not cover more than fifty (50) per cent of the lot area.
 - b. Buildings for principal residence in townhome developments and townhome dwelling lots shall not cover more than fifty (50) per cent of the lot area. Accessory buildings may cover an additional fifteen (15) per cent of the building site.
 - c. Buildings in other developments shall not cover more than forty-five (45) per cent of the lot area.
- (4) *Building heights.* No building shall exceed two hundred (200) feet above grade.

(5) *Additional requirements dwelling, townhome.*

- a. **Ownership:** One hundred (100) per cent of the total lot area shall be the minimum area conveyed to the lot owner, including the front yard, back yard and side yard. A homeowners maintenance shall be formed among the unit owners to assure compliance with exterior area maintenance regulations as may be adopted by the association.
- b. **Common area:** Any portion of the original lot not divided among and incorporated into the resulting individual townhome dwelling unit lots shall be held by either of the following or a combination of the following: Each lot owner shall have an undivided interest in the common area, which shall be appurtenant to that lot. The individual interest in the common areas shall not be conveyed separately from the ownership of the said lot; or, a property owners association (POA).
- c. **Parking:** Two (2) parking spaces per dwelling units shall be provided for townhome developments and shall be side-by-side parking and not in-line tandem parking. No off-street parking spaces shall be located between the front of the principal residence and the front property line.
- d. **Access:** When townhome lots abut an alley, the site plan shall include provisions to utilize the alley as a service corridor for the townhome units. When townhome lots do not abut an alley, the site plan shall include a twenty-foot-wide, unobstructed service corridor along the rear of the properties which shall be dedicated to service use. Garages, surface parking and garbage pickup shall be accessed and accommodated by the service corridor.
- e. **Yards:** Front yards of townhome units shall include a porch, stoop or covered entry. Rear yards shall be enclosed by a building wall or garden wall.

(e) *Other applicable use standards.*

- (1) All multifamily housing developments with twenty (20) or more dwelling units shall be subject to site plan review procedures specified in section 22-58
- (2) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter, except that buildings not on double-frontage lots may be in the rear yard if they are at least five (5) feet from the rear lot line.
- (3) On any lot used for residential purposes, other than a multifamily housing development, no more than one residential building will be allowed on the lot, except one building without kitchen facilities may be allowed as a guest house.
- (4) Every lot shall abut a street other than an alley for at least twenty-five (25) feet, except the minimum frontage for a lot on a cul-de-sac shall be fifteen (15) feet, or the minimum frontage for a townhome development shall be sixteen (16) feet.
- (5) 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.
- (6) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (7) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (8) Signs will comply with standards referred to in section 22-55
- (9) All other applicable ordinance requirements will also be satisfied.

SECTION 11. Sections 22-29(b) and 22-29(c) are hereby amended so that the same shall read as follows:

Sec. 22-29. - Office commercial zone (C-1).

- (a) *Purpose.* This commercial classification is intended primarily for uses involving business and institutional uses which do not involve the direct sale or display of goods, the production of goods or the storage or shipment of bulk or large volume materials. Convenience commercial facilities, restaurants and certain other uses are allowed when appropriate conditions and safeguards indicated in this section are fulfilled. Uses in this district should have good access to arterial or collector streets. This district is sometimes suitable for use as a buffer separating other commercial zones from residential districts.
- (b) ~~*Semi-restricted uses.* The following uses and their accessory uses are permitted in a C-1 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
- ~~(1) Finance, insurance and real estate establishments, such as banks, savings and loan associations, credit unions, security and commodity brokers, life insurance companies, car insurance companies and real estate companies.~~
 - ~~(2) Business service establishments, such as employment services, advertising services, consumer credit and reporting services, collection services, mailing services and building maintenance services.~~
 - ~~(3) Communication service establishments, such as newspaper and printing services, television and radio services (except transmission towers) and telephone and telegraph services (except transmission towers).~~
 - ~~(4) Professional service establishments, except hospitals, such as doctors' offices, medical clinics and laboratories, legal services, engineering and architectural services and accounting, auditing and bookkeeping services.~~
 - ~~(5) Administrative offices for businesses, public uses or semi-public uses.~~
 - ~~(6) Home occupations which satisfy requirements in section 22-63~~
 - ~~(7) Temporary uses meeting the requirements in section 22-65~~
- (c) ~~*Conditional uses.* The following uses and their accessory uses are permitted in a C-1 zone if the uses do not include drive-in purchase or service facilities which make it possible for a person to transact business from a vehicle and if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
- ~~(1) Any of the following uses which are located on the ground floor of a building with offices and which are intended primarily for employees of semi-restricted uses located in the C-1 zone:~~
 - ~~a. Restaurants.~~
 - ~~b. Barber shops.~~
 - ~~c. Beauty shops.~~
 - ~~d. Laundry and dry-cleaning establishments.~~
 - ~~e. Shoe repair services.~~
 - ~~f. Small drug stores.~~
 - ~~(2) Commercial off-street parking lots.~~

- (3) ~~Hospitals, convalescent or nursing homes, and adult congregate living facilities. Maximum residential density for an adult congregate living facility shall not exceed thirty (30) units per acre.~~
- (4) ~~Post offices.~~
- (5) ~~Park or recreation areas.~~
- (6) ~~Cemeteries.~~
- (7) ~~Public utility structures, such as utility substations.~~
- (8) ~~Multifamily housing developments which satisfy the standards for multifamily housing developments in an R-4 zone.~~
- (9) ~~Day care centers which are intended primarily for use by employees of permitted uses located in the C-1 zone.~~
- (10) ~~Residential uses, when located in the upper stories of a structure where the ground floor is developed as a semi-restricted use. Residential density shall not exceed eighteen (18) units an acre.~~
- (db) *Basic use standards.* Uses in a C-1 zone must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.
- (1) Lot size.
 - a. The minimum lot area shall be ten thousand (10,000) square feet.
 - b. The minimum lot width shall be seventy (70) feet.
 - c. The minimum lot depth shall be ninety (90) feet.
 - (2) Yards.
 - a. The minimum depth of the front yard will be twenty-five (25) feet.
 - b. The minimum yard depth (if not the front yard) for portions of the property abutting a public right-of-way or residential district shall be fifteen (15) feet.
 - (3) Lot coverage. Buildings shall not cover more than sixty (60) per cent of the lot area.
 - (4) Building height. No building shall exceed a height of sixty-five (65) feet above grade.
- (ec) *Other applicable use standards.*
- (1) Site plan review shall be required for uses which have buildings with more than four thousand (4,000) square feet of floor area.
 - (2) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter.
 - (3) Every lot shall abut a street other than an alley for at least fifty (50) feet.
 - (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.
 - (5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
 - (6) Conditional uses will meet the requirements in sections 22-74 through 22-86
 - (7) Signs will comply with standards referred to in section 22-55
 - (8) All other applicable ordinance requirements will also be satisfied.

SECTION 12. Sections 22-30(b) and 22-30(c) are hereby amended so that the same shall read as follows:

Sec. 22-30. - Neighborhood commercial zone (C-2).

- (a) *Purpose.* This district is intended to be a restricted commercial zone which is designed to meet some of the commercial needs of the immediate residential neighborhood. Uses allowed are primarily those which provide convenience goods or frequently used services. Large business operations and extensions of strip commercial areas are not desired. Areas zoned C-2 should be located near the intersections of major streets and generally close to an R-4 zone.
- ~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in a C-2 zone if no more than five thousand (5,000) square feet of floor area is devoted to each use, if the uses do not include drive-in purchase or service facilities which make it possible for a person to transact business from a vehicle and if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
- ~~(1) Uses allowed as semi-restricted uses in a C-1 zone.~~
 - ~~(2) Grocery, meat, fruit and vegetable stores.~~
 - ~~(3) Bakeries.~~
 - ~~(4) Drugstores.~~
 - ~~(5) Hardware stores.~~
 - ~~(6) Beauty shops.~~
 - ~~(7) Barber shops.~~
 - ~~(8) Laundry and dry-cleaning establishments.~~
 - ~~(9) Home occupations which satisfy requirements in section 22-63~~
 - ~~(10) Temporary uses which fulfill provisions in section 22-65~~
- ~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in a C-2 zone if no more than five thousand (5,000) square feet of floor area are devoted to each use and if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
- ~~(1) Restaurants, banks and savings and loan associations which do not include drive-in purchase or service facilities which make it possible for a person to transact business from a vehicle.~~
 - ~~(2) Gasoline service stations and car washes.~~
 - ~~(3) Neighborhood health centers.~~
 - ~~(4) Churches and day care centers.~~
 - ~~(5) Park or recreation areas.~~
 - ~~(6) Libraries.~~
 - ~~(7) Fire stations.~~
 - ~~(8) Community centers and nonprofit clubs.~~
 - ~~(9) Public utility structures, such as utility substations.~~
 - ~~(10) Cemeteries.~~

~~(11) Multifamily housing developments which satisfy the standards for multifamily housing developments in an R-4 zone.~~

(db) *Basic use standards.* Uses in a C-2 zone, except multifamily housing developments, must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.

(1) *Lot size.*

- a. The minimum lot area shall be ten thousand (10,000) square feet.
- b. The minimum lot width shall be seventy (70) feet.
- c. The minimum lot depth shall be ninety (90) feet.

(2) *Yards.*

- a. The minimum depth of the front yard will be twenty-five (25) feet.
- b. The minimum yard depth (if not the front yard) for portions of the property abutting a public right-of-way or residential district shall be fifteen (15) feet.

(3) *Lot coverage.* Buildings shall not cover more than sixty (60) per cent of the lot area.

(4) *Building height.* No building shall exceed a height of forty-five (45) feet above grade.

(ec) *Other applicable use standards.*

- (1) Site plan review shall be required for multifamily housing developments with twenty (20) or more dwelling units and for other uses which have buildings with more than four thousand (4,000) square feet of floor area.
- (2) Accessory buildings shall comply with all yard, lot coverage, and building height requirements of this chapter.
- (3) Every lot shall abut a street other than an alley for at least fifty (50) feet.
- (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.
- (5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (6) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (7) Signs will comply with standards referred to in section 22-55
- (8) All other applicable ordinance requirements will also be satisfied.

SECTION 13. Sections 22-31(b) and 22-31(c) are hereby amended so that the same shall read as follows:

Sec. 22-31. - General commercial zone (C-3).

- (a) *Purpose.* The district is intended to provide for a broad variety of business activities including shoppers' goods stores, convenience goods and service establishments, offices and tourist/entertainment facilities. Many public and semi-public uses are also appropriate. Compared to the C-4 zone, this district is more suitable for uses requiring a high degree of accessibility to vehicular traffic, low intensity uses on large tracts of land, most repair services and small warehousing and wholesaling operations. Although this zone should be located along or near arterial or collector streets, it is not the intent of this district to encourage the extension of strip commercial areas. Instead it should promote concentrations of commercial activities.

(b) ~~Semi-restricted uses permitted.~~ The following uses and their accessory uses are permitted in a C-3 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:

- (1) ~~Uses allowed as semi-restricted uses in a C-1 zone.~~
- (2) ~~Retail sales establishments (including incidental manufacturing and repairing of goods on the premises, provided, however, that the space devoted to manufacturing and repairing does not exceed twenty (20) per cent of the gross floor area of the establishment) such as restaurants, bars, grocery stores, bakeries, department stores, clothing stores, fabric shops, luggage stores, gift shops, jewelry stores, florist shops, camera shops, record stores, toy stores, book stores, newsstands, stationery stores, drug stores, sporting goods stores, furniture stores, appliance stores, hardware stores, auto parts stores, gasoline service stations, bicycle shops and auto sales facilities.~~
- (3) ~~Motels/hotels.~~
- (4) ~~Personal service establishments, such as laundering and dry cleaning establishments (except those which primarily serve other businesses), beauty and barber services, garment alterations and funeral homes.~~
- (5) ~~Repair service establishments which facilitate light repair work, including: Auto repair such as tune-ups, transmissions, mufflers, reupholstering, pinstripping (excludes auto body and paint shops) and truck repair not to exceed trucks over one ton capacity; radio and television repair services; watch, clock and jewelry repair services, and shoe repair services.~~
- (6) ~~Educational service establishments, such as vocational and trade schools, business and stenographic schools, art and music schools, dancing schools and correspondence schools.~~
- (7) ~~Public and semi-public facilities, except hospitals, sanitariums, rest homes, convalescent homes, public utility structures and public works maintenance facilities.~~
- (8) ~~Private indoor amusement, entertainment and/or recreation establishments, such as theaters, bowling alleys, pool halls, dance halls and indoor tennis courts and handball and swimming pool facilities.~~
- (9) ~~Taxi stations.~~
- (10) ~~Commercial off-street parking lots.~~
- (11) ~~Temporary uses meeting the requirements in section 22-65~~
- (12) ~~Adult establishments, pursuant to Chapter 11.5~~

(c) ~~Conditional uses permitted.~~ The following uses and their accessory uses are permitted in a C-3 zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:

- (1) ~~Repair service establishments not allowed as a semi-restricted use in this zone.~~
- (2) ~~Wholesale trade, warehouse and distribution establishments (including trucking terminals).~~
- (3) ~~Contract construction service establishments.~~
- (4) ~~Kennels.~~
- (5) ~~Bus depots.~~
- (6) ~~Hospitals, sanitariums, rest homes, convalescent homes, and adult congregate living facilities. The maximum residential density for an adult congregate living facility shall not exceed thirty (30) units per acre.~~

- ~~(7) Public utility structures and public works maintenance facilities.~~
 - ~~(8) Cemeteries.~~
 - ~~(9) Amusement parks.~~
 - ~~(10) Marinas, including marinas with charter fishing facilities.~~
 - ~~(11) Expansion of a structure with a nonconforming commercial or industrial use if the structure is not enlarged by more than twenty (20) per cent and the structure being enlarged does not violate provisions in section 22-102~~
 - ~~(12) Multifamily housing developments which satisfy the standards for multifamily housing developments in an R-5 zone.~~
 - ~~(13) Reserved.~~
 - ~~(14) Flea markets.~~
 - ~~(15) Nonprofit bingo halls.~~
 - ~~(16) Industrial, semi restricted uses permitted in section 22-34(b) [Light industrial zone (I-1)] except the uses specified in sections 22-34(b)(6) and (7).~~
 - ~~(17) Ship and boat building and repair facilities.~~
 - ~~(18) Recreational vehicle parks.~~
 - ~~(19) Day care centers and schools other than educational service establishments.~~
 - ~~(20) Railroad passenger station.~~
 - ~~(21) Amusement arcades and arcade amusement centers.~~
- (db) *Basic use standards.* Uses in a C-3 zone must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.
- (1) Lot size.
 - a. The minimum lot area shall be ten thousand (10,000) square feet.
 - b. The minimum lot width shall be seventy (70) feet.
 - c. The minimum lot depth shall be ninety (90) feet.
 - (2) Yards.
 - a. The minimum depth of the front yard will be twenty-five (25) feet.
 - b. The minimum yard depth (if not the front yard) for portions of the property abutting a public right-of-way or residential district shall be fifteen (15) feet.
 - (3) Lot coverage. Buildings shall not cover more than sixty (60) per cent of the lot area.
 - (4) Building height. No building shall exceed a height of sixty-five (65) feet above grade, except that multifamily developments in accordance with the requirements of the R-5 zone may be approved.
- (ec) *Other applicable use standards.*
- (1) Site plan review shall be required for uses which have buildings with more than four thousand (4,000) square feet of floor area.
 - (2) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter.
 - (3) Every lot shall abut a street other than an alley for at least fifty (50) feet.

- (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.
- (5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (6) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (7) Signs will comply with standards referred to in section 22-55
- (8) All other applicable ordinance requirements will also be satisfied.
- (9) An adult establishment is not permitted in C-3 unless the adult establishment is at least:
 - a. One thousand (1,000) feet from any other adult establishment:
 - b. Four hundred (400) feet from any established church, public or private school, public playground or public park;
 - c. Four hundred (400) feet from any areas zoned E-1, R-1, R-2, R-3, R-4, or R-5.
- (10) For purposes of the distance limitations contained in subsection (e)(9) above, the measurement shall be made by extending a straight line from the main entrance of the building of the adult establishment to the:
 - a. Front door of the main building occupied by any other adult establishment or any established church; or
 - b. To the nearest property line of any residential district, playground, school or park.

SECTION 14. Sections 22-32(b) and 22-32(c) are hereby amended so that the same shall read as follows:

Sec. 22-32. - Central commercial zone (C-4).

- (a) *Purpose.* This district is intended to serve as a primary center of commercial and institutional activity and as a readily identifiable focal point of the community and surrounding area. It is intended to be an intensively used area catering primarily to the pedestrian. The district is not suitable for low intensity uses requiring a large tract of land, most types of repair services, warehouses and other uses which would detract from the character of the area.
- (b) ~~*Semi-restricted uses permitted.* Except for the following uses and their accessory uses, uses permitted in a C-3 zone as semi-restricted uses will be permitted in a C-4 zone as semi-restricted uses if the uses do not include drive-in purchase or service facilities which make it possible for a person to transact business from a vehicle and if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws.~~
 - (1) ~~Retail sales establishments selling automobiles or other large motorized vehicles.~~
 - (2) ~~Post offices, police stations and fire stations.~~
 - (3) ~~Taxi stations.~~
 - (4) ~~Commercial off-street parking lots.~~
- (c) ~~*Conditional uses permitted.* The following uses and their accessory uses are permitted in a C-4 zone as conditional uses if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - (1) ~~Uses permitted in subsection (b) of this section that have drive-in purchases or service facilities which make it possible for a person to transact business from a vehicle.~~
 - (2) ~~Stores selling or repairing automobiles or other large motorized vehicles.~~

- ~~(3) Bus depots and taxi stations.~~
 - ~~(4) Commercial off-street parking lots.~~
 - ~~(5) Hospitals, sanitariums, rest homes and convalescent homes.~~
 - ~~(6) Post offices, police stations and fire stations.~~
 - ~~(7) Multifamily housing developments which satisfy the standards for multifamily housing developments in an R-5 zone.~~
 - ~~(8) Marinas, including marinas with charter fishing facilities.~~
 - ~~(9) Manufacturing, other than that allowed as an accessory use in subsection (b) of this section, which provides an opportunity for safe public viewing of the manufacturing, and involves production of products for retail sale on the premises.~~
 - ~~(10) Expansion of a structure with a nonconforming commercial or industrial use if the structure is not enlarged by more than twenty (20) per cent and the structure being enlarged does not violate provisions in section 22-102~~
 - ~~(11) Public utility structures.~~
 - ~~(12) Flea markets.~~
 - ~~(13) Residential uses, when located in the upper stories of a structure where the ground floor is developed as a semirestricted use. Residential density shall not exceed thirty (30) units an acre.~~
 - ~~(14) Railroad passenger station.~~
- (db) *Basic use standards.* Uses in a C-4 zone, except multifamily housing developments, must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.
- (1) Yards. The minimum yard depth for portions of the property abutting a residential district or across an existing street from a residential district will be fifteen (15) feet.
 - (2) Reserved.
- (ec) *Other applicable use standards.*
- (1) Uses identified as a permitted use within the Use Table are only permitted if they do not include drive-in purchase or service facilities which make it possible for a person to transact business from a vehicle. Uses identified as a permitted use within the Use Table that have drive-in purchase or service facilities which make it possible for a person to transact business from a vehicle shall be allowed as a Conditional Use.
 - (2) Site plan review shall be required for all uses which have buildings with more than four thousand (4,000) square feet of floor area.
 - (3) Indoor storage will not be the principal use of the ground floor of any building.
 - (4) Accessory buildings shall comply with yard, lot coverage and building height requirements of this chapter.
 - (5) Every lot shall abut a street other than an alley for at least fifteen (15) feet.
 - (6) 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.
 - (7) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
 - (8) Conditional uses will meet the requirements in sections 22-74 through 22-86
 - (9) Signs will comply with standards referred to in section 22-55

(910) All other applicable ordinance requirements will also be satisfied.

SECTION 15. Sections 22-33(b) and 22-33(c) are hereby amended so that the same shall read as follows:

Sec. 22-33. - Tourist commercial zone (C-5).

- (a) *Purpose.* The intent of this district is primarily to provide suitable locations for tourist facilities and certain tourist related establishments. In part, this means that areas in the zone should be in close proximity to an arterial or collector street. It also means that the uses allowed should be much more limited than those permitted in a C-3 or C-4 zone. Regulations for the district are designed to enhance the attractiveness and convenience of the facilities for tourist use.
- (b) ~~*Semi-restricted uses permitted.* The following uses are permitted in a C-5 zone as semirestricted uses if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
- ~~(1) Restaurants, delicatessens and bars.~~
 - ~~(2) Motels, hotels and resort hotels.~~
 - ~~(3) Retail sales and service establishments, provided that any one establishment does not exceed one thousand six hundred (1,600) square feet in area.~~
 - ~~(4) Service facilities which provide personal services in conjunction with and incidental to a motel.~~
 - ~~(5) Amusement, entertainment and/or recreation establishments.~~
 - ~~(6) Home occupations which satisfy requirements in section 22-63~~
 - ~~(7) Temporary uses which fulfill provisions in section 22-65~~
 - ~~(8) Single family homes which satisfy requirements in section 22-101(2)b.~~
- (c) ~~*Conditional uses permitted.* The following uses and their accessory uses are permitted in a C-5 zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
- ~~(1) Retail foodstuff establishments, and drug stores not over five thousand (5,000) square feet in size.~~
 - ~~(2) Self-service laundries.~~
 - ~~(3) Gasoline service stations.~~
 - ~~(4) Branch financial institutions.~~
 - ~~(5) Commercial off-street parking lots.~~
 - ~~(6) Neighborhood health centers.~~
 - ~~(7) Hospitals, sanitariums, rest homes, convalescent homes and adult congregate living facilities.~~
 - ~~(8) Churches and day care centers.~~
 - ~~(9) Public and semi-public park or recreation areas.~~
 - ~~(10) Libraries.~~
 - ~~(11) Fire stations.~~
 - ~~(12) Community centers and nonprofit clubs.~~

(13) ~~Cemeteries.~~

(14) ~~Public utility structures, such as utility substations.~~

(15) ~~Multifamily housing developments which satisfy the standards for multifamily housing developments in an R-5 zone and standards for Hutchinson Island.~~

(16) ~~Medical offices.~~

(db) *Basic use standards.* Uses in a C-5 zone, except multifamily housing developments, must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.

(1) Lot size.

- a. The minimum lot area shall be ten thousand (10,000) square feet.
- b. The minimum lot width shall be seventy (70) feet.
- c. The minimum lot depth shall be ninety (90) feet.

(2) Yards.

- a. The minimum depth of the front yard will be twenty-five (25) feet.
- b. The minimum yard depth (if not the front yard) for portions of the property abutting a public right-of-way or residential district shall be fifteen (15) feet.

(3) Lot coverage. Buildings shall not cover more than sixty (60) per cent of the lot area.

(4) Building height. No building shall exceed a height of forty-five (45) feet above grade, except that multifamily housing developments in accordance with the requirements of the R-5 zone may be approved.

(ec) *Other applicable use standards.*

- (1) Site plan review shall be required for multifamily housing developments and for other uses which have buildings with more than four thousand (4,000) feet of floor area.
- (2) Accessory buildings shall comply with all yard, lot coverage and building requirements of this chapter.
- (3) Every lot shall abut a street other than an alley for at least fifty (50) feet.
- (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.
- (5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (6) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (7) Signs will comply with standards referred to in section 22-55
- (8) All other applicable ordinance requirements will also be satisfied.

SECTION 16. Sections 22-33.1(b) and 22-33.1(c) are hereby amended so that the same shall read as follows:

Sec. 22-33.1. - Marine commercial zone (C-6).

- (a) *Purpose.* The intent of this district is primarily to provide suitable locations for compatible marine commercial and tourist-related facilities. In part, this means that areas in the zone should be in close proximity to an arterial or collector street and should also be located in close proximity to the waterfront. The requirements in this zone recognize that certain marine oriented commercial activities can be compatible with activities that are more

tourist-related and when combined can create a special environment. The uses laid out in this zone are not meant to be as inclusive as those found in a general commercial zone, but rather should be reserved for uses that are dependent on or benefit from proximity to the water.

~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are allowed in a C-6 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning provisions and other city laws:~~

- ~~(1) Restaurants and restaurants with bars.~~
- ~~(2) Seafood retailers and markets.~~
- ~~(3) Retail boat and marine equipment sales establishments.~~
- ~~(4) Retail trade facilities used for the sale of products such as ice, bait, tackle, charts, gifts, groceries, and other products that are marine or tourist oriented.~~
- ~~(5) Marinas, including marinas with charter fishing facilities.~~
- ~~(6) Ship and boat repair facilities.~~
- ~~(7) Charter fishing offices.~~
- ~~(8) Marine regulatory agencies.~~
- ~~(9) Offices for marine related businesses.~~
- ~~(10) Marine research and educational facilities.~~
- ~~(11) Motels and hotels.~~
- ~~(12) Temporary uses which fulfill provisions in section 22-65~~

~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in a C-6 zone if the uses satisfy the criteria in subsection (e) of this section and if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning provisions and other city laws:~~

- ~~(1) Seafood receiving and processing facilities.~~
- ~~(2) Warehousing, storage areas, wholesale facilities and distribution facilities for marine equipment, marine products, marine related products and/or materials customarily shipped via waterborne transportation facilities.~~
- ~~(3) Shipbuilding facilities.~~
- ~~(4) Shipping and boat marine facilities.~~
- ~~(5) Public utility structures and public works.~~
- ~~(6) Maintenance facilities.~~
- ~~(7) Multifamily housing developments which satisfy the standards for multifamily housing developments in an R-5 zone.~~
- ~~(8) Expansion of a structure with a noneconforming commercial or industrial use if the structure is not enlarged by more than twenty (20) per cent and the structure being enlarged does not violate provisions of section 22-102~~
- ~~(9) Parks or recreational areas.~~
- ~~(10) Resort hotels.~~
- ~~(11) Bars and lounges not otherwise allowed in section 22-33.1(b).~~

(db) *Basic use standards.* Uses in a C-6 zone must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.

- (1) Lot size.
 - a. The minimum lot area shall be ten thousand (10,000) square feet.
 - b. The minimum lot width shall be seventy (70) feet.
 - c. The minimum lot depth shall be ninety (90) feet.
- (2) Yards.
 - a. The minimum depth of the front yard will be twenty-five feet.
 - b. The minimum yard depth (if not the front yard) for portions of the property abutting the public right-of-way or residential district shall be fifteen (15) feet.
- (3) Lot coverage. Building shall not cover more than sixty (60) per cent of the lot area.
- (4) Building height. No building shall exceed the height of sixty-five (65) feet above grade, except that multifamily housing developments in accordance with the requirements of the R-5 zone may be approved.

(ec) *Other applicable use standards.*

- (1) Site plan review shall be required for uses which have buildings with more than four thousand (4,000) square feet.
- (2) Accessory buildings shall comply with all yard, lot coverage and building requirements of this chapter.
- (3) Every lot shall abut a street other than an alley for at least fifty (50) feet.
- (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.
- (5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (6) Conditional uses will meet the requirements of sections 22-74 through 22-87
- (7) Signs will comply with standards referred to in section 22-55
- (8) All other applicable ordinance requirements will also be satisfied.

SECTION 17. Sections 22-34(b) and 22-34(c) are hereby amended so that the same shall read as follows:

Sec. 22-34. - Light industrial zone (I-1).

- (a) *Purpose.* The purpose of this district is to provide for industrial and related uses with limited objectionable external effects in areas that are suitable for such operations due to the desirability of site characteristics, adequacy of utilities, appropriateness of transportation facilities and other factors. Acceptable manufacturing, warehousing, heavy commercial and similar uses are encouraged. Uses in the district may perform a support role for uses in other industrial areas.
- (b) ~~*Semi-restricted uses permitted.* The following uses and their accessory uses are allowed in an I-1 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - (1) ~~Facilities for the assembly of electronics equipment or electrical appliances.~~
 - (2) ~~Facilities for the production, assembling and/or packaging of precision instruments.~~

- ~~(3) Printing, lithography and publishing establishments.~~
 - ~~(4) Research, experimental, testing and film laboratories.~~
 - ~~(5) Bottling plants.~~
 - ~~(6) Wholesale trade, warehouse and distribution establishments, including trucking and railroad terminals.~~
 - ~~(7) Bulk storage yards, including bulk storage of flammable liquids and other hazardous materials if the location and treatment of the premises have been approved by the Chief of the Fort Pierce/Saint Lucie County Fire District, but excluding junkyards.~~
 - ~~(8) Retail sales establishments which sell building materials, agricultural equipment and/or mobile homes.~~
 - ~~(9) Welding or machine shops.~~
 - ~~(10) Contract construction service establishments.~~
 - ~~(11) Commercial and industrial laundries.~~
 - ~~(12) Cold storage and ice processing facilities.~~
 - ~~(13) Public utility structures and public works maintenance facilities.~~
 - ~~(14) Temporary uses meeting the requirements of section 22-65~~
 - ~~(15) Farmers market complexes, on publicly owned land.~~
- ~~(e) Conditional uses permitted. The following uses and their accessory uses are permitted in an I-1 zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
- ~~(1) Establishments not mentioned in subsection (b) of this section which are engaged in the production, assembling, packaging or treatment of materials, goods, foodstuff and other semi-finished or finished products from semi-finished or raw materials.~~
 - ~~(2) Junkyards.~~
 - ~~(3) Restaurants.~~
 - ~~(4) Credit unions and branch offices of banks or savings and loan associations.~~
 - ~~(5) Hiring halls, union halls and employment agencies.~~
 - ~~(6) Vocational, technical, trade and industrial schools.~~
 - ~~(7) Park or recreation areas.~~
 - ~~(8) Fire stations.~~
 - ~~(9) Security guard quarters.~~
 - ~~(10) Expansion of a structure with a nonconforming commercial or industrial use if the structure is not enlarged by more than twenty (20) per cent and the structure being enlarged does not violate provisions in section 22-102~~
 - ~~(11) Major utilities.~~
 - ~~(12) Any structure over sixty-five (65) feet in height, except that conditional approval is not required where the structure is a vertical projection such as a chimney, spire, aerial, flagpole or other similar object.~~
 - ~~(13) Ship and boat building and repair facilities.~~
 - ~~(14) Railroad passenger station.~~

(db) *Basic use standards.* Uses in an I-1 zone must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.

- (1) Lot size.
 - a. The minimum lot width shall be one hundred (100) feet.
 - b. The minimum lot depth shall be one hundred (100) feet.
- (2) Yards. The minimum yard depth for portions of the property abutting a public right-of-way or nonindustrial district will be fifteen (15) feet.

(ec) *Other applicable use standards.*

- (1) Site plan review shall be required for uses which have buildings with more than four thousand (4,000) square feet of floor area.
- (2) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter.
- (3) Every lot shall abut a street other than an alley for at least fifty (50) feet.
- (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.
- (5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (6) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (7) Signs will comply with standards referred to in section 22-55
- (8) All other applicable ordinance requirements will also be satisfied.

SECTION 18. Sections 22-34.1(b) and 22-34.1(c) are hereby amended so that the same shall read as follows:

Sec. 22-34.1. - Heavy industrial zone (I-3).

(a) *Purpose.* The purpose of this district is to provide for heavy industrial and related uses with limited objectionable external effects in areas that are suitable for such operations due to the desirability of site characteristics, adequacy of utilities, appropriateness of transportation facilities and other factors. Acceptable manufacturing, warehousing, heavy commercial and similar uses are encouraged.

(b) ~~*Semi-restricted uses permitted.* The following uses and their accessory uses are allowed in an I-3 zone if the uses will not violate standards referred to in subsections (d) and (e), additional zoning ordinance provisions and other city laws:~~

- ~~(1) Any use permitted in subsection 22-34(b).~~
- ~~(2) Agricultural services.~~
- ~~(3) Construction services:~~
 - a. ~~Building construction~~ General contractor;
 - b. ~~Other construction~~ General contractors;
 - e. ~~Construction~~ Special trade contractors.
- ~~(4) Docks and boathouses (private).~~
- ~~(5) Engineering services.~~
- ~~(6) Manufacturing.~~

- a. ~~Food and kindred products.~~
- b. ~~Tobacco products.~~
- e. ~~Textile mill products.~~
- d. ~~Apparel and other finished products.~~
- e. ~~Lumber and wood products, except furniture.~~
- f. ~~Furniture and fixtures.~~
- g. ~~Printing and publishing and allied industries.~~
- h. ~~Chemicals and allied products:~~
 - 1. ~~Drugs.~~
 - 2. ~~Soap, detergents and cleaning preparations; perfumes, cosmetics and other toilet preparations.~~
 - 3. ~~Agricultural chemicals.~~
- i. ~~Rubber and misc. plastic products.~~
- j. ~~Leather and leather products.~~
- k. ~~Glass:~~
 - 1. ~~Flat glass.~~
 - 2. ~~Glass and glassware—Pressed or blown.~~
 - 3. ~~Glass products—Made of purchased glass.~~
- l. ~~Fabricated metal products.~~
- m. ~~Industrial/commercial machinery and computer equipment.~~
- n. ~~Electronic and other electrical equipment and components, except computer equipment.~~
- o. ~~Transportation equipment.~~
- p. ~~Measuring, analyzing and controlling instruments.~~
- q. ~~Miscellaneous manufacturing industries:~~
 - 1. ~~Jewelry, silverware, and platedware.~~
 - 2. ~~Musical instruments and parts.~~
 - 3. ~~Dolls, toys, games and sporting goods.~~
 - 4. ~~Pens, pencils and other office and artists' materials.~~
 - 5. ~~Costume jewelry, costume novelties, and notions.~~
 - 6. ~~Brooms and brushes.~~
 - 7. ~~Signs and advertising displays.~~
 - 8. ~~Morticians' goods.~~
 - 9. ~~Manufacturing industries, NIC.~~
- r. ~~Paper and allied products:~~
 - 1. ~~Paperboard containers and boxes.~~

2.—Converted paper and paperboard products.

- (7) Local and suburban transit.
- (8) Water transportation.
- (9) Transportation services.
- (10) Communications.
- (11) Motor freight transportation and warehousing.
- (12) Motion pictures.
- (13) Membership organizations.
- (14) Personal and business services.
- (15) Research, development, and testing services.
- (16) Repair services:
 - a.—Automotive and automotive parking.
 - b.—Electrical.
 - c.—Watch, clock and jewelry repair.
 - d.—Reupholstery and furniture repair.
 - e.—Miscellaneous repairs and services.
- (17) Retail trade:
 - a.—Lumber and other building materials.
 - b.—Paint, glass and wallpaper.
 - c.—Hardware.
 - d.—Nurseries, lawn and garden supplies.
 - e.—Mobile home dealers.
 - f.—Automotive/boat/RV/motorcycle dealers.
 - g.—Gasoline service.
 - h.—Furniture and furnishings.
- (18) Telecommunication towers.
- (19) Wholesale trade—Durable goods:
 - a.—Motor vehicle and automotive equipment.
 - b.—Furniture and home furnishings.
 - c.—Lumber and other building materials.
 - d.—Professional and commercial equipment/supplies.
 - e.—Metals and minerals, except petroleum.
 - f.—Electrical goods.
 - g.—Hardware, plumbing and heating equipment, and supplies.
 - h.—Machinery, equipment, and supplies.

- i. — Miscellaneous durable goods:
 - 1. — Sporting and recreational goods.
 - 2. — Toys and hobby goods.
 - 3. — Jewelry, watches, precious stones and metals.
 - 4. — Durable goods NEC.

(20) Wholesale trade — Nondurable goods:

- a. — Paper and paper products.
- b. — Drugs.
- e. — Dry goods and apparel.
- d. — Groceries and related products.
- e. — Farm products — Raw materials.
- f. — Chemicals and allied products.
- g. — Beer, wine, and distilled alcoholic beverages.
- h. — Miscellaneous nondurable goods:
 - 1. — Farm supplies.
 - 2. — Books, periodicals, and newspapers.
 - 3. — Flowers, nursery stock and florists' supplies.
 - 4. — Tobacco/tobacco products.
 - 5. — Paints, varnishes and supplies.
 - 6. — Nondurable goods, NEC.

(21) Mobile food vendors.

~~(e) Conditional uses permitted.~~ The following uses and their accessory uses are permitted in an I-3 zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e), additional zoning ordinance provisions and other city laws:

- ~~(1) Any conditional use permitted in subsection 22-34(e).~~
- ~~(2) Airport, landing and takeoff fields — General aviation.~~
- ~~(3) Manufacturing:~~
 - a. — Paper and allied products.
 - b. — Chemicals and allied products.
 - e. — Petroleum refining and related products.
 - d. — Stone, clay, glass and concrete products.
 - e. — Primary metal industries.
 - f. — Ammunition and ordnance.
- ~~(4) Natural or manufactured gas storage and distribution points.~~
- ~~(5) Scrap, waste and land clearing and yard trash recycling operations.~~
- ~~(6) Warehousing and storage services — Stockyards.~~

~~(7) Wholesale trade—Nondurable goods:~~

~~a.—Petroleum and petroleum products.~~

~~(8) Co-generation facilities.~~

~~(9) Fueling facilities.~~

~~(10) Industrial wastewater disposal.~~

~~(11) One detached single family dwelling or mobile home for on-site security purposes per property.~~

~~(12) Retail:~~

~~a.—Bottled gas.~~

~~b.—Fuel oil.~~

~~e.—Gasoline service stations.~~

~~d.—Retail trade accessory to the primary manufacturing or wholesaling use.~~

~~(db) Basic use standards.~~ Uses in an I-3 zone must meet the requirements of this section. More-restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.

~~(1) Lot size.~~

~~a. The minimum lot width shall be one hundred (100) feet~~

~~b. The minimum lot depth shall be one hundred (100) feet~~

~~(2) Yards.~~ The minimum yard depth for portions of the property abutting a public right-of-way or nonindustrial district will be fifteen (15) feet.

~~(ec) Other applicable use standards.~~

~~(1) Site plan review shall be required for uses which have buildings with more than four thousand (25,000 square feet of floor area).~~

~~(2) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter.~~

~~(3) Every lot shall abut a street other than an alley for at least fifty (50) feet~~

~~(4) Conditional uses will meet the requirements in sections 22-74 through 22-86~~

~~(5) Signs will comply with standards referred to in section 22-55~~

~~(6) All other applicable ordinance requirements will also be satisfied.~~

~~(fd) Parking and loading standards.~~ The following are the off-street parking and loading standards for the I-3 zone:

~~(1) Parking.~~

~~a. Less than one hundred thousand (100,000) square feet = 2.0 spaces per one thousand (1,000) square feet of floor area.~~

~~b. More than one hundred thousand (100,000) square feet = 1.0 space per one thousand (1,000) square feet of floor area.~~

~~(2) Loading.~~

~~a. Zero to twenty-four thousand, nine hundred ninety-nine (24,999) square feet = one loading space.~~

- b. Twenty-five thousand (25,000) to fifty-nine nine hundred ninety-nine (59,999) square feet = two (2) loading spaces.
- c. Sixty thousand (60,000) to one hundred nineteen thousand, nine hundred ninety-nine (119,999) square feet = three (3) loading spaces.
- d. One hundred twenty thousand (120,000) to one hundred ninety-nine thousand nine hundred ninety-nine (199,999) square feet = four (4) loading spaces.
- e. Two hundred thousand (200,000) to two hundred ninety-nine thousand, nine hundred ninety-nine (299,999) square feet = five (5) loading spaces.

(ge) *Annexed property assigned I-3 zoning.* This subsection shall apply to any annexed property that does not comply with subsections (d) and (e) at the time of annexation. Any property annexed and assigned I-3 zoning shall be allowed to continue all uses occurring on the property at the time of annexation. No modifications to any part of the property shall be required by the city. In the event the annexed property is damaged or destroyed due to fire or natural disaster, then the property owner shall be permitted to reconstruct the property to the form, manner and condition the property was in prior to the damage or destruction notwithstanding any non-compliance with subsections (d) and (e). Property annexed and assigned I-3 zoning is exempt from [section] 22-67

SECTION 19. Sections 22-35(b) and 22-35(c) are hereby amended so that the same shall read as follows:

Sec. 22-35. - Marine industrial zone (I-2).

- (a) *Purpose.* This zone is intended primarily to provide a location for port activities, marine industry and supporting uses. In addition, certain nonindustrial water-oriented uses and uses associated with them may be permitted. The district is designed to exclude uses which can be located equally well elsewhere and are inconsistent with the character of the district. Large areas with adequate waterfront, street and railroad access are appropriate for this type of zoning.
- (b) ~~*Semi-restricted uses permitted.* The following uses and their accessory uses are allowed in an I-2 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
 - (1) ~~Shipping and port marine facilities.~~
 - (2) ~~Seafood receiving and processing facilities.~~
 - (3) ~~Commercial fishing facilities.~~
 - (4) ~~Ship and boat building and repair facilities.~~
 - (5) ~~Petroleum receiving, dispensing and storage facilities.~~
 - (6) ~~Warehousing, storage areas, wholesale facilities and distribution facilities (including trucking terminals) for marine equipment, marine products, marine related products and/or materials customarily shipped via waterborne transportation facilities.~~
 - (7) ~~Cold storage and ice processing facilities.~~
 - (8) ~~Charter fishing offices.~~
 - (9) ~~Fish cleaning establishments.~~
 - (10) ~~Marine regulatory agencies.~~
 - (11) ~~Marine research and education facilities.~~
 - (12) ~~Aquaculture facilities permitted in conjunction with aquatic facilities in an adjacent A-1 or A-2 zone.~~

(13) Temporary uses meeting the requirements of section 22-65

(e) ~~Conditional uses permitted.~~ The following uses and their accessory uses are permitted in an I-2 zone if the uses satisfy the criteria in subsection (e) of this section and if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (f) of this section, additional zoning ordinance provisions and other city laws:

- ~~(1) Establishments not mentioned in subsection (b) of this section which are engaged in the production, assembling, packaging or treatment of materials, goods, foodstuffs and other semi-finished or finished products from semi-finished or raw materials.~~
- ~~(2) Restaurants and bars.~~
- ~~(3) Seafood markets.~~
- ~~(4) Retail boat and marine equipment sales establishments.~~
- ~~(5) Retail trade facilities used for the sale of products such as ice, bait, tackle, charts, gifts, groceries and gasoline when the facilities are in conjunction with and incidental to other uses being allowed in the district.~~
- ~~(6) Commercial off-street parking lots.~~
- ~~(7) Marinas, including marinas with charter fishing facilities.~~
- ~~(8) Hiring halls, union halls and employment agencies.~~
- ~~(9) Park or recreation areas.~~
- ~~(10) Public utility structures and public works maintenance facilities.~~
- ~~(11) Fire stations.~~
- ~~(12) Security guard quarters.~~
- ~~(13) Expansion of a structure with a nonconforming commercial or industrial use if the structure is not enlarged by more than twenty (20) per cent and the structure being enlarged does not violate provisions in section 22-102~~
- ~~(14) Business, communication, finance and professional services.~~
- ~~(15) Major utilities.~~
- ~~(16) Any structure over sixty-five (65) feet in height, except that conditional approval is not required where the structure is a vertical projection such as a chimney, spire, aerial, flagpole or other similar object.~~

(db) ~~Basic use standards.~~ Uses in an I-2 zone must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.

- (1) Lot size.
 - a. The minimum lot width shall be one hundred (100) feet.
 - b. The minimum lot depth shall be one hundred (100) feet.
- (2) Yards. The minimum yard depth for portions of the property abutting a public right-of-way or nonindustrial district will be fifteen (15) feet.

(ec) ~~Special conditional use criteria.~~ No conditional use will be allowed in an I-2 zone unless it meets one or more of the following criteria:

- (1) The use is a water-dependent use, which means that it can only be carried out on, in or adjacent to water and the location or access is needed for:

- a. Waterborne transportation (such as navigation; moorage, fueling and servicing of ships or boats; terminal and transfer facilities; fish or other resource and material receiving and shipping); or
 - b. Recreation (active recreation such as swimming, boating or fishing; passive recreation such as viewing or walking); or
 - c. A source of water (such as energy production, cooling of industrial equipment or wastewater or other industrial processes); or
 - d. Marine research or education (such as viewing, sampling, recording information, conducting experiments or teaching).
- (2) The use is a water-related use, which means that:
- a. It provides goods and/or services that are directly associated with water-dependent uses (supplying materials to, using products of or offering commercial or personal services to water-dependent uses); or
 - b. If it were not located near the water, it would experience a public loss of quality in the goods and services offered (evaluation of public loss of quality will include a subjective consideration of economic, social and environmental consequences of the use).
- (3) The use which is not the primary use of the structure, shares an existing structure with a water-dependent use or water-related use and the combination results in a multiple use facility.
- (4) The project provides significant public access or recreation uses through the provision of waterfront seating, walkways, piers, street furniture or similar facilities.
- (5) The use is an accessory use important to the operations of the principal use.
- (6) The use is a temporary use which meets the requirements of section 22-65
- (fd) *Other applicable use standards.*
- (1) Site plan review shall be required for uses which have buildings with more than four thousand (4,000) square feet of floor area.
 - (2) Accessory buildings shall comply with all yard, lot coverage and building requirements of this chapter.
 - (3) Every lot shall abut a street other than an alley for at least fifty (50) feet.
 - (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.
 - (5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
 - (6) Conditional uses will meet the requirements in sections 22-74 and 22-86
 - (7) Signs will comply with standards referred to in section 22-55
 - (8) All other applicable ordinance requirements will also be satisfied.

SECTION 20. Sections 22-35.1(b) and 22-35.1(c) are hereby amended so that the same shall read as follows:

Sec. 22-35.1. - Commercial parkway zone (CP-1).

- (a) *Purpose.* 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.

~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are allowed in the CP-1 zone if the uses will not violate standards referred to in subsections (d), (e), or (f) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Uses allowed as semi-restricted uses in a C-1 zone.~~
- ~~(2) Printing, lithography and publishing establishments.~~
- ~~(3) Research, experimental and film laboratories.~~
- ~~(4) Wholesale trade, warehouse and distribution establishments, including trucking terminals.~~
- ~~(5) Repair service establishments (excluding auto body and paint shops) including, but not limited to, auto repair, pinstriping, truck repair, radio, and television, watch, clock, jewelry and shoe repair services.~~
- ~~(6) Contract construction service establishments.~~
- ~~(7) Commercial and industrial laundries.~~
- ~~(9) Facilities for the production, assembling and/or packaging of precision instruments.~~
- ~~(10) Manufacturing of finished products or parts, including processing, fabrication, assembly, treatment, packaging, and incidental storage of such products. Uses include, but are not limited to, food beverages, apparel (except leather and furs), textiles, pharmaceuticals, household appliances, and plastics.~~
- ~~(11) Temporary uses meeting the requirements in section 22-65~~

~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in a CP-1 zone if the city commission, after a public hearing, determines that the location and development of plans comply with applicable standards referred to in subsections (d), (e) and (f) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Reserved.~~
- ~~(2) Public and semi-public facilities, except for the following uses: hospitals, sanitariums, rest homes, convalescent homes, and public works maintenance facilities.~~
- ~~(3) Commercial off-street parking lots and/or parking garages when such facilities are principal uses.~~
- ~~(4) Public or private utility structures.~~
- ~~(5) Auto body and paint shops.~~
- ~~(6) Recycling facilities.~~
- ~~(7) Bottling plants.~~
- ~~(8) Retail sales establishments including, but not limited to, restaurants, bars, grocery stores, bakeries, department stores, clothing stores, gift shops, jewelry stores, sporting goods stores, furniture stores, appliance stores, hardware stores, building materials stores, agricultural equipment stores, auto parts stores, gasoline service stations, bicycle shops and auto and mobile home sales facilities.~~
- ~~(9) Any structure over sixty five (65) feet in height.~~
- ~~(10) Hotels and motels.~~

~~(d) *Basic use standards.* Uses in a CP-1 zone must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.~~

- (1) Lot size.
 - a. The minimum lot area shall be twenty thousand (20,000) square feet.
 - b. The minimum lot width shall be one hundred (100) feet.
 - c. The minimum lot depth shall be one hundred (100) feet.
- (2) Yards.
 - a. The minimum depth of the front yard shall be twenty-five (25) feet.
 - b. The minimum depth of the rear yard shall be twenty (20) feet.
 - c. The minimum depth of the side yard shall be ten (10) feet, except on corner lots the minimum side yard depth on a street side will be twenty (20) feet.
- (3) *Lot coverage.* Buildings will not cover more than sixty (60) per cent of the lot area.
- (4) *Building heights.* No building shall exceed a height of sixty-five (65) feet above grade.

~~(ed)~~ *Open space standards.*

- (1) A minimum of twenty (20) per cent of the gross area of land to be devoted to a commercial parkway development must be reserved for use as parks, recreation areas, marinas, open space, planting, or other public purposes other than rights-of-way, utility easements, and parking areas. At the request of the developer and subject to the approval of the city commission, use of recreational facilities may be offered to the general public. Areas that are natural or man-made floodways, lakes, and stormwater retention areas may be also be used to satisfy the total open space requirement.
- (2) All land dedicated for open space shall be under the legal control of the developer.

~~(fe)~~ *Other applicable use standards.*

- (1) Site plan review shall be required for uses which have buildings with more than four thousand (4,000) square feet of floor area.
- (2) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter.
- (3) Every lot shall abut a street other than an alley for at least sixty (60) feet.
- (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.
- (5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (6) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (7) Signs will comply with standards referred to in section 22-55
- (8) All other applicable ordinance requirements will also be satisfied.

SECTION 21. Sections 22-36(b) and 22-36(c) are hereby amended so that the same shall read as follows:

Sec. 22-36. - General and recreational open space zone (OS-1).

- (a) *Purpose.* This zone is intended primarily for uses which, by their nature of development, contribute open space and visual relief, significant to the area's development pattern, in part, due to the scenic value or the buffering functions of the use. The zone is designed to achieve this by primarily allowing recreational uses.

~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are allowed in an OS-1 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Park or recreation areas, except amusement parks.~~
- ~~(2) Temporary uses which fulfill provisions in section 22-65~~

~~(e) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an OS-1 zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Indoor amusement, entertainment and/or recreation establishments.~~
- ~~(2) Restaurants.~~
- ~~(3) Gift shops.~~
- ~~(4) Cemeteries.~~
- ~~(5) Marinas, community buildings, amphitheaters and museums.~~
- ~~(6) Public utility structures, such as utility substations, and public and semipublic uses.~~
- ~~(7) Major utilities.~~

~~(db) *Basic use standards.* Uses in an OS-1 zone must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses:~~

- ~~(1) Lot size.
 - a. The minimum lot width shall be one hundred (100) feet.
 - b. The minimum lot depth shall be one hundred (100) feet.~~
- ~~(2) Yards. The minimum yard depth for portions of the property abutting a public right-of-way or residential district will be fifteen (15) feet.~~
- ~~(3) Lot coverage. Buildings shall not cover more than forty (40) per cent of the lot area.~~
- ~~(4) Building height. No building shall exceed a height of thirty-five (35) feet above grade.~~

~~(ec) *Other applicable use standards.*~~

- ~~(1) Site plan review shall be required for uses which have buildings with more than four thousand (4,000) square feet of floor area.~~
- ~~(2) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter.~~
- ~~(3) Every lot shall abut a street other than an alley for at least fifty (50) feet.~~
- ~~(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.~~
- ~~(5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61~~
- ~~(6) Conditional uses will meet the requirements in sections 22-74 through 22-86~~
- ~~(7) Signs will comply with standards referred to in section 22-55~~
- ~~(8) All other applicable ordinance requirements will also be satisfied.~~

SECTION 22. Sections 22-37(b) and 22-37(c) are hereby amended so that the same shall read as follows:

Sec. 22-37. - Conservation open space zone (OS-2).

- (a) *Purpose.* This district is for areas containing important natural environmental features which pose severe limitations on their suitability for development. It is the intent of the zone to retain to open character of the zone wherever possible by limiting the uses primarily to conservation, low intensity recreation and other compatible uses. Due to the sensitive environmental character of areas in the district, many users are allowed as conditional uses.
- ~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in an OS-2 zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
- ~~(1) Game and wildlife management preserves.~~
 - ~~(2) Low intensity recreation.~~
 - ~~(3) Water reservoirs and control structures.~~
 - ~~(4) Fire control towers.~~
 - ~~(5) Home occupations which satisfy requirements in section 22-63~~
 - ~~(6) Temporary uses which fulfill provisions in section 22-65~~
 - ~~(7) Ancillary structures less than five hundred (500) square feet in size.~~
- ~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an OS-2 zone if the city and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~
- ~~(1) Environmental research and education facilities.~~
 - ~~(2) Game and wildlife management preserves.~~
 - ~~(3) Aquaculture facilities.~~
 - ~~(4) Agriculture.~~
 - ~~(5) Single family dwellings, excluding mobile homes.~~
 - ~~(6) Innovative residential developments.~~
 - ~~(7) Public utility structures, such as utility substations.~~
 - ~~(8) Ancillary structures over five hundred (500) square feet in size.~~
 - ~~(9) Major utilities.~~
- ~~(d) *Basic use standards.* Uses in an OS-2 zone, except innovative residential developments, must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.~~
- (1) Lot size.
 - a. The minimum lot area for single-family dwelling shall be five (5) acres.
 - b. The minimum lot width shall be one hundred (100) feet.
 - c. The minimum lot depth shall be two hundred (200) feet.
 - (2) Yards.
 - a. The minimum depth of the front yard will be forty (40) feet.

- b. The minimum depth of the side yard will be twenty (20) feet.
 - c. The minimum depth of the rear yard shall be thirty (30) feet.
- (3) Lot coverage. Buildings will not cover more than five (5) per cent of the lot.
 - (4) Height of buildings. No building shall exceed a height of twenty-eight (28) feet above grade, except fire control towers.

(ec) *Other applicable use standards.*

- (1) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter.
- (2) On any lot used for residential purposes, no more than one residential building will be allowed on a lot, except one building without kitchen facilities may be allowed as a guest house.
- (3) 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.
- (4) Conditional uses will meet the requirements in sections 22-74 through 22-86
- (5) Signs will comply with standards referred to in section 22-55
- (6) All other applicable ordinance requirements will also be satisfied.

SECTION 23. Sections 22-38(b) and 22-38(c) are hereby amended so that the same shall read as follows:

Sec. 22-38. - Aquatic conservation zone (A-1).

- (a) *Purpose.* This district is intended to help assure that aquatic areas having exceptional biological, aesthetic, educational or scientific value are appropriately protected for future generations. The regulations are designed to encourage management of these areas for low to moderate intensities of use, with emphasis on maintaining the flow of aquatic resources and recreational benefits. To the extent practical, damage to the ecosystems of the affected aquatic and shoreland areas and adverse impacts on the public's use of the water should be minimized.

~~(b) *Semi-restricted uses permitted.*~~

- ~~(1) Navigational aids are allowed in an A-1 zone if no major alterations to the area are necessary and if other ordinance requirements are satisfied.~~
- ~~(2) Docks for single family homes located on the Indian River Lagoon, Inlet or other water bodies are allowed if other ordinance requirements are satisfied. Docks for single family homes that are located on canals within Surfside or Jennings Cove are subject to conditional use approval pursuant to subsection (c)(3).~~

- ~~(e) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an A-1 zone if they meet the criteria in subsection (e) of this section and if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Water dependent recreation facilities.~~
- ~~(2) Aquaculture facilities.~~
- ~~(3) Dock/moorage facilities, other than permitted in subsection (b)(2)~~
- ~~(4) Marine research and/or education facilities.~~
- ~~(5) Major utilities.~~

~~(6) Land transportation facilities.~~

~~(db) Building heights.~~ No building will exceed a height of twenty-five (25) feet above the mean high tide line in tidal areas and the ordinary high water line in nontidal areas.

~~(ec) Special conditional use criteria.~~ No conditional use will be allowed in an A-1 zone unless it meets one or more of the following criteria:

- (1) The use is a water-dependent use, which means that it can only be carried out on, in or adjacent to water and the location or access is needed for:
 - a. Waterborne transportation (such as navigation; moorage, fueling and servicing of ships or boats; terminal and transfer facilities; fish or other resource and material receiving and shipping); or
 - b. Recreation (active recreation such as swimming, boating or fishing; passive recreation such as viewing or walking); or
 - c. A source of water (such as energy production, cooling of industrial equipment or wastewater or other industrial processes); or
 - d. Marine research or education (such as viewing, sampling, recording information, conducting experiments or teaching).
- (2) The use is a water-related use, which means that:
 - a. It provides goods and/or services that are directly associated with water-dependent uses (supplying materials to, or using products of or offering commercial or personal services to water-dependent uses); or
 - b. If it were not located near the water, it would experience a public loss of quality in the goods and services offered (evaluation of public loss of quality will include a subjective consideration of economic, social and environmental consequences of the use).
- (3) The use which is not the primary use of the structure, shares an existing structure with a water-dependent use or water-related use and the combination results in a multiple use facility.
- (4) The project provides significant public access or recreation uses through the provision of waterfront seating, walkways, piers, street furniture or similar facilities.
- (5) The use is an accessory use important to the operations of the principal use.
- (6) The use is a temporary use which meets the requirements of section 22-65

~~(fd) Other applicable use standards.~~

- (1) Accessory buildings shall comply with all building height requirements of this chapter.
- (2) 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.
- (3) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
- (4) Conditional uses will meet the requirements in sections 22-74 and 22-86
- (5) Signs will comply with standards referred to in section 22-55
- (6) All other applicable ordinance requirements will also be satisfied.

~~(ge) Unregulated activities.~~ The provisions of this district will not be interpreted to prohibit or regulate the following activities, unless the prohibition or regulation is specifically stated as a condition of approval of a conditional use:

- (1) Filling.

- (2) Dredging.
- (3) Dredged material disposal.
- (4) Bankline/stream alteration.
- (5) Construction and repair of shoreline stabilization structures, mosquito control structures and dikes.
- (6) Installing types of navigational structures not previously listed in this subsection.

SECTION 24. Sections 22-39(b) and 22-39(c) are hereby amended so that the same shall read as follows:

Sec. 22-39. - Aquatic development zone (A-2).

- (a) *Purpose.* This district is intended for aquatic areas which should be managed primarily for navigation and other water-oriented uses, consistent with the need to minimize damage to the ecosystem of the area. Water-dependent, water-related and other uses are allowed which are consistent with the character of nearby shoreland areas. Aquatic development areas may include areas suitable for navigation (including shipping and access channels and turning basins), areas adjacent to developed or developable shorelands which may need to be altered to provide navigational access or create new land for water-oriented uses and other appropriate areas.
- ~~(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are allowed in an A-2 zone as a semi-restricted use if: No dredging or filling is necessary; piers and/or similar facilities are not required in new locations; and the use will not violate standards referred to in subsections (d) and (f) of this section, additional zoning ordinance provisions and other city laws:~~
 - ~~(1) Any of the following uses when access to the facilities is provided from property in an I-2 zone by piers or similar means:
 - a. Shipping and/or port marine facilities.
 - b. Ship and boat building and repair facilities.~~
 - ~~(2) Any of the following uses when access to the facilities is provided from property in an I-2, C-3, C-4 or C-5 zone by piers or similar means:
 - a. Commercial fishing facilities.
 - b. Charter fishing facilities.
 - c. Petroleum receiving, dispensing and/or storage facilities for marine use.
 - d. Storage areas for marine equipment.
 - e. Cold storage and/or reprocessing facilities.
 - f. Fish cleaning establishments.
 - g. Marine regulatory agencies.
 - h. Marine research and education facilities.~~
 - ~~(3) Navigational aids.~~
- ~~(c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in an A-2 zone if they meet the criteria in subsection (e) of this section and if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (f) of this section, additional zoning ordinance provisions and other city laws:~~

- ~~(1) Uses listed in subsection (b) of this section which require new piers or similar facilities, dredging and/or filling.~~
- ~~(2) Marinas.~~
- ~~(3) Water dependent recreation.~~
- ~~(4) Aquaculture facilities.~~
- ~~(5) Major utilities.~~
- ~~(6) Land transportation facilities.~~
- ~~(7) Restaurants and bars.~~
- ~~(8) Seafood markets.~~
- ~~(9) Retail trade facilities used for the sale of products such as ice, bait, tackle, charts, gifts and groceries when the facilities are in conjunction with and incidental to other uses being allowed in the district.~~

~~(db)~~ *Building heights.* No building will exceed a height of forty-five (45) feet above the mean high tide line in tidal areas and the ordinary high water line in nontidal areas.

~~(ec)~~ *Special conditional use criteria.* No conditional use will be allowed in an A-2 zone unless it meets one or more of the following criteria:

- (1) The use is a water-dependent use, which means that it can only be carried out on, in or adjacent to water and the location or access is needed for:
 - a. Waterborne transportation (such as navigation; moorage, fueling and servicing of ships or boats; terminal and transfer facilities or fish or other resource and material receiving and shipping); or
 - b. Recreation (active recreation such as swimming, boating or fishing; passive recreation such as viewing or walking); or
 - c. A source of water (such as energy production, cooling of industrial equipment or wastewater or other industrial processes); or
 - d. Marine research or education (such as viewing, sampling, recording information, conducting experiments or teaching).
- (2) The use is a water-related use, which means that:
 - a. It provides goods and/or services that are directly associated with water-dependent uses (supplying materials to, or using products of or offering commercial or personal services to water-dependent uses); or
 - b. If it were not located near the water, it would experience a public loss of quality in the goods and services offered (evaluation of public loss of quality will include a subjective consideration of economic, social and environmental consequences of the use).
- (3) The use which is not the primary use of the structure, shares an existing structure with a water-dependent use or water-related use and the combination results in a multiple use facility.
- (4) The project provides significant public access or recreation uses through the provision of waterfront seating, walkways, piers, street furniture or similar facilities.
- (5) The use is an accessory use important to the operations of the principal use.
- (6) The use is a temporary use which meets the requirements of section 22-65

~~(fd)~~ *Other applicable use standards.*

- (1) Uses identified as a permitted use within the Use Table are only permitted if no dredging or filling is necessary and piers or similar facilities are not required in new locations. If dredging and/or filling or new piers or similar facilities are required, said uses shall be allowed as a Conditional Use.
 - (2) Uses identified as a permitted use within the Use Table are only permitted when access to the facilities are provided from a property in an I-2, C-3, C-4 or C-5 zone by piers or similar means.
 - (13) Commercial or industrial uses situated on floating structures shall be located so they will be protected from currents and wave action and so they will not rest on the bottom at low water.
 - (24) Accessory buildings shall comply with all building height requirements of this chapter.
 - (35) 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.
 - (46) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61
 - (57) Conditional uses will meet the requirements in sections 22-74 through 22-86
 - (68) Signs will comply with standards referred to in section 22-55
 - (79) All other applicable ordinance requirements will also be satisfied.
- (ge) *Unregulated activities.* The provisions of this district will not be interpreted to prohibit or regulate the following activities, unless the prohibition or regulation is specifically stated as a condition of approval of a conditional use:
- (1) Filling.
 - (2) Dredging.
 - (3) Dredged material disposal.
 - (4) Bankline/stream alteration.
 - (5) Construction and repair of shoreline stabilization structures, mosquito control structures and dikes.
 - (6) Installing types of navigational structures not previously listed in this subsection.

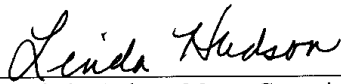
SECTION 25. All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

SECTION 26. This Ordinance is and the same shall become effective immediately upon final passage.

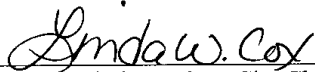
STATE OF FLORIDA)
ST. LUCIE COUNTY)^{SS}

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. L- 295 was duly advertised by title only in the St. Lucie News Tribune on July 7, 2013, and on October 24, 2013; 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 July 15, 2013; and was duly introduced, read by title only, and passed on second and final reading on November 4, 2013, 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 4th day of November, 2013.



Linda Hudson, Mayor Commissioner



Linda W. Cox, City Clerk

(CITY SEAL)



PUBLIC WORKS
ENGINEERING DIVISION
DEVELOPMENT REVIEW
COMMITTEE

May 14, 2018

Project: AMUSEMENT ARCADE TEXT AMENDMENT
Subject: SURVEY REVIEW
To: Brandon Creagan
From: Rod Reed, PLS
SLC-Engineering Division

All comments are based on the Standards of Practice per 5J-17.050 thru 5J-17.052

BACKGROUND:

Text Amendment proposing a correction to City Code 22-22 adding amusement arcade as a conditional use under the C-3, General Commercial zoning district. Ordinance L-217 was created to set the rules and regulations for both amusement arcades and arcade amusement centers. In the adoptive ordinance an amusement arcade was a conditional use in the C-3, General Commercial zoning district.

SURVEY:

No comments

Please provide a written response to all comments

Rod Reed, County Surveyor

*St. Lucie County, Fl.
2300 Virginia Avenue
Ft. Pierce, Fl. 34982-5652
www.stlucieco.org
Ph. (772) 462-1721
E-mail reedr@stlucieco.org*

City of Fort Pierce Code Enforcement Department

I recommend that we include a definition for the word/phrase
"that portion" of the interior premises as we have already
received a legal challenge on it.

Reviewer: Peggy Arraiz

City Commission Regular Meeting

12.e.

Meeting Date: 07/02/2018

Re: Conditional Use - Cox Dwelling Rental - 502 S. Compass Drive

Submitted For: Rebecca Grohall, Director, Planning & Zoning

SUBJECT:

Quasi-Judicial Hearing - Application for Conditional Use with No New Construction submitted by property owners, Wilbur & Karen Cox and Applicant Coldwell Banker Paradise, to establish a Dwelling Rental, offering lodging for less than six (6) months; with a minimum of one (1) month at 502 S. Compass Drive, Fort Pierce, FL. The property is zoned Hutchinson Island Medium Density Residential Zone (R-4A), Parcel ID: 2507-714-0018-000-3.

SUMMARY:

- The applicant is requesting the review and approval of a Conditional Use to operate a Dwelling Rental at 502 S. Compass Drive, to offer lodging of less than six (6) months and a minimum of one (1) month to guests.
- The subject property consists of a condominium. The condo structure contains two (2) bedrooms, two (2) bathrooms and traditional support rooms. Golf Lodges North Condominiums have one (1) designated parking garage per home along with designated guest parking.
- The property is located within the Ocean Village Community. Ocean Village is a gated planned-community that is nestled on approximately 120 acres with approximately 3,500 feet of beach frontage. Ocean Village offers many amenities.
- The property is zoned Hutchinson Island Medium Density Residential Zone (R4-A).
- The authorization of a Conditional Use to establish a dwelling rental for periods of less than six (6) months, but greater than one (1) month would provide an opportunity for consistency with zoning district and land use designation as the use becomes non-transient, minimizing the commercial nature of the use and potential impacts to the surrounding residential neighborhood.

RECOMMENDATION:

The proposed use presents the provision of limited transient lodging accommodations to the general public, representing a limited commercial use that is compatible with the surrounding neighborhood of this location, and is generally consistent with the City's Land Development Code and Comprehensive Plan with appropriate restriction therefore; Staff recommends the City Commission **approve** the request with the following conditions:

- 1) The maximum occupancy ensures compliance with City Code Section 8.5-43. - Required space in dwelling units, based upon the size of each unit;
- 2) Registration of the property manager accessible at all times, to resolve complaints or violations of City Code;
- 3) Issuance of guide booklets (available from Code Enforcement) for renters regarding local

rules and public service resources to minimize conflicts; and

4) The applicant files for and obtains St. Lucie County & City of Fort Pierce Business Tax Licenses within thirty (30) days of Conditional Use approval.

5) Limit no more than 2 vehicles

ALTERNATIVES:

Approval with alternative conditions.

Denial

RESPONSIBLE STAFF:

Vennis Gilmore, Planning Analyst

COORDINATED WITH:

Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Potential increase in Ad-Valorem, Sales Tax, and Tourism Tax Revenue.

Attachments

Staff Report

Application

Location Map

Zoning Map

Floor Plan

Rules & Regulations

TRC Comments

Public Notification Certification

Form Review

Inbox

City Manager

Form Started By: Vennis Gilmore

Final Approval Date: 06/28/2018

Reviewed By

Nick Mimms

Date

06/28/2018 11:18 AM

Started On: 06/20/2018 04:52 PM



TO: Nicholas Mimms, PE, City Manager

THROUGH: Rebecca Grohall, AICP, Planning Director

FROM: Vennis Gilmore, Planning Analyst

RE: **Application for Conditional Use
 Cox Dwelling Rental
 502 S. Compass Drive**

DATE: June 20, 2018

STAFF REPORT

Property Owner: Wilbur & Karen Cox
 502 S. Compass Drive
 Fort Pierce, FL. 34949

Applicant: Coldwell Banker Paradise – Property Management
 100 Mainsail Drive
 Fort Pierce, FL. 34949

Applicant’s Request: Approval of a Conditional Use to operate a Dwelling Rental, offering lodging for less than six months. The identified minimum rental period is identified as one (1) month.

Location(s): 502 S. Compass Drive

Parcel ID: 2507-714-0018-000-3

Current Zoning: Hutchinson Island Medium Density Residential Zone (R4-A)

Future Land Use: Hutchinson Island Residential (HIR)

Surrounding Zoning:

North	East	South	West
R-4A	Atlantic Ocean	R4-A	R-1, HIRD (SLC)

Utilities: FPUA

Staff Analysis:

Request

In accordance with Sections 22-22, and 22-76 of the City Code, the applicant is requesting the review and approval of a Conditional Use to operate a Dwelling Rental at 502 S. Compass Drive, to offer lodging of less than six (6) months and a minimum of one (1) month to guests. The subject property consists of a condominium. The condo structure contains two (2) bedrooms, two (2) bathrooms and traditional support rooms. Golf Lodges North Condominiums have one (1) designated parking garage per home along with designated guest parking. The property is located within the Ocean Village Community. Ocean Village is a gated planned-community that is nestled on approximately 120 acres with approximately 3,500 feet of beach frontage. Ocean Village offers many amenities. The property is zoned Hutchinson Island Medium Density Residential Zone (R4-A).

The property is located just south of Chipper Boulevard; off of S. Compass Drive. The site is surrounded by condominiums to the north, a retention pond to the south, condominiums to the east, and S. Ocean Drive to the west.

Dwelling Rentals

Pursuant to City Code Section 22-3. - Definitions—Generally, the rental of any dwelling unit for less than six (6) months, is classified as a “Dwelling rental (dwelling unit)”, and defined as follows: One or more rooms connected together in a building, constituting a separate, independent housekeeping establishment, other than a motel/hotel, for purposes of rental on a daily, weekly or longer basis.

The State of Florida provides further classification of a dwelling is rented for periods of less than one (1) month, declaring the use a “Vacation rental”, and defined such use as any unit that is also a transient public lodging establishment but that is not a timeshare project, which is rented to guests more than three times in a calendar year for periods of less than 31 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests. A dwelling rental, as locally defined, is also a Vacation Rental if the duration of stays are less than one (1) month. The rental of a dwelling for periods at a minimum of one (1) month, but less than six (6) months is a dwelling rental, but not a Vacation Rental.

Table 1, below, presents general characteristics to clarify Dwelling Rentals, and the transitioning threshold for Vacation Rentals.

Table 1 - Dwelling & Vacation Rental Definitions

	Dwelling Rental	Vacation Rental
Length of Stay	Less than 6 months	30 days or less
Lodging Type(s)	Non-Transient (more than 30 days)	Transient Lodging
State License Requirement	If rented 30 days or less (Vacation Rental)	Division of Hotels & Restaurants – Vacation Rental License
Public lodging establishment (ADA & Misc. Regulations)	If rented 30 days or less (Vacation Rental)	Public lodging establishment

Zoning & Land Use

The subject site is located within the Hutchinson Island Medium Density Residential Zone (R4-A) district which is designed to establish height and density regulations for lands located within the city which are situated east of the Indian River. The R-4A zone is compatible with the Medium Density Residential Hutchinson Island designation in the comprehensive plan. Permitted gross residential densities in this district may not generally exceed eight (8) units per acre. Bonus density of up to one additional unit per acre is available as provided for in this section. This district is established because Hutchinson Island is a sensitive barrier island which presents development considerations which are either unique to the area or are of added concern, such as environmental fragility, beach erosion, and hurricane evacuation.

The Hutchinson Island Residential (HIR) designation is intended for parcels that are best suited for residential development on Hutchinson Island. This future land use category allows single-family detached and attached units, duplexes and multifamily residences at densities ranging up to 8 dwelling units per acre. Limited public uses and commercial uses that are compatible with the surrounding development shall also be allowed.

Parking

Pursuant to City Code Section 22-60 (d), b. Motels, hotels and resort hotels shall provide 1.6 spaces for each unit 500 square feet or larger. The subject site features a one (1) parking space per unit plus additional guest parking.

Conditional Use

The purpose of the conditional use process is to allow, when desirable, uses that would not be appropriate generally or without restriction throughout the particular zoning district, 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. The use as presented features commercial aspects that are not generally appropriate for single-family, low-density environments.

The authorization of a Conditional Use to establish a dwelling rental for periods of less than six (6) months, but greater than one (1) month would provide an opportunity for consistency with zoning district and land use designation as the use becomes non-transient, minimizing the commercial nature of the use and potential impacts to the surrounding residential neighborhood. The further limitation of other leading effects of the use may provide greater assimilation of the short-term rental within a single-family district.

Technical Review Committee

All affected departments have reviewed the proposed Conditional Use with regards requirements of the City Code. Findings from the review by corresponding departments and the associated responses by the applicant are provided for viewing by the City Commission

Property Owner Response Summary:

A total of 298 notifications of the proposal were mailed to the owners of property located within 500 feet of the subject property. An update will be provided to the City Commission at the public hearing.

Planning Board Recommendation:

The Planning Board, at their June 12th, 2018 meeting, voted unanimously to recommend **approval** of the request.

Staff Recommendation:

The proposed use presents the provision of limited transient lodging accommodations to the general public, representing a limited commercial use that is compatible with the surrounding neighborhood of this location, and is generally consistent with the City's Land Development Code and Comprehensive Plan with appropriate restriction therefore; Staff recommends the City Commission **approve** the request with the following conditions:

- 1) The maximum occupancy ensures compliance with City Code Section 8.5-43. - Required space in dwelling units, based upon the size of each unit;
- 2) Registration of the property manager accessible at all times, to resolve complaints or violations of City Code;
- 3) Issuance of guide booklets (available from Code Enforcement) for renters regarding local rules and public service resources to minimize conflicts; and
- 4) The applicant files for and obtains St. Lucie County & City of Fort Pierce Business Tax Licenses within thirty (30) days of Conditional Use approval.
- 5) Limit no more than 2 vehicles



Conditional Use – No New Construction

Property address or Location 502 S. Compass Drive
 Parcel ID #(s) 2577-714-0018-000-3
 Project description Request for approval to do short term rentals

Karen Cox/Wilbur Cox
 Property Owner(s)
502 S. Compass Dr
 Street Address
Ft. Pierce FL 34949
 City State Zip
270-403-5774
 Phone Number
K57newton@yahoo.com
 Email Address

Coldwell Banker Paradise - Property Management
 Applicant/Representative, Title, Company
100 Mainsail Dr
 Street Address
Ft. Pierce, FL 34949
 City State Zip
772-489-10100
 Phone Number
Oceanvillage@cbparadise.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.

Karen Cox Wilbur Cox
 Property Owner(s) Signature(s)

STATE OF FLORIDA -- COUNTY St. Lucie
 The foregoing instrument was acknowledged before me this 15 day of March, 2018, by
Karen Cox who is personally known to me or has produced
Drivers license as identification.

[Signature]
 Signature of Notary



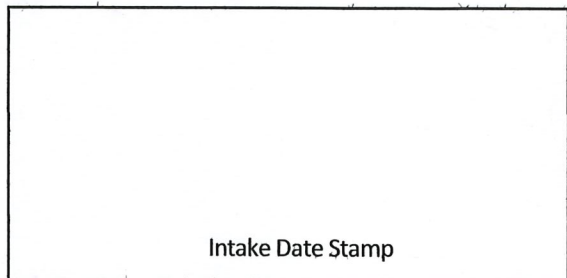
INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772) 467-3729

TO BE COMPLETED BY STAFF

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

Pre-Application Meeting Date _____
 Intake Planner _____
 Planner Assigned _____
 Approved By _____ Date _____
 Comments _____

Fees _____ Control # _____ B. Permit # _____





CONDITIONAL USE: NO NEW CONSTRUCTION

Submit one original, seven (7) hard copies and one (1) CD of the following for initial submittal, subsequent submittals will be required:

- If no site improvements are required:
 - As-built survey
 - Floor plan of existing building(s)
- If parking and drainage improvements are required:
 - As-built survey;
 - Site plan, to scale, including existing improvements and proposed parking, driveways, landscaping & storm drainage;
 - Lighting plan
- Complete, notarized application

Application Type:

- Conditional Use: No new construction with no site improvements
- Conditional Use: No new construction with parking and drainage improvements

Site Information:

Building Size _____ Parking Spaces: 2 Car Garage

Surrounding Uses: (i.e. single family home, retail, industrial, etc.)

North	South	East	West

The application for conditional use with the application for site plan review, when not exempt in accordance with the requirements of section 22-75, shall be reviewed as a unit in accordance with the requirements of section 22-58 except that:

- (1) The city commission shall hold a public hearing in accordance with the provisions of section 22-143 prior to acting on the application for conditional use.
- (2) In the event the city planning board disapproved the application for conditional use or in case of a protest against said application signed by twenty (20) per cent of the owners within five hundred (500) feet of the area included in said application, such application shall not be approved except by a four-fifths vote by the city commission.
- (3) In permitting a conditional use or the modification of an existing conditional use, the city commission may impose, in addition to those standards and requirements expressly specified in this chapter, any condition which it finds to be necessary to protect the best interest of the surrounding property of the city.

Application Outlook



Re: Cox Residence – Conditional Use – 502 S. Compass Drive

In reference to the Code Enforcement comments:

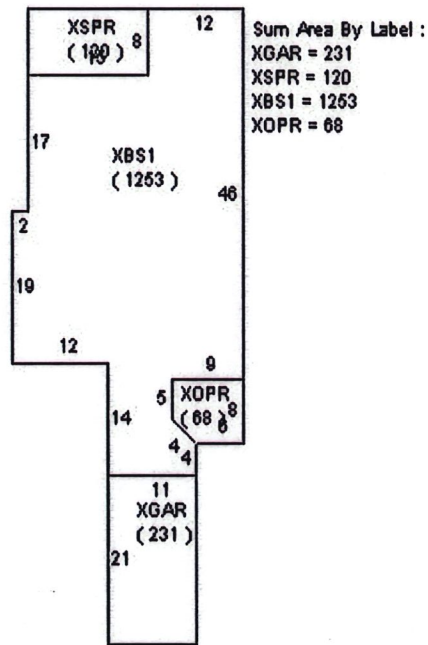
1. This property is currently managed by Coldwell Banker Paradise (CBP). There is an onsite office at Ocean Village and the property manager is available 24/7 for any complaints or issues. The CBP office is open Monday - Friday from 9:00am – 5:00pm, Saturday 9:00am – 4:00pm, Sunday 11:00am – 4:00pm and any after hour calls are directed to the property manager's cell phone. The security gate also has the property manager's cell phone for emergencies.
2. We comply with all local ordinances and respond to any noise complaints immediately.
3. Garbage and recycling receptacles are located at this home in the garage and picked up weekly on Tuesday and Friday.
4. Pets are not allowed for any property rented through CBP at Ocean Village unless it is a service dog and the appropriate paperwork is provided.
5. Two (2) people per bedroom are permitted to stay at one time.
6. This home has a garage for parking and a driveway for additional guests.
7. CBP has a designated bookkeeper who collects and pays the appropriate sales tax monthly on behalf of the property owner.
8. CBP works with several vendors who are licensed and insured to handle maintenance issues in a timely fashion.

Please let me know if you need additional information.

Best regards,



Lisa Cataline



Ocean Village



Imagery © 2016 Google, Map data © 2016 Google

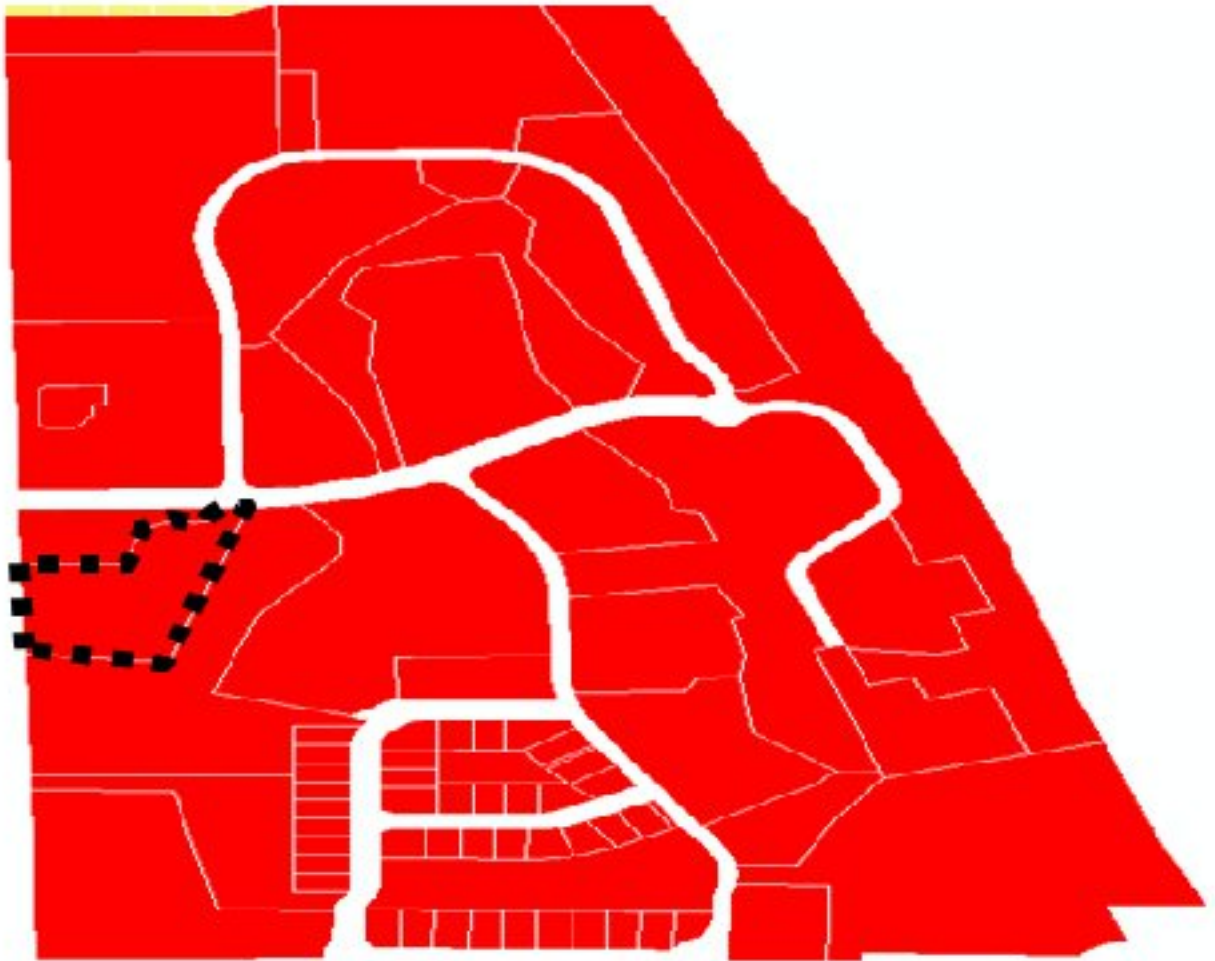
Northern Legend

- | | | |
|------------------|--------------------------|-------------------------|
| A. Capstan | D. Beachtree I | G. Catamaran I |
| B. Golf Villas | E. Beachtree II | H. Cayman Center & Pool |
| C. Coral Cluster | F. Bermuda Center & Pool | I. Seascape I |

Southern Legend

- | | | | |
|--------------------|------------------------|----------------------|----------------|
| J. Office | K. Tennis Courts | L. Tennis Pro Shop | M. Golf Shack |
| N. Restaurant | O. Club House | P. Tiki Bar | Q. Seascape II |
| R. Ocean House | S. Aruba Center & Pool | T. Ocean Villas I | |
| U. Ocean Villas II | V. Ocean Villas III | W. Southpoint Homes | |
| X. Catamaran II | Y. Golf Lodges South | Z. Golf Lodges North | |

S. Ocean Drive



Blue Heron Blvd.



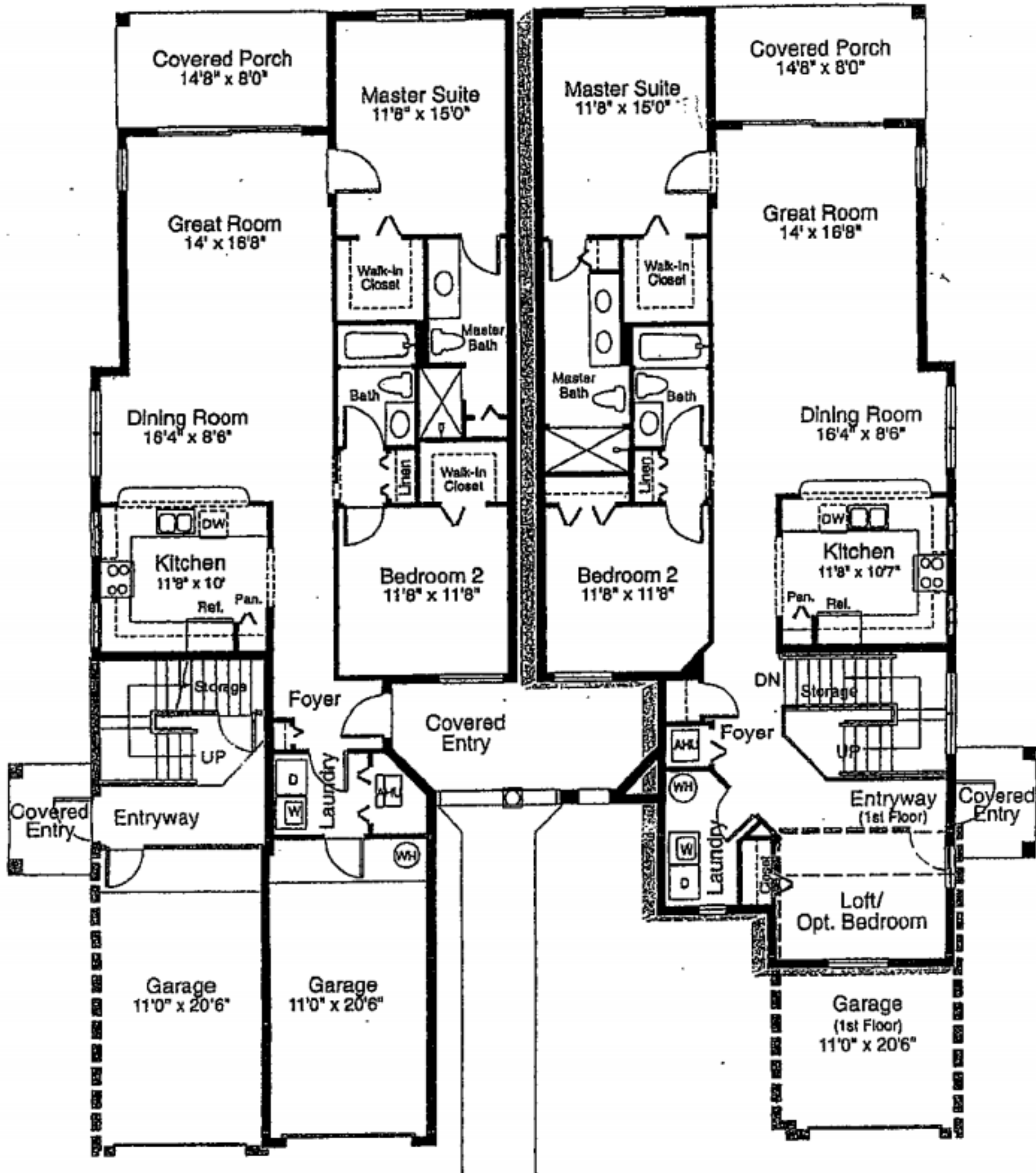
Cox Dwelling Rental
Conditional Use w/ No New Construction
502 S. Compass Drive



THE SUNRISE CITY
FORT PIERCE
Florida

R4-A =  **R-2 =** 

Zoning Map



Ground Floor
Residences A&B

2nd Floor
Residences C&D



ocean village
property owners association, inc.

2400 S. Ocean Drive, Hutchinson Island, Florida 34949-8098

Administrative Offices
(772) 489-0300

Facsimile
(772) 468-1037

Rentals & Resales Office
(772) 489-6100



RULES & REGULATIONS



MISSION STATEMENT

OF THE OCEAN VILLAGE PROPERTY OWNERS' ASSOCIATION

The Ocean Village Property Owners' association (OVPOA) is a Florida not-for-profit corporation chartered to operate, maintain and improve the common areas in our community. Effective operation of these common areas is integral to preserving the quality of life that the 1228 owners of the OVPOA have reason to expect.

HOW DO WE FULFILL THE MISSION?

- By operating a legal and ethical homeowners' association according to the provisions of FL statute 720, applicable national, state and local ordinances, and the OVPOA governing documents.
- By raising sufficient funds to operate, maintain and improve common amenities – pool, tennis courts, golf course and restaurant – so as to meet the diverse needs of our ownership.
- By strategically improving common amenities and infrastructure (roads and buildings) to ensure continuing market competitiveness.

***RULES AND REGULATIONS
OF
OCEAN VILLAGE***

The following is a compilation of the overall Rules & Regulations established by the Board of Directors of the Ocean Property Owners Association, Inc. in accordance with the authority granted it in the P.O.A. Bylaws.

All owners, renters and guests are obligated to adhere to these Rules & Regulations so as to ensure the proper usage of the facilities and perpetuate the high quality of our community.

ENTRANCE AND REGISTRATION

Upon entrance to Ocean Village all renters and guests must register at the Security Gatehouse. Owners may be issued Automobile Identification Decals and Entrance Bar Codes at the Administration Office. Identification Decals and Bar Codes will be issued at no charge for owners' cars (maximum 2 vehicles). A fee will be charged for additional decals and bar codes. Seasonal (minimum of 2 months) and long term renters may obtain a bar code with proof of lease and cluster permission for a fee. **ALL BARCODES MUST BE AFFIXED TO VEHICLES BY ADMINISTRATIVE STAFF – BARCODES WILL NOT BE GIVEN TO RESIDENTS TO USE FOR MULTIPLE VEHICLES.** Private golf carts or golf cars are NOT permitted on Ocean Village property at any time.

Residents should notify Security of expected guests, deliveries, or service companies to facilitate entrance to the Village. A gatehouse input form should be completed and submitted to the Administration Office alerting Security of regular permanent visitors or vendors. On this form, you will need to submit a "Primary Contact Number" and a four digit numerical "Pin" number – NOTE: This is a new procedure for 2015 – please complete this form as soon as possible. The form is available on www.oceanvillage.com on the POA page or may be obtained at the Administration Office.

PARKING

Overnight parking IS NOT PERMITTED ON POA property. Pickup trucks and motorcycles are permitted to park overnight on cluster property **with cluster permission only.**

NO OTHER INTERPRETATION OF THESE RULES WILL BE ACCEPTED!

GENERAL PROVISIONS

ALL PERSONS USING THE RECREATIONAL FACILITIES AT OCEAN VILLAGE DO SO AT THEIR OWN RISK!

- a) All owners, renters and guests must display a valid ID wristband while using the recreational facilities. SEE ATTACHED WRISTBAND POLICY. Wristbands must be worn at all times when using the recreational facilities and Tiki Bar. The recreation and security staffs will restrict facility privileges unless ID wristbands are displayed and worn in plain sight.
- b) The number of guests from any one unit using the recreational facilities in a given day is limited to four. If a larger number of guests are expected, contact the Recreation Office for temporary wristbands. (772-429-7415).
- c) All persons under 13 years of age must be accompanied by a responsible adult while using any of the recreational facilities. (NOTE: See sauna, Fitness Center and spa rules for age restrictions).
- d) Persons must wear cover ups in the Beach Club while wearing wet clothing, especially going to and from the restroom and sauna. Outside restrooms are available adjacent to the Beach Club pool.
- e) If any injury occurs while using a recreational facility, a staff member of the Recreation Department should be notified immediately (772-429-7415) between the hours of 8 a.m. and 6 p.m.; at all other times, notify the Security Department at 772-467-2901.
- f) No nuisances or disturbances will be permitted which interfere with the peaceful pursuit of leisure activities at Ocean Village.
- g) Trash cans in the recreation areas, including golf course, must **not** be used for the disposal of raw garbage, dead fish, unwrapped food, diapers, or animal waste.
- h) Owners and renters are responsible for damage to, or the defacing of, any property at Ocean Village which they or their guests have caused.
- i) Recreational equipment, including bocce balls, tennis racquets, golf clubs, shuffleboard equipment, beach volleyball, etc., may be rented at the Recreation Office. Persons under 13 must have adult supervision. All equipment must be returned in satisfactory condition to the office at the conclusion of play.
- j) When wearing bathing suits, cover-ups are to be worn (both genders) at all times when not in the areas of the pool or the beach.

2015 APPROVED RULES AND REGULATIONS

- k) When using the beach, State Law requires the use of beach access walkways. This is for the protection of the dune line.
- l) All recreation facilities, including but not limited to bocce courts, shuffleboard courts, pickleball tennis courts and basketball courts, must have playing time arranged through the Recreation Department so as to not interfere with regularly scheduled league play.
- m) The facilities owned by Ocean Village Property Owners Association, Inc. shall not be utilized by any owner, tenant, occupant and/or guest for commercial purposes. No individual or business entity is permitted to utilize any of the Ocean Village Property Owners Association, Inc. facilities without the express consent of Ocean Village Property Owners Association, Inc., whose decision to approve or disapprove the use of its facilities is final, and to be made in the sole discretion of Ocean Village Property Owners Association, Inc.

PET OWNERSHIP

No animals or pets of any kind shall be kept in any unit or on Ocean Village property without the specific written approval (PET PERMISSION AGREEMENT) of the cluster condominium Board of Directors.

- a) Pets are required to be restrained by leash while outdoors and are not allowed in **any recreational areas**.
- b) Pet waste is the responsibility of the pet owner and must immediately be picked up, wrapped and disposed of in cluster dumpsters.
- c) Renters and guests are not allowed to bring dogs, cats or other pets to Ocean Village **without written cluster permission**.
- d) Pets must be registered with the City of Fort Pierce and exhibit valid license if they are here for a period of 30 days or longer.

SWIMMING POOLS

- a) Everyone entering the pool areas (including Tiki Bar, Bocce, basketball and shuffleboard courts) must have an Ocean Village ID wristband, clearly visible, IN PLAIN SIGHT on their person.
- b) Swimming pool hours are from 7:00 a.m. to 9:00 PM. at all lighted pools. Other pools close at dusk.
- c) Persons using the pool must observe the rules posted in the pool area. The safety line must be in place at all times pursuant to FS 64E-9.006(1)(c)2.b.,F.A.C. Under no circumstances shall this line be moved.
- d) Audio devices must be used with earphones in the pool areas, except for organized activities.
- e) Persons under three (3) years of age are prohibited from being in the pools. They may use the toddler pool only.
- f) **NO** use of infant or adult diapers in pools.
- g) Floats, rafts, surfboards, balls, Frisbees, or any other toy or floatation device are not allowed in the pools.

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- h) The deposit of towels or other possessions may **not** be used to reserve pool furniture. The Recreation Staff shall remove any such items if they have been on the furniture for over ½ hour.
- i) Pool furniture must be covered with a towel for protection from persons using suntan lotions, oils, etc.
- j) Pool furniture is for use at poolside only and may not be moved to the beach or other areas.
- k) Food may not be brought onto or consumed on any pool deck. No glass of any type (bottles, containers, cups, glasses etc.) is allowed within the fenced pool area. Only food and beverages purchased at the Tiki Bar may be consumed on the Tiki deck.
- l) Bicycles, skateboards, scooters, skates, etc., are not permitted in **any recreational areas**.
- m) No drinking, smoking, or eating will be permitted in any pool.
- n) Tar and sand must be removed before entering the pools or using any of the recreational facilities. State law requires that all persons shower before entering the pool.
- o) No diving is allowed in any pool.
- p) No pets allowed in pool areas.
- q) No disturbances will be permitted which interfere with the peaceful pursuit of this facility.
- r) Proper swimming wear is required...No cut offs.
- s) Persons under 13 must have adult supervision.
- t) Persons with infections are not allowed in pools.
- u) Should an injury occur, please contact a member of the Recreation Staff at 772-429-7415.

SPA

- a) Persons under 13 years of age are not allowed in the spa.
- b) Anyone using the spa must shower before entering.
- c) No eating, drinking, or smoking is permitted in the spa.

SAUNA

2015 APPROVED RULES AND REGULATIONS

- a) Persons under 16 years of age are not allowed unless accompanied by a responsible adult.
- b) Smoking is prohibited.
- c) Appropriate attire is recommended.

FITNESS CENTER

- 1. Please sign in prior to using equipment and sign out when leaving.
- 2. A valid Ocean Village ID wristband must be worn at all times and be visible in PLAIN SIGHT while using the facility.
- 3. Maximum time on any equipment is 30 minutes if others are waiting. Do not rest or loiter on the equipment.
- 4. Wipe off each piece of equipment after your use, using sanitary towels and sanitizing spray provided. Do not wear cologne or perfume while using equipment.
- 5. Immediately after use, re-rack all weights and return all equipment to its proper place.
- 6. Glass containers of any type, all food and all liquids, other than water in capped, plastic bottles are at all times banned from the foyer and Fitness Center.
- 7. No smoking or other use of tobacco is permitted in the foyer or in the Fitness Center.
- 8. No one under 16 years of age permitted in Fitness Center or foyer, whether or not exercising. No pets are allowed except dogs which are specifically trained and certified to assist a physically challenged person and are actually being used for that purpose.
- 9. Owners are responsible for the actions of and any damages caused by their family members and guests, including tenants.
- 10. No loud noise, disorderly conduct, or profanity is permitted. Due to echo problems in the Fitness Center, all TVs must remain on mute and all personal radios or other audio equipment must only be used with earphones.
- 11. Turn off cell phones prior to entering the Fitness Center. Do not make or accept cell phone calls while in the Fitness Center.
- 12. Appropriate exercise attire must be worn at all times. Bare chests and/or bathing suits are not permitted. Clothing shall not bear inappropriate language or images. Athletic shoes are required in the Fitness Center and while using all equipment. No bare feet, street shoes, flip flops, shower shoes, aqua or beach shoes, sandals, or open shoes allowed.

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13. Do not move any equipment. Do not drop weights. Do not take any equipment from the Fitness Center. Leave TV remotes in the storage spaces provided on the cardio equipment.
14. Gym bags, jackets, and personal items must be kept in lockers in the foyer and removed when you leave. Any items left in lockers will be removed at end of day. Do not place personal items on the floor or on the equipment.
15. Exercise and use equipment at your own risk. It is recommended that you have a physical exam and/or consult with a physician and a personal trainer before exercising. Learn proper operation of the equipment prior to use. Ocean Village assumes no responsibility for injury to persons or property or for lost, stolen or damaged property. By your use of this Fitness Center and/or equipment, you agree to indemnify and hold harmless Ocean Village, the POA, its officers, directors, and employees, from any and all claims of injury or damage of any nature, whether to person or property, arising out of or in any way related thereto.
16. Report all equipment malfunctions, personal injuries, and specific concerns immediately to the Recreation Office.
17. NOTE: The use of the Fitness Center is a privilege, not a right. The Fitness Center is monitored by closed circuit TV and Recreation and Security staff members will make periodic inspections. Everyone must comply with these Rules and with any directives from Staff or Management. Failure to do so may result in actions as specified in the Covenants and Rules Enforcement policy.

HOURS ARE POSTED

CLUBHOUSES

(Smoking is prohibited in all OV buildings) – NOTE! Wi-Fi is currently available at the Aruba Center, the Cayman Center and the Ocean Village Library however when a meeting or scheduled event is underway, please be courteous and use another facility. Your neighbors thank you!

The recreation areas (Ocean Village Beach Club, the Ocean Village Clubhouse, the Aruba Center, Cayman Center and the Bermuda Recreation Center) hours of operation are from 7:00 AM to 10:00 PM, unless there are preplanned activities which must be approved and scheduled in advance.

BEACH CLUB facilities include: swimming pool, toddler pool, spa, sauna, Fitness Room (hours for Fitness Room are 5:00 a.m. until 10:00 p.m.), Card Room, Library, Bocce courts, shuffleboard courts, basketball courts, beach volleyball, pickleball courts, horseshoe and corn hole.

ARUBA CENTER facilities include: swimming pool, kitchen, and two meeting rooms.

BERMUDA RECREATION CENTER facilities include: swimming pool, two (2) pickle ball tennis courts, and the screened Bermuda Center, which may be reserved for small gatherings.

CAYMAN CENTER facilities include: swimming pool, Arts & Craft room, kitchen, and shuffleboard

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courts. The Arts & Craft room will be open only during regular programming or by special request. Limited parking facilities are available at the Cayman Center.

OCEAN VILLAGE CLUBHOUSE facilities include: meeting/game room and a kitchen.

A \$300 refundable deposit in addition to completion of the Facilities Reservation Agreement will be required for any owner group wishing to reserve the Aruba Center, Cayman Center or OV Clubhouse for a limited private party or other activity. There is a charge for set-up and clean-up. Reservations should be made well in advance through the Recreation Office.

GOLF COURSE REGULATIONS – YEAR ROUND RULES

Possession and display of valid Ocean Village wristband is required. The bona fide occupants (owners and renters) of the unit to which the wristbands are issued may only use the two (2) owner or renter wristbands issued by the Property Owners Association (POA) to each unit. Anyone - excluding children under 10 years of age - must have an approved wristband.

- a) Each player must have his/her own set of clubs (at least a putter and three (3) others) in a carrier. Rental sets are available from either the Golf Shack or Recreation.
- b) No more than four (4) persons may play in any one group.
- c) Practicing is not allowed on the course. A practice putting and pitching green, in addition to a golf practice net are provided for this purpose.
- d) Paths, where provided, must be used.
- e) All roped-off areas and directional signs must be observed.
- f) Observe all “grounds under repair” signs.
- g) Use caution when crossing the roads in Ocean Village.
- h) Place all refuse in proper receptacles.
- i) Use of tees is required on grass tee boxes (wooden tees are preferred).
- j) Powered golf carts may not be used on the course.
- k) Broken windows should be reported to the Golf Shack so owners can be notified. The POA assumes no liability for any damages to persons or property which may be caused by errant golf balls and, in accordance with Florida law, will take no steps to repair any such damages, on either a permanent or a temporary basis.
- l) Golf course hours are from 7:30 AM until dark.
- m) Proper golf attire is mandatory, including shirts and shoes. (NO BATHING SUITS OR TANK TOPS).

2015 APPROVED RULES AND REGULATIONS

- n) Fishing for, or retrieval of, balls from golf course ponds is prohibited, except for the right of a player to recover his own ball during play, without unduly delaying play on the golf course.
- o) Any golfer may retrieve an errant golf ball from any planted area as long as destruction of landscaping or property does not occur.
- p) The starters and rangers have the authority to enforce Golf Course Rules and Regulations.
- q) All players must observe the Annual Golf Program Regulations, which are established by Management.

GOLF COURSE – SEASONAL RULES

- a) The season is normally from December 15th to April 15th. Exact dates will be posted prior to the opening of each season.
- b) During the season, play is by reservation. Reservations may be made anytime online at www.oceanvillage.com or after 7:30 a.m. by telephone 772-467-0102. NOTE: Only **same day** reservations may be made by telephone or in person at the Golf and Tennis Shop. Information on the procedures for making reservations, limitations on such reservations and the amount of registration or other fees will be publicized and posted prior to each season.
- c) Foursomes are encouraged. Threesomes or less may be matched with other golfers.
- d) After six (6) strokes per hole, the ball must be picked up and the player must proceed to the next hole. This is required to speed up play.
- e) All players must start at the first tee.

OCEAN VILLAGE TENNIS RULES

Seasonal Tennis Rules & Reservation Policy – December 15 through April 30

Prime Time – for hard courts 8:00 AM to 12:30 PM daily. Prime Time – for soft courts is 7:30 AM to 5:30 PM. Soft courts must be swept by players after each reservation period. Courts will be closed from 12:30 PM to 1:30 PM for maintenance.

Non Prime Time – applies to ONLY hard courts from 12:30 PM – 10:00 PM daily.

Court Times – are 1.5 hours per period.

Tennis Wristbands – Ocean Village owners and renters may purchase wristbands in the Golf and Tennis Shop from December 1 and are valid until November 30 of the following year. During non-Prime Time, wristbands are not required for anyone desiring to use the courts. A list of persons purchasing wristbands will be kept in the Golf and Tennis Shop.

Reservation System – An individual may reserve one (1) court for one time period, per day, during Prime Time. No more than two (2) reservations per unit, per day during Prime Time. All players are limited to no more than 3 hours of play per day during Prime Time. Court reservations are the preferred method of guaranteeing a court

2015 APPROVED RULES AND REGULATIONS

both during Prime and non-prime times. Reservations not used within 10 minutes after the starting time are cancelled and the court becomes available on a first come/first served basis. Courts may not be reserved during round robin or other sanctioned activities such as Bernie's Games, socials, team tennis or other events determined by the Tennis Committee.

Making a Reservation – Reservations may be made same day and up to two (2) days in advance online at www.oceanvillage.com. Telephone reservations and in person reservations at the Golf and Tennis Shop are available SAME DAY ONLY from 8:00 AM- 5:00 PM by calling 772-467-0113. Reservations require a tennis wristband to be worn by each player while using the court. Players should sign in 15 minutes prior to court time at the Golf and Tennis Shop.

Reservation Priorities – The sequence of tennis events and their priorities are listed from the top down.

1. Round Robin Play – daily 9:00 AM to 11:00 AM on courts 3, 4, 5 and 6. During Bernie's Games Round Robin will run from 8:00 AM until 10:30 AM on Mondays.
2. League Team Tennis – 11:00 AM to 1:30 PM, courts 3, 4, 5 and 6 on scheduled days.
3. Bernie's Games Tennis – 11:00 AM to 5:00 PM on day scheduled, usually Mondays from mid January to end of March.
4. Open Play – 12:30 PM – 10:00 PM, courts 7, 8, 9 and 10.

Court Attire – Proper tennis attire is required. Shirts and tennis shoes (no sneakers allowed on soft courts) must be worn at all times. Half shirts, tank tops, cut-offs, and bathing suits are not permitted.

Outside Guest Privileges – Ocean Village owners and renters may have outside guests for the day, but the owner/renter must accompany such guests while using Ocean Village tennis facilities. Each owner/renter can have no more than 1 outside guest per play.

Family Members as Guests - The same rules that apply to owners/renters apply in this case. Wristbands are required when Prime Time play is desired. Children under the age of 13 do not need a wristband as long as they play with a responsible adult, and play is during non-Prime Time.

Round Robin Play – is available everyday as follows: From 9:00 AM to 11:00 AM on Courts 3, 4, 5, and 6. Players will line up in order of arrival to start play. Replacement players are sequenced by arrival times. This is an honor system. The round robin is not supervised, except for volunteered services of players familiar with the format. Each round of play will consist of five games, 'no add'. Those who have completed one round should sit out the next round, thus allowing those waiting to play. All players are asked to cooperate with the person organizing and running the session so that those participating have as much equal time on court as possible.

Bernie's Games – begin the middle of January and are played for 10 weeks. Historically these games are played on courts 3, 4, 5, and 6 starting at 11:00 AM - 5:00 PM on Mondays. These games take precedence over Prime Time reservations on the day they are played. The 7:30 AM to 9:00 AM reservation time will not be available during Bernie's Games due to court maintenance.

Failure to Comply – with any of the rules stated above may result in the loss of player reservation privileges,

2015 APPROVED RULES AND REGULATIONS
and/or playing privileges.

Rule Amendments – Rules will be reviewed annually by the Tennis Committee and desired changes will be submitted in writing to the OVPOA. Rules may be amended, in writing by the OVPOA, at other times as necessary to accommodate unforeseen circumstances. These amendments will be published in the Golf and Tennis Shop.

Violations of rules should be reported to the Golf and Tennis Shop when open, or secondly to the Recreation Department, and thirdly to the OV Security if it is warranted and/or damage to any OV amenities is involved.

Non-Seasonal Rules & Reservation Policy – May 1 through December 14

Prime Time – is not applicable during this period.

Tennis wristbands – are not required during this period.

Court Usage - is on a first come/first served basis for owners/renters.

Reservations System – is not operational during this period.

Rules – all other applicable rules apply during this period.

OWNER/RESIDENT RESPONSIBILITIES

If you wish to make an alteration or structural modification to the exterior of your unit, you must first obtain cluster approval and then submit your written request (forms available) to the OV Architectural Board of Review (ABR). Should a violation occur, procedures are in place.

Excessive or loud noise prohibited before 7:30 AM or after 10:00 PM (except for golf and tennis maintenance) not only at pools, but also in cluster areas.

Personal and commercial notices are permitted only on bulletin boards at the Aruba, Cayman, and Bermuda Centers.

Nothing is to be hung over railings on buildings at any time (i.e. rugs, towels, swimsuits, etc.)

No fishing or swimming in ponds/lagoons is permitted.

All unit owners must leave current addresses and telephone numbers with Administration.

COVENANTS AND RULES ENFORCEMENT COMMITTEE

Covenants and Restriction compliance actions may result from complaints by association members or as the result of reviews by the Property Manager. All complaints by association members must be submitted in writing to the Property Manager.

Complaints are reviewed by the Committee which has the power to dismiss the complaint or to penalize violators through monetary penalties (Rules infractions) or through temporary or permanent suspension of the violator's privileges to use some or all of Ocean Village amenities (90+ day delinquencies in maintenance fees

KEY POLICY

Administrative staff will give out keys during regular office hours to cluster employed window washers and exterminators for regular service. Under no circumstances will owner keys be given out to or accepted from contractors, housekeepers, owner-employed window washers and exterminators, tenants, guests, neighbors, delivery services or anyone else other than to the owner himself or herself. Owners requesting their own keys after hours on a non-emergency basis will incur a monetary charge. An owner locking himself out of his apartment is not considered to be an emergency.

Administration will retain owner keys for use in true emergency situations and for the limited uses set out above. Copy of complete key policy is posted in the Reception Area of the Administrative building.

OCEAN VILLAGE WRISTBAND POLICY

All residents, including owners, guests and tenants, (excluding children under 10 years of age) must wear the appropriately designated wristband IN PLAIN SIGHT while using any amenity at Ocean Village. Those amenities include all sports and recreation facilities, including all pools, bocce, tennis, golf, shuffleboard, basketball, pickleball, cornhole, saunas, Fitness Center and the Tiki Bar. Each unit is issued two green owner and four red guest wristbands. Rental units may also be issued two rental wristbands.

Wristbands will be replaced free of charge if broken wristband is brought into the Administration Office.

Cost for replacement wristbands for Owners, Guests and Renters are \$20.00 each. Administration will handle the distribution of permanent Owner and Guest wristbands.

The Association has established a policy for the purchase of “Temporary Wristbands”. Any owner or renter may purchase a wristband at a fee of \$20 each – fully refundable upon return of the temporary wristband. Temporary Wristbands will be issued only by the Recreation Department and only cash will be accepted.

OWNER WRISTBANDS-GREEN & WHITE

- Owners are required to wear wristbands IN PLAIN SIGHT, while using any amenity.
- If the owner does not have a wristband, he/she will be asked to leave and return with a wristband, which must be worn in PLAIN SIGHT.
- If the owner refuses to leave the amenity, Security will ask the owner to leave the amenity and will then file an incident report which will be given to Management.

GUEST WRISTBANDS-RED & WHITE

- Guests are required to wear the wristbands IN PLAIN SIGHT, while using any amenity.
- Owners may utilize the “Temporary Wristband” procedure for their guests.
- If the guest does not have a wristband, he/she will be asked to leave the amenity and return with a wristband, which must be worn in PLAIN SIGHT.
- If guests refuse to leave the amenity, Security will ask the guest to leave the amenity and will then file an

2015 APPROVED RULES AND REGULATIONS
incident report which will be given to Management.

RENTAL WRISTBANDS-COLORS DETERMINED ANNUALLY

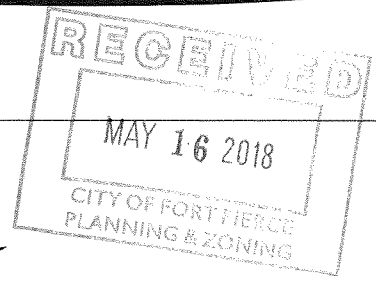
- Renters are required to wear the wristbands IN PLAIN SIGHT while using any amenity.
- Unit owners are required to provide wristbands for their renters (all owners will receive 2 rental wristbands at no charge upon request).
- Rental agencies (Realtors) are required to provide wristbands for their renters.
- RENTERS who for whatever reason do not have wristbands provided (i.e. absentee owners who forgot) may utilize the “Temporary Wristband” procedure.
- If the renter does not have a wristband, he/she will be asked to leave the amenity and return with a wristband, which must be worn in PLAIN SIGHT.
- If the renter refuses to leave the amenity, Security will ask the renter to leave the amenity and will then file an incident report which will be given to Management.

**FAILURE TO COMPLY WITH THIS POLICY COULD RESULT IN A TEMPORARY OR PERMANENT
REVOCAION OF THE RIGHT OF AN OWNER, GUEST OR RENTER TO USE AMENITIES.**



THE SUNRISE CITY
FORT PIERCE
 ENGINEERING
 DEPARTMENT

Florida



To : Vennis Gilmore, Planning Analyst

FROM : John R. Andrews, P.E., City Engineer *JRA*

**RE : Cox Dwelling Rental – 502 S. Compass Drive
 Conditional Use TRC No. 18-0400007**

DATE : May 15, 2018

This is to advise you that we have completed the review of the following documents as received by this office on May 8, 2018:

- Conditional Use Application
- Test Reports & Related Documents
- Record Drawings
- Clearances from all applicable Local, State and Federal Agencies
- P/D Drawings
- Certificate of Completion
- Permits from applicable Local, State & Federal Agencies

Based on our reviews and appropriate site final inspection, we

- Recommend Do Not Recommend
- Approval of Conditional Use Building Permit C/O

Developer, Owner, Engineer, Contractor and other members of the Development Team must be aware, the above recommendation is based only on the construction requirements of the engineering plans and other engineering documentation approved by this department. The Development Team shall be responsible for the compliance with other City department requirements and all approved documents, as well as Local, State and Federal regulations. The development requirements for this project may necessitate additional construction requirements that are not subject to this department's review for approval.

See attached for engineering comments

JRA/TST/dhr *JRA*

Q:\ENGINEERING\Site Development Projects\C\Cox Dwelling Unit\Conditional Use\Submittal No. 1 - 050718\CU Approval - 051518.docx



PUBLIC WORKS
ENGINEERING DIVISION
DEVELOPMENT REVIEW
COMMITTEE

May 8, 2018

Project: COX DWELLING RENTAL
Subject: SURVEY REVIEW
To: Vennis Gilmore
From: Rod Reed, PLS
SLC-Engineering Division

BACKGROUND:

The request seeks to establish a Dwelling Rental; offering lodging for a minimum of thirty one (31) days and a maximum of less than six (6) months. The subject site is zoned Hutchinson Island Medium Density Residential Zone (R-4A). Per City Code Section 22-22. – Allowed Uses; Dwelling Rentals are classified as a Conditional Use in the Hutchinson Island Medium Density Residential Zone (R-4A). The subject site has a total of 0.02 acres.

COMMENTS

I have no comments.

Rod Reed, County Surveyor

*St. Lucie County, Fl.
2300 Virginia Avenue
Ft. Pierce, Fl. 34982-5652
www.stlucieco.org
Ph. (772) 462-1721
E-mail reedr@stlucieco.org*

The School Board does not have any comments on the project.

Marty E. Sanders, P.E.

Growth Management, Land Acquisition & Inter-Governmental Relations
School Board of St. Lucie County

Temporary office

582 NW University Blvd., Ste 500

Port St. Lucie, FL 34986

cell 772.216.5755



THE SUNRISE CITY

FORT PIERCE
PLANNING DEPARTMENT
Florida

Coldwell Banker Paradise
100 Mainsail Drive
Fort Pierce, FL. 34949

Re: Conditional Use – Cox Dwelling Rental – 502 S. Compass Drive

Dear Coldwell Banker Paradise,

The following are comments from the Planning Department's review of the application for a Dwelling Rental in the R-4A, Hutchinson Island Medium Density Zone (**Please Provide a Written Response to all responsible Departments**):

- 1) The maximum occupancy of the home ensures compliance with City Code Section 8.5-43.
- Required space in dwelling units, based upon the size of each unit;**

- 2) Registration of the property manager accessible at all times, to resolve complaints or violations of City Code;**

- 3) Issuance of guide booklets (available from Code Enforcement) for renters regarding local rules and public service resources to minimize conflicts; and**

- 4) The applicant files for and obtains St. Lucie County & City of Fort Pierce Business Tax Licenses within thirty (30) days of Conditional Use approval.**

- 5) Limit no more than 2 vehicles.**

If deemed necessary, please provide a written response to each comment in order to expedite the review of any subsequent submittals. Please contact me should you have any questions regarding the project at (772) 467-3741 or by e-mail: vgilmore@city-ftpierce.com.

Sincerely,

Vennis Gilmore
Planning Analyst



PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: Conditional Use - Cox Dwelling Rental - 502 S. Compass Drive

NOTICES PROVIDED PURSUANT TO: City Code Section 22-143. Public Hearings A, B, C, & D

NOTICE BY NEWSPAPER: June 17th, 2018

NOTICE BY MAIL: June 20th, 2018

NOTICE BY SIGNS: Planning Board - June 7th, 2018 ; City Commission - June 21th, 2018

VERIFIED BY: Vennis Gilmore

TITLE: Planning Analyst

SIGNATURE:

DATE: June 20th, 2018

City Commission Regular Meeting

12.f.

Meeting Date: 07/02/2018

Re: Conditional Use - St. Nicholas Greek Church Private School - 2525 S. 25th Street

Submitted For: Rebecca Grohall, Director, Planning & Zoning

SUBJECT:

Quasi-Judicial Hearing - Application for Conditional Use with No New Construction submitted by property owner, St. Nicholas Greek Orthodox Church, Inc. and Applicant Nicholas Gieseler, Attorney at Law, to establish a Private School at 2525 S 25th Street, Fort Pierce, FL. The property is zoned Medium Density Residential Zone (R-4), Parcel ID: 2420-141-0002-000-4.

SUMMARY:

- The applicant is requesting the review and approval of a Conditional Use with No New Construction to allow for a Private School. The applicant is seeking to operate a Private School in an existing four (4) classroom building on a church campus.
- The property is zoned R-4, Medium Density Residential Zone with a future land use of Medium Density Residential.
- The City Commission adopted Ordinance No. L-11 in 2008, amending Section 22-22 Allowed Uses; of the City Code to permit Day Care Centers and Schools other than education service establishments as a conditional use in the R-4, Medium Density Residential.
- The present facility is approximately 4,628 square-feet, consisting of four (4) classrooms. The applicant has submitted a new floor plan that will consist of four (4) connected classrooms, four (4) restrooms, and two (2) closet areas. There is no commercial kitchen; therefore no food will be cooked on site. Lunch for the students will be prepared off-site and delivered to the school daily.
- The proposed facility will be adequately parked, with the addition of short-term bicycle parking for students and faculty. Staff asks that the applicant consider the installation of a bicycle rack (two (2) – space minimum) for students/visitors. The facility can only be accessed from two (2) development entrances located on S. 25th Street and Stanton Avenue
- The property owner is seeking conditional use approval to allow the operation of a private school in Building #3 of its church campus. The school, Faith United School of Excellence, will operate from 8:00a.m. to 4:00p.m., Monday through Friday. The building will house approximately 50 people during these days, including school staff. The school will contain grades 2-9, with three separate classes operating multiple grade levels. The students are picked up and dropped off by a school van. There will be no students dropped off or picked up by their parents; therefore there will be no additional traffic in connection with this operation.

RECOMMENDATION:

The requested Conditional Use with No New Construction is consistent with City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience and general welfare; Staff recommends the City Commission **approve** the request with the following conditions:

- 1) Comply with City Code Section 22-60. Off-street Parking and Loading (c) Design Standards, d) Commercial Uses & (j) Lighting. **Please provide the lighting plan with a minimum average of two (2) footcandles.**
- 2) Per City Code Sec. 22-62. - Sidewalks. (b)*Applicability* - **Please install a sidewalk along the Stanton Avenue corridor or submit payment in lieu off to St. Lucie County. Please install sidewalk linkages that connect to the sidewalks and between buildings.**
- 3) Per City Code Sec. 22-60. Required off-street parking spaces for the handicapped shall be located near the front entrance of the main building for the use or if the use has no buildings, as close as practical to the center of the area where the principal activity associated with the use takes place.

ALTERNATIVES:

Approval with alternative conditions.
Denial

RESPONSIBLE STAFF:

Vennis Gilmore, Planning Analyst

COORDINATED WITH:

Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

*

Attachments

Staff Report
Application
Narrative
Survey
Floor Plan
TRC Responses
Public Notification Certification

Form Review

Inbox

City Manager

Form Started By: Vennis Gilmore

Final Approval Date: 06/28/2018

Reviewed By

Nick Mimms

Date

06/28/2018 11:18 AM

Started On: 06/20/2018 04:55 PM



TO: Nicholas Mimms, PE, City Manager

THROUGH: Rebecca Grohall, AICP, Planning Director

FROM: Vennis Gilmore, Planning Analyst

RE: **Application for Conditional Use with No New Construction**
St. Nicholas Greek Church Private School
2525 S. 25th Street

DATE: June 20, 2018

STAFF REPORT

Owner(s): St. Nicholas Greek Orthodox Church Inc.
2525 S. 25th Street
Fort Pierce, FL. 34981

Applicant: Nicholas Gieseler, Attorney/Gieseler & Gieseler P.A.
789 S. Federal Highway, Suite 301
Stuart, FL. 34994

Applicant's Request: Approval of a Conditional Use with No New Construction for the operation of a Private School.

Location: 2525 S. 25th Street

Parcel ID: 2420-141-0002-000-4

Current Zoning: R-4, Medium Density Residential

Future Land Use: RM, Medium Density Residential

Surrounding Zoning:

North	East	South	West
R-4	RS-4 (SLC)	RS-4 (SLC)	R-4

Site Size: 4.41 acres

Utilities: FPUA

Staff Analysis:

Request

In accordance with Sections 22-22, and 22-76 of the City Code, the applicant is requesting the review and approval of a Conditional Use with No New Construction to allow for a Private School. The applicant is seeking to operate a Private School in an existing four (4) classroom building on a church campus. The property is zoned R-4, Medium Density Residential Zone with a future land use of Medium Density Residential.

The City Commission adopted Ordinance No. L-11 in 2008, amending Section 22-22 Allowed Uses; of the City Code to permit Day Care Centers and Schools other than education service establishments as a conditional use in the R-4, Medium Density Residential.

The property is located at the northwest corner of S. 25th Street and Stanton Avenue. The subject property is surrounded by single-family residences to the south and east, vacant property to the south, and vacant property to the west with the same ownership of the subject site. The site currently has sixty-eight (68) existing parking spaces, that will need to be re-stripped. There is additional overflow parking in the parking lot that serves the church. Per City Code Section 22-60 Off-Street Parking and Loading; elementary schools, junior high schools and day-care centers are required 2 parking spaces for each classroom.

The present facility is approximately 4,628 square-feet, consisting of four (4) classrooms. The applicant has submitted a new floor plan that will consist of four (4) connected classrooms, four (4) restrooms, and two (2) closet areas. There is no commercial kitchen; therefore no food will be cooked on site. Lunch for the students will be prepared off-site and delivered to the school daily. The proposed facility will be adequately parked, with the addition of short-term bicycle parking for students and faculty. Staff asks that the applicant consider the installation of a bicycle rack (two (2) – space minimum) for students/visitors. The facility can only be accessed from two (2) development entrances located on S. 25th Street and Stanton Avenue.

The property owner is seeking conditional use approval to allow the operation of a private school in Building #3 of its church campus. The school, Faith United School of Excellence, will operate from 8:00a.m. to 4:00p.m., Monday through Friday. The building will house approximately 50 people during these days, including school staff. The school will contain grades 2-9, with three separate classes operating multiple grade levels. The students are picked up and dropped off by a school van. There will be no students dropped off or picked up by their parents; therefore there will be no additional traffic in connection with this operation.

Zoning & Land Use

The subject site is located within the General Commercial Zone (C-3) district which is designed to accommodate a variety of housing types, including conventional single-family dwellings, duplexes and, where desirable, townhome dwellings, mobile homes or multifamily housing with three (3) or more dwelling units. Maximum gross densities should generally not exceed ten (10) units per acre for conventional developments and twelve (12) units per acre for innovative residential developments. This intensity of residential use is envisioned for locations which have public water and sewer service and which have adequate access to arterial or collector streets. Certain nonresidential uses are permitted under the parameters and safeguards set forth in this section.

The Medium Density Residential (RM) designation is intended for parcels that are best suited for multifamily residential uses ranging in density from 6.5 to 12 dwelling units per acre. This category allows small-lot single family units and multifamily dwellings including duplexes, condominiums and townhomes. Limited commercial uses intended to serve the residential uses shall be allowed. Compatible public, quasi-public, and special uses including parks, churches, non-profit clubs, schools and daycare facilities shall also be allowed. This category combines the previously allowed Medium Density Residential (Rme) and Moderate Density Residential (Rmo) categories.

Conditional Use

The purpose of the conditional use process is to allow, when desirable, uses that would not be appropriate generally or without restriction throughout the particular zoning district, 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. The use as presented features commercial aspects that are generally appropriate for commercial environments.

The authorization of a Conditional Use with No New Construction for a Private School at 2525 S. 25th Street will provide an opportunity for consistency with current surrounding property uses as the use does not adversely affect the public health, safety, comfort, good order, appearance, convenience and the general welfare of the surrounding residential neighborhood. The Planning Board is encouraged to consider City Code Section 22-22. – Allowed Uses. City Code Section 22-22 *Allowed Uses subsections (c) and (e)* states that the use of Educational Facilities may be permitted as a conditional use if approved in a public hearing by the city commission.

Technical Review Committee

All affected departments have reviewed the proposed Conditional Use with No New Construction with regards requirements of the City Code. Findings from the review by corresponding departments and any associated responses by the applicant are provided for viewing by the City Commission.

Property Owner Response Summary:

A total of 27 notifications of the proposal were mailed to the owners of property located within 500 feet of the subject property. An update will be provided to the City Commission at the public hearing.

Planning Board Recommendation:

The Planning Board, at their June 12th, 2018 meeting, voted unanimously to recommend **approval** of the request.

Staff Recommendation

The requested Conditional Use with No New Construction is consistent with City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience and general welfare; Staff recommends the City Commission **approve** the request with the following conditions:

- 1) Comply with City Code Section 22-60. Off-street Parking and Loading (c) Design Standards, d) Commercial Uses & (j) Lighting. **Please provide the lighting plan with a minimum average of two (2) footcandles.**

2) Per City Code Sec. 22-62. - Sidewalks. (b)*Applicability* - **Please install a sidewalk along the Stanton Avenue corridor or submit payment in lieu off to St. Lucie County. Please install sidewalk linkages that connect to the sidewalks and between buildings.**

3) Per City Code Sec. 22-60. Required off-street parking spaces for the handicapped shall be located near the front entrance of the main building for the use or if the use has no buildings, as close as practical to the center of the area where the principal activity associated with the use takes place.



Conditional Use - No New Construction

Property address or Location 2525 S. 25th St. Fort Pierce, FL 34981
 Parcel ID #(s) 2420-141-0002-000-4
 Project description Operation of a small private school

St. Nicholas Greek Orthodox Church Inc.

Nicholas Gieseke Attorney/Gieseke & Gieseke P.A.

Property Owner(s)
2525 S. 25th St.

Applicant/Representative, Title, Company
789 S. Federal Hwy Suite 301

Street Address
Fort Pierce FL 34981

Street Address
Stuart FL 34994

City State Zip
772-464-7194

City State Zip
888-202-2402

Phone Number
stnick@aol.com

Phone Number
nmg@gieseke-law.com

Email Address

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.

Dennis Starr Pres. PARISH COUNCIL ST NICHOLAS
 Property Owner(s) Signature(s)

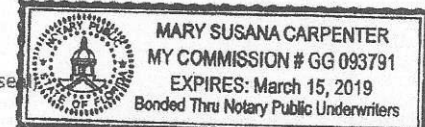
STATE OF FLORIDA -- COUNTY Indian River

The foregoing instrument was acknowledged before me this 30 day of March, 20 18, by Dennis Starr

who is personally known to me or has produced

as identification.

[Signature]
 Signature of Notary



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

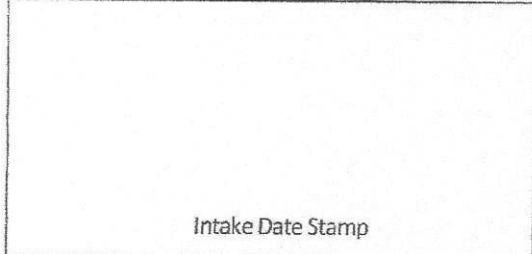
Pre-Application Meeting Date _____ Fees _____ Control # _____ B. Permit # _____

Intake Planner _____

Planner Assigned _____

Approved By _____ Date _____

Comments _____





CONDITIONAL USE: NO NEW CONSTRUCTION

Submit one original, seven (7) hard copies and one (1) CD of the following for initial submittal, subsequent submittals will be required:

- If no site improvements are required:
 - As-built survey
 - Floor plan of existing building(s)
- If parking and drainage improvements are required:
 - As-built survey;
 - Site plan, to scale, including existing improvements and proposed parking, driveways, landscaping & storm drainage;
 - Lighting plan
- Complete, notarized application

Application Type:

- Conditional Use: No new construction with no site improvements
- Conditional Use: No new construction with parking and drainage improvements

Site Information:

Building Size: 4,528 sq ft Parking Spaces: 68 + overflow + 16 behind Church

Surrounding Uses: (i.e. single family home, retail, industrial, etc.)

North	South	East	West
R4 - Vacant	RS-4 - Across Stanton	RS-4 - Across 25th St.	Vacant - Owned by Church

The application for conditional use with the application for site plan review, when not exempt in accordance with the requirements of section 22-75, shall be reviewed as a unit in accordance with the requirements of section 22-58 except that:

- (1) The city commission shall hold a public hearing in accordance with the provisions of section 22-143 prior to acting on the application for conditional use.
- (2) In the event the city planning board disapproved the application for conditional use or in case of a protest against said application signed by twenty (20) per cent of the owners within five hundred (500) feet of the area included in said application, such application shall not be approved except by a four-fifths vote by the city commission.
- (3) In permitting a conditional use or the modification of an existing conditional use, the city commission may impose, in addition to those standards and requirements expressly specified in this chapter, any condition which it finds to be necessary to protect the best interest of the surrounding property of the city.

Application Outlook

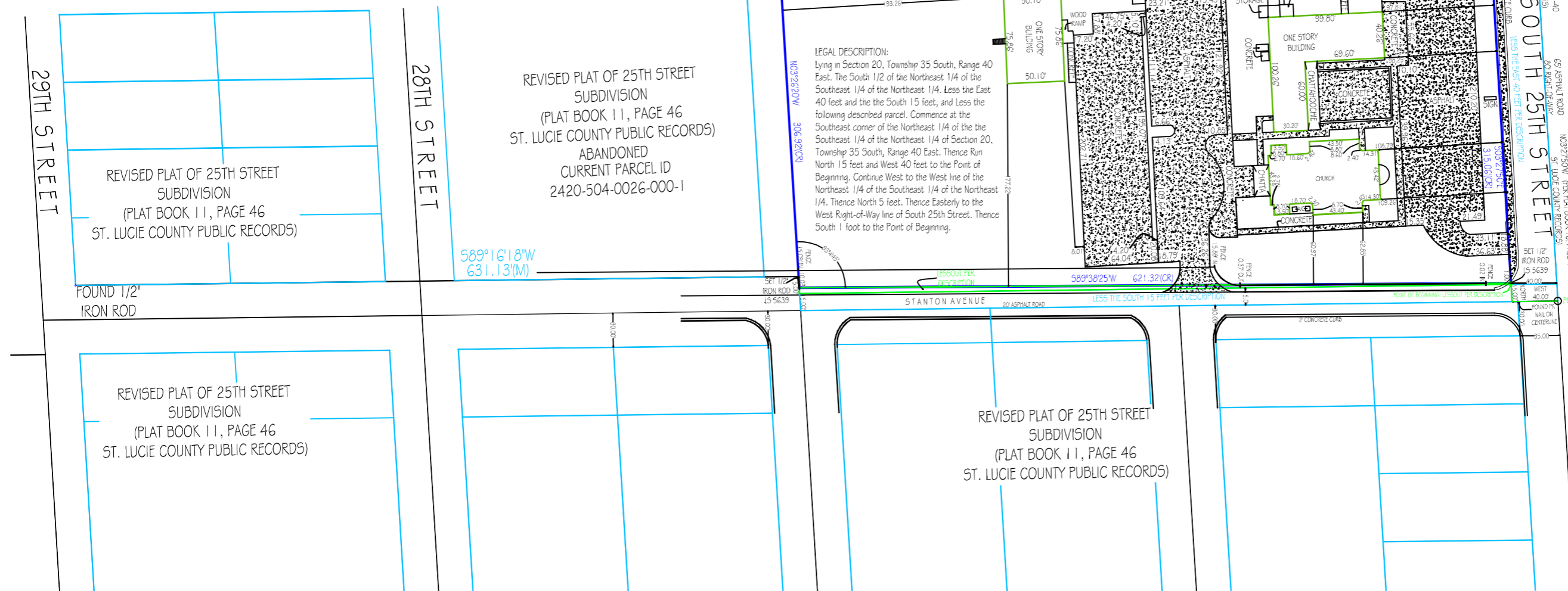


Description of Proposed Use

The property owner is seeking a conditional use to allow the operation of a private school in Building 3. The school, Faith United School of Excellence, will operate from 8:00 a.m. to 4:00 p.m., Monday through Friday. The building will house approximately 50 people during these days, including school staff. The school contains grades 2-9, with three separate classes operating multiple grade levels. The students are picked up and dropped off by a school van. On a typical day, no students are dropped off or picked up by their parents, thus there will not be any additional traffic in connection with this operation. Lunch for the students will be prepared off-site and delivered to the school daily.



SCALE: 1" = 100'



AERIAL PHOTOGRAPH
(MAY NOT SHOW LATEST IMPROVEMENTS)
(NOT-TO-SCALE)

REVISED PLAT OF 25TH STREET
SUBDIVISION
(PLAT BOOK 11, PAGE 46
ST. LUCIE COUNTY PUBLIC RECORDS)
ABANDONED
CURRENT PARCEL ID
2420-504-0026-000-1

LEGAL DESCRIPTION:
Lying in Section 20, Township 35 South, Range 40 East. The South 1/2 of the Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4. Less the East 40 feet and the South 15 feet, and less the following described parcel. Commence at the Southeast corner of the Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 20, Township 35 South, Range 40 East. Thence Run North 15 feet and West 40 feet to the Point of Beginning. Continue West to the West line of the Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4. Thence North 5 feet. Thence Easterly to the West Right-of-Way line of South 25th Street. Thence South 1 foot to the Point of Beginning.

ORANGE BLOSSOM ESTATES
SECOND ADDITION
(PLAT BOOK 16, PAGE 14
ST. LUCIE COUNTY PUBLIC RECORDS)

S.E. CORNER
NE 1/4 OF SE 1/4
OF NE 1/4 OF
SECTION 20-35-40
POINT OF COMMENCEMENT
FOR LESSOUT

SURVEYOR'S NOTES

1. THE EXPECTED USE OF THIS BOUNDARY SURVEY AND MAP ARE FOR A CONDITIONAL USE APPLICATION WITH THE CITY OF FORT PIERCE.
2. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
3. THIS IS SURVEY IS A BOUNDARY SURVEY.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS FOR SURVEYS, AS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS IN CHAPTER 5J-17.051 & 5J-17.052 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND THAT THE ELECTRONIC SIGNATURE AND SEAL HEREON MEETS PROCEDURES AS SET FORTH IN CHAPTER 5J-17.062, PURSUANT TO SECTION 472.025, FLORIDA STATUTES.

- LEGEND:**
- A - DENOTES ARC LENGTH
 - CA - DENOTES CENTRAL ANGLE
 - CATV - DENOTES CABLE T.V. BOX
 - CH - DENOTES CHORD DISTANCE
 - DE - DENOTES DRAINAGE EASEMENT
 - FN - DENOTES FOUND NAIL
 - L - DENOTES LEGAL
 - M - DENOTES MEASURED
 - OHC - DENOTES OVERHEAD CABLE
 - PK - DENOTES PARKER KALON NAIL
 - PH - DENOTES POOL HEATER
 - PP - DENOTES POOL PUMP
 - R - DENOTES RADIUS
 - TR - DENOTES TELEPHONE RISER
 - UE - DENOTES UTILITY EASEMENT
 - UP - DENOTES UTILITY POLE
 - WM - DENOTES WATER METER

BEARING REFERENCE:
EAST LINE OF SECTION 20-35-40 AS N. 03°27'50" W.
ALL BEARINGS SHOWN HEREON REFERENCED THERETO.

IMPORTANT NOTE:
IF THIS SKETCH OF SURVEY HAS BEEN PREPARED FOR THE PURPOSES OF A MORTGAGE TRANSACTION, IT IS LIMITED TO THE INFORMATION REQUIRED FOR THAT PURPOSE. NO FUTURE CONSTRUCTION SHALL BE BASED UPON THIS SURVEY WITHOUT FIRST OBTAINING APPROVAL AND/OR UPDATES FROM LANDTEC. SAID APPROVAL SHALL BE CONFIRMED BY AN ADDITIONAL SIGNED NOTATION: "LANDTEC APPROVAL FOR CONSTRUCTION" LISTED IN THE REVISION BAR BELOW. LANDTEC ASSUMES NO RESPONSIBILITY FOR ERRORS RESULTING FROM FAILURE TO ADHERE TO THIS CLAUSE.

Platted Easements, Notable or Adverse Conditions (unplatted easements also listed if provided by client):

This survey has been issued by the following Landtec Surveying office:
600 Fairway Drive - Ste. 101
Deerfield Beach, FL. 33441
Office: (561) 367-3587 Fax: (561) 465-3145
www.LandtecSurvey.com

PLEASE NOTE:
SUBJECT PROPERTY IS SERVICED BY PUBLIC UTILITIES.
NO APPROVAL FOR CONSTRUCTION HAS BEEN MADE BY THIS OFFICE.

Job Number : 89044-SE	Rev:
Drawn By : C. Ferrara	Rev:
Date of Field Work : 04/26/2018	Rev:

SIGNED: _____ DATE: _____
ANDREW SNYDER PROFESSIONAL SURVEYOR AND MAPPER FLORIDA REGISTRATION No. 5639 (NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER SHOWN ABOVE)

Responses to Development Review Committee Comments

The following responses are intended to address the comments supplied by members of the Development Review Committee regarding the Conditional Use Application for the property located at 2525 S. 25th Street. (Copies of all written comments to which this document responds are attached for reference.)

Grant Chambers, SLC Engineering Division

1. Applicant has contacted Mr. Chambers, who will coordinate the right-of-way dedication with the City's Acquisition Department. The applicant has no objection to the dedication.
2. The attached map illustrates the expected traffic pattern for anticipated student drop-off on school days. On a school day, it is anticipated that two vans will be used to drop-off students at 8:00 a.m. One of the two vans will make a second drop-off shortly thereafter. The only other morning impact will be from 5-8 teacher/staff cars who will arrive each school day. At approximately noon, one van will arrive on the property to deliver lunch for the students. At the close of each school day the two vans will pick up the students for dismissal. It is not anticipated that the operation of the school will have any discernible impact on traffic in the surrounding areas.
3. As discussed with the City and County staff, an examination of the property and Stanton Ave. makes it clear that the fee-in-lieu payment is the most beneficial option to satisfy Chapter 7.05.04 of the LDC. Applicant will submit a good faith estimate of the cost of construction of the sidewalk, and coordinate payment with the appropriate department.
4. Because no work will be done in the County right-of-way, a ROW permit will not be required.
5. Because no ROW permit will be required, there will be no requirement for an RIA Agreement.

Rod Reed, SLC Engineering

An updated survey has been submitted addressing each of Mr. Reed's comments.

Kori Benton, Senior Planner

1. Student enrollment will be approximately 50 children, with four classes of 12-13 students each. There will be two teachers/staff for each classroom, for a total of approximately 58 people.
2. The attached map illustrates the expected traffic pattern for anticipated student drop-off on school days. On a school day, it is anticipated that two vans will be used to drop-off students at 8:00 a.m. One of the two vans will make a second drop-off shortly thereafter. The only other

morning impact will be from 5-8 teacher/staff cars who will arrive each school day. At approximately noon, one van will arrive on the property to deliver lunch for the students. At the close of each school day the two vans will pick up the students for dismissal. It is not anticipated that the operation of the school will have any discernible impact on traffic in the surrounding areas.

3. The applicant will comply with the recommended landscaping comments.

4. The applicant will coordinate with the County to ensure compliance with the sidewalk requirement.

DATED: June 5, 2018

Nicholas M. Gieseler, Esq.
Gieseler & Gieseler P.A.

Google Maps 2525 S 25th St



Imagery ©2018 Google, Map data ©2018 Google 50 ft



PUBLIC WORKS
ENGINEERING DIVISION
DEVELOPMENT REVIEW
COMMITTEE

May 17, 2018

Project: ST. NICHOLAS GREEK CHURCH PRIVATE SCHOOL
Subject: CONDITIONAL USE
To: Vennis Gilmore
From: Grant Chambers
SLC-Engineering Division

1. Stanton Avenue is an existing substandard 50-ft County Right-of-Way. A Right-of-Way dedication of 10 feet will be required along Stanton Avenue.
2. A traffic Statement may be required.
3. A 6' sidewalk will be required within the Right-of-Way along Stanton Avenue that abuts the property line of the proposed development site. The Board of County Commissioners may authorize total or partial relief from the requirements of sidewalk construction and may require the applicant to pay a fee-in-lieu to the County for sidewalk and/or greenways and trails construction. Please refer to Chapter 7.05.04 of the LDC for more details.
4. The applicant is advised that prior to executing any work within the County's road right-of-way, a Right-Of-Way (ROW) Permit is required. Please contact Ms. Joanne Mitchell at 772-462-2824 for more information.
5. The applicant is advised that prior to the issuance of a ROW Permit a Roadway Improvement Agreement (RIA) and the appropriate surety will be required. Please contact Grant Chambers, P.E. at 772-462-2741 for more information.



PUBLIC WORKS
ENGINEERING DIVISION
DEVELOPMENT REVIEW
COMMITTEE

May 8, 2018

Project: ST. NICHOLAS GREEK CHURCH
Subject: SURVEY REVIEW
To: Vennis Gilmore
From: Rod Reed, PLS
SLC-Engineering Division

BACKGROUND:

The request seeks to operate a small private school at the subject site. The subject property has a zoning of R-4, Medium Density Residential Zone and a Future Land Use of RM, Medium Density Residential. The subject site has a total of 4.41 acres.

All comments are based on the Standards of Practice per 5J-17.050 thru 5J-17.052

SURVEY:

- 1) Please add to the survey. "The expected use of the survey and map" and "All measurements are in accordance with the United States standard, in feet."
- 2) Please add to the survey "Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties."
- 3) Please add to the survey that this is a Boundary Survey.
- 4) All survey maps and reports must bear the name, certificate of authorization number. Please add the LB number to the survey.
- 5) In your bearing reference note you have misidentified the Township. The Township is not 65, it is 35. Also are the bearings assumed, actual, etc. Label the line you have used as your bearing base and add (Bearing Base) above or next to the bearing. Finally, if I am looking at this correctly I think you have erred in the degrees in the bearing base. You call for 8 degrees, I think you intended it to be 3 degrees. Please correct.
- 6) Please show on the drawing the sectionalized breakdown per the description. Please include the POC and POB and all directions and distances called for in the description.
- 7) Please depict the existing lots adjacent to the west property line and the name of the subdivision. Also please add the parcel identification number on the land located adjacent to the north property line.
- 8) Please dimension the distances from the NE and SE corners to the centerline of South 25th Street.

Please provide a written response to all comments

Rod Reed, County Surveyor

St. Lucie County, Fl.
2300 Virginia Avenue
Ft. Pierce, Fl. 34982-5652
www.stlucieco.org
Ph. (772) 462-1721
E-mail reedr@stlucieco.org

At this time the School District does not have any comments.

Marty E. Sanders, P.E.

Growth Management, Land Acquisition & Inter-Governmental Relations

School Board of St. Lucie County

Temporary office

582 NW University Blvd., Ste 500

Port St. Lucie, FL 34986

cell 772.216.5755



PUBLIC WORKS
ENGINEERING DIVISION
DEVELOPMENT REVIEW
COMMITTEE

May 17, 2018

Project: ST. NICHOLAS GREEK CHURCH PRIVATE SCHOOL
Subject: CONDITIONAL USE
To: Vennis Gilmore
From: Grant Chambers
SLC-Engineering Division

1. Stanton Avenue is an existing substandard 50-ft County Right-of-Way. A Right-of-Way dedication of 10 feet will be required along Stanton Avenue.
2. A traffic Statement may be required.
3. A 6' sidewalk will be required within the Right-of-Way along Stanton Avenue that abuts the property line of the proposed development site. The Board of County Commissioners may authorize total or partial relief from the requirements of sidewalk construction and may require the applicant to pay a fee-in-lieu to the County for sidewalk and/or greenways and trails construction. Please refer to Chapter 7.05.04 of the LDC for more details.
4. The applicant is advised that prior to executing any work within the County's road right-of-way, a Right-Of-Way (ROW) Permit is required. Please contact Ms. Joanne Mitchell at 772-462-2824 for more information.
5. The applicant is advised that prior to the issuance of a ROW Permit a Roadway Improvement Agreement (RIA) and the appropriate surety will be required. Please contact Grant Chambers, P.E. at 772-462-2741 for more information.



ST. LUCIE COUNTY
PLANNING & DEVELOPMENT SERVICES
TECHNICAL REVIEW LETTER

TO: Vennis Gilmore, Planning Analyst

THROUGH: Mayte Santamaria, Assistant Director

FROM: Kori Benton, Senior Planner

DATE: May 15, 2018

**SUBJECT: St. Nicholas Greek Church Private School
Conditional Use w/ No New Construction – 515 S. Indian River Drive**

The St. Lucie County Planning & Development Services Department has completed a review of the May 7, 2018 distribution of TECHNICAL REVIEW PROJECT#18-4000008.

Background

The applicant is seeking approval of a Conditional Use, with no intended new construction, to operate a private school (Grades 2-9) within an existing modular structure located at the rear of the subject church campus.

The subject property has a City zoning of R-4, Medium Density Residential Zone and a Future Land Use of RM, Medium Density Residential. The subject site has a total of 4.41 acres. The development was approved in St. Lucie County, with a notable expansion in 1987, and subsequently annexed.

Review Comments

1. The use description notes the intended classroom structure will accommodate approximately 50 people, however there's no delineation of the specific range of *student* enrollment.
2. The applicant suggests "there will not be any additional traffic in connection with this operation", while also stating students will be transported via a school van and meals will be delivered to the site. The applicant should provide a traffic statement, and intended traffic flow pattern to provide review as to whether traffic will be oriented primarily to the 25th or Stanton Avenue driveways, and any associated impacts.
3. The subject church facility was approved in St. Lucie County, with a notable expansion in 1987. A copy of this approved site plan is attached for review by staff. The applicant is encouraged to infill landscaping where necessary in accordance with the approved plan, or minimum standards or City Code. The areas of reference are primarily the landscape buffers which screen the vehicular use area from Stanton Avenue and 25th Street.
4. The applicant is encouraged to provide a sidewalk connection along the southern property boundary. The adjacent right-of-way, Stanton Avenue, is under St. Lucie County control therefore the applicant should coordinate with St. Lucie County Engineering regarding any proposed improvements in this area.

Please contact me at 772-462-2518 if you have any questions or would like to discuss the presented comments.



THE SUNRISE CITY

FORT PIERCE
PLANNING DEPARTMENT
Florida

Nicholas Gieseler
789 S. Federal Hwy
Stuart, FL. 34994

Re: Conditional Use – Private School – 2525 S. 25th Street

Dear Coldwell Banker Paradise,

The following are comments from the Planning Department's review of the application for a Private School in the R-4, Medium Density Residential Zone (**Please Provide a Written Response to all responsible Departments**):

1) Per City Code Sec. 22-62. - Sidewalks. b)

Applicability: In order to provide continual access for pedestrians, sidewalks and sidewalk linkages shall be required to be provided by the property owner or permit applicant when one of the following events occur:

Plans submitted for site plan, conditional use, PUD/PUR, and subdivision review. Plans shall reflect all proposed sidewalk improvements.

Safe and efficient sidewalk linkages shall be provided between building entrances and parking areas, and adjacent portions of the development, and adjacent rights-of-way. At least one accessible route in accordance with the Florida Accessibility Code shall connect buildings to parking areas and adjacent rights-of-way.

Please install a sidewalk along the Stanton Avenue corridor or submit payment in lie off to St. Lucie County.

2) Per City Code Sec. 22-60 . Required off-street parking spaces for the handicapped shall be located near the front entrance of the main building for the use or if the use has no buildings, as close as practical to the center of the area where the principal activity associated with the use takes place.

If deemed necessary, please provide a written response to each comment in order to expedite the review of any subsequent submittals. Please contact me should you have any questions regarding the project at (772) 467-3741 or by e-mail: vgilmore@city-ftpierce.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Vennis Gilmore", with a long horizontal flourish extending to the right.

Vennis Gilmore
Planning Analyst



PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: Conditional Use - St. Nicholas Greek Church Private School - 2525 S. 25th Street

NOTICES PROVIDED PURSUANT TO: City Code Section 22-143. Public Hearings A, B, C, & D

NOTICE BY NEWSPAPER: June 17th, 2018

NOTICE BY MAIL: June 20th, 2018

NOTICE BY SIGNS: Planning Board - June 7th, 2018 ; City Commission - June 21th, 2018

VERIFIED BY: Vennis Gilmore

TITLE: Planning Analyst

SIGNATURE:

DATE: June 20th, 2018

City Commission Regular Meeting

12.g.

Meeting Date: 07/02/2018

Re: 204 N 17th Street - Demo Hearing

Submitted For: Peggy Arraiz, Code Compliance Manager, Code Enforcement

SUBJECT:

Quasi-Judicial Hearing and Resolution 18-R33- A hearing to allow the owners and/or parties of interest in the property identified as 204 N 17th Street to show cause why the structure located on the premises should not be condemned and demolished.

SUMMARY:

1. The structure located at 204 N 17th Street was initially declared unsafe under the International Property Maintenance Code by Building Official Marc Meyers on 3/24/2016 due to a fire.
2. The property was eligible for rehabilitation, but due to no action was taken by the owner to remedy the condition of the property, the matter has been forwarded to the City Commission for demolition.
3. Owner signed the certified mail documents on April 16, 2018 but has not made any contact with the City.

RECOMMENDATION:

Staff recommends the City Commission approve Resolution No. 18-R33 declaring that the structure located at 204 N 17th Street be condemned and demolished in accordance with the Rules of Procedure for Condemnation and Demolition as adopted by the City Commission.

ALTERNATIVES:

Amend Resolution No. 18-R33

Deny Resolution No. 18-R33

RESPONSIBLE STAFF:

Janey Vanderhorst, Senior Code Officer

COORDINATED WITH:

Margaret M. Arraiz, Code Compliance Manager

Iola Mosely, Sr. Assistant City Attorney

Fiscal Impact

OTHER INFORMATION:

The cost of demolition, if required to be conducted by the City, is \$5,872.50 and will be funded by the Clean & Safe Initiative and shall become a lien against the property.

Attachments

Property Maintenance Inspection Report
2016 Unsafe Building Affidavit and Letter
2018 Building Affidavit and Letter
Certified Mail Documents
Condemnation Posting and Affidavit
Notice of Hearing from City Clerk
Photos from 1/23/2018
Photos from 3/15/2016
Photos from 4/12/2018
Property ID Card
Property Status Statement
Resolution No. 18-R33

Form Review

Inbox

City Manager

Form Started By: Peggy Arraiz

Final Approval Date: 06/28/2018

Reviewed By

Nick Mimms

Date

06/28/2018 11:18 AM

Started On: 06/19/2018 03:20 PM

City of Fort Pierce

Department of Building & Code Enforcement

Marc Meyers, CBO, Building Official
Peggy Arraiz, Code Compliance Manager



PROPERTY MAINTENANCE INSPECTION REPORT

Property Address: 204 N 17TH ST Unit #: _____

Landmarks / House color: Yellow

Number of Living Units / Rooms: 3 Building Occupied? Yes

Type of Structure Duplex Describe _____

Number of Entrances / Exits: _____

Electrical Meter #(s): Pulled

Action to be Taken: Days to comply

Inspector: Date Inspected: 3-15-16

For Office Use Only

Case # _____ Parcel ID #: _____

Any active code cases? _____ Historic? _____

Active building permits? _____ Permit #: _____

EXTERIOR INSPECTION

- 302.3 Sidewalks and driveway are in need of repair
Details

- 302.6 Exhaust vents are hazardous to another property
Details

- 302.7 Accessory structures require maintenance
Details

- 302.9 Graffiti needs to be removed
Details

- 303.1 Swimming pool needs to be maintained
Details

- 303.2 Swimming pool barrier not up to code
Details

- 304.4 Structural members damaged / unsafe
Details

- 304.5 Foundation walls damaged / unsafe
Details

- 304.6 Exterior walls damaged / unsafe
Details

304.7

Roofs & roof drainage damaged / unsafe

Details

304.9

Overhang extensions damaged / unsafe

Details

304.10

Stairways, decks, porches and balconies damaged / unsafe

Details

304.11

Chimneys and towers damaged / unsafe

Details

304.12

Handrails and guards damaged / unsafe

Details

304.13

Window, skylight, doors and door frames damaged / unsafe

Details

304.14

Window insect screens missing / damaged

Details

304.17

Basement window guards missing / damaged

Details

304.18.1

Doors - deadbolt missing / damaged

Details

304.18.2

Windows - locks missing / damaged

Details

108.1.1 Unsafe Structure

- Dangerous to life, health, property or safety of the public
- Missing minimum safeguards in case of fire
- Structure contains unsafe equipment
- Structure is damaged / decayed / dilapidated
- Structure has faulty construction / unstable foundation

108.1.2 Unsafe Equipment

- Unsafe boiler or heating equipment
- Unsafe elevator or moving stairway
- Unsafe electrical wiring or device
- Flammable liquid containers or other within structure

108.1.3 Structure unfit for human occupancy

- Structure is unsafe / unlawful / degree of disrepair
- Structure is unsanitary / vermin or rat infested / contains filth
- Structure lacks ventilation / illumination
- Structure lacks sanitary or heating facilities

108.1.3 Unlawful structure

- Structure is occupied by more persons than permitted
- Structure was illegally converted to house more persons than allowed

Details

House has been boarded due to fire. Appears to have been occupied prior to the fire. It is vacant at this time.

Submit by Email

Print Form



City of Fort Pierce Notice of Unsafe Building Affidavit

Date: 3/24/16

Property Address: 204 N 17 St

Tax ID#: 240951200170005

Case#:16-713

Legal Description: KILLER'S S/D BLK 2 LOTS 12 AND 13 (OR 1516-841)

Owner(s): Christopher Hall
Mailing Address: 1509 N 24th Street
Fort Pierce FL 34950

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 4178934 04/12/2016 at 01:49 PM
OR BOOK 3856 PAGE 1222 - 1224 Doc Type: AFF
RECORDING: \$27.00

This NOTICE certifies that the above property, building, structure or premise is unsafe and the owner (s) of record has been properly served.

Marc Meyers

Building Official, City of Fort Pierce, Florida

State of Florida, County of St. Lucie

The foregoing instrument was acknowledged before me this 24 day of March, 2016,
by Marc Meyers who is personally known to me.

Kristie Kirstein

Signature of Notary



Attachment: Notice of Unsafe Building Letter

This certificate shall remain on file until such time as the condition(s) rendering the building, structure or premise unsafe have been abated.

COMPLIANCE CERTIFICATION

Corrective action has been taken and the building, structure or premise is no longer unsafe in regards to the attached Notice of Unsafe Building Letter. Said certificate being recorded in OR Book _____ Page _____, Dated _____ in Record of certificate # _____, in the office of the Clerk of the Circuit Court of St. Lucie County, Florida.

The structure has been repaired or demolished.

Date Building Official, City of Fort Pierce, Florida

State of Florida, County of _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____,
by _____ who is personally known to me.

Signature of Notary

Print Name of Notary

Prepared by and Return to: City of Fort Pierce
Building Department
Attn: Kristie Kirstein
P O Box 1480
Fort Pierce FL 34954

MAYOR
LINDA HUDSON

COMMISSIONERS
RUFUS ALEXANDER III
EDWARD BECHT
REGINALD SESSIONS
TOM PERONA

CITY MANAGER
NICHOLAS MIMMS

BUILDING OFFICIAL
MARC MEYERS

CITY OF FORT PIERCE
Florida



BUILDING DEPARTMENT
100 N. U.S. 1 - P.O. BOX 1480
FORT PIERCE, FLORIDA 34954
TEL. (772)467-3000 FAX (772) 467-3849

March 24, 2016

Tax ID #: 2409-512-0017-000/5

Case #: 16-713

CHRISTOPHER HALL
1509 N 24TH ST
FT PIERCE, FL 34950

RE: 204 N 17TH ST

Pursuant to the City of Fort Pierce Code of Ordinances and the International Property Maintenance Code (IPMC) s. 108, the property located at the above referenced location has been found to be unsafe and is in violation of the following:

1. Structural members damaged/unsafe. Per Section: **304.4 Structural members.** All structural members shall be maintained free from *deterioration*, and shall be capable of safely supporting the imposed dead and live loads.
2. Exterior walls damaged/unsafe. Per Section: **304.6 Exterior walls.** All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent *deterioration*.
3. Roof/Roof drainage damaged/unsafe. Per Section: **304.7 Roofs and drainage.** The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.
4. Windows, skylights, doors or door frames damaged/unsafe. Per Section: **304.13 Window, skylight and door frames.** Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.
5. Dangerous to life, health, property or safety of the public, Missing minimum safeguards in case of fire, Structure contains unsafe equipment, Structure is damaged/decayed/dilapidated. Per Section: **108.1.1 Unsafe structures.** An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the *occupants* of the structure by not providing minimum safeguards to protect or warn *occupants* in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.
6. Unsafe electrical wiring or device. Per Section: **108.1.2 Unsafe equipment.** Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the *premises* or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or *occupants* of the *premises* or structure.

7. Structure is unsafe/unlawful/degree of disrepair. Per Section: **108.1.3 Structure unfit for human occupancy.** A structure is unfit for human *occupancy* whenever the *code official* finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks *ventilation*, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the *occupants* of the structure or to the public.

The building(s), structure(s), or premise(s) is condemned and repair/rehabilitation permit(s) shall be applied for within 30 days. If the building(s) or structure(s) is to be repaired, drawings prepared by a Florida licensed engineer or architect addressing any and all deficiencies will be required with the building permit application unless otherwise approved by the Building Official.

The building or structure has been ordered vacated and posted to prevent further occupancy until work is completed and the final inspection has been approved. **If no action has been taken by the legal owner to come into compliance within the time specified, the City may initiate demolition proceedings in accordance with all applicable codes, with all costs incurred charged against the owner of record and a lien filed upon such real estate.**

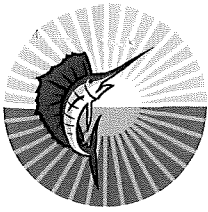
Any person having any legal interest in the property may appeal this notice by the Building Official to the Construction Board of Adjustments and Appeals (CBAA); such appeal shall be in writing in the form specified in the Rules of Procedure of the CBAA and shall be filed with the Building Official within 20 calendar days from the date of this notice with a \$200 fee. Failure to appeal in the time specified will constitute a waiver of all rights to an administrative hearing.

Should you have questions regarding this matter, you may contact my office at (772) 467-3722.

Sincerely,



Marc Meyers
Building Official



THE SUNRISE CITY
FORT PIERCE
CODE ENFORCEMENT
Florida

**Notice of Unsafe Building
Affidavit**

Case#: 18-1177
Property Address: 204 N 17TH ST
Tax ID#: 2409-512-0017-000/5
Legal Description: KILLER'S S/D BLK 2 LOTS 12 AND 13 (OR 1516-841)

Owner(s): CHRISTOPHER HALL
1509 N 24TH ST
FT PIERCE, FL 34950

This AFFIDAVIT certifies that the above property, building, structure or premise is unsafe and the owner(s) of record has been properly served.

4/12/18
Date

Margaret M. Arraiz
Margaret M. Arraiz, City of Fort Pierce, Florida

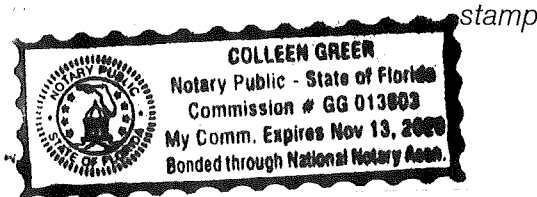
Attachment: Notice of Unsafe Building Letter

This Affidavit replaced the Affidavit of Unsafe Building recorded in Book 3856 Page 1222. This Affidavit shall remain on file until such time as the condition(s) rendering the building, structure or premise unsafe have been abated.

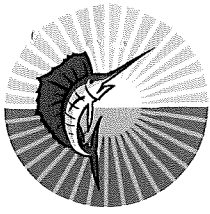
State of Florida, County of St. Lucie

The foregoing instrument was acknowledged before me this 12th day of April, 2018, by Margaret M. Arraiz who is personally known to me.

Colleen Greer
Signature of Notary



JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 4424737 04/17/2018 10:02:18 AM
OR BOOK 4121 PAGE 349 - 351 Doc Type: AFF
RECORDING: \$27.00



THE SUNRISE CITY
FORT PIERCE
CODE ENFORCEMENT
Florida

April 12, 2018

Case #: 18-00001177

CHRISTOPHER HALL
1509 N 24TH ST
FT PIERCE, FL 34950

RE: Address: 204 N 17TH ST
Tax ID #: 2409-512-0017-000/5

Pursuant to the City of Fort Pierce Code of Ordinances and the International Property Maintenance Code (IPMC) s. 108, the property located at the above referenced location has been found to be unsafe and is in violation of the following:

108.1.1 Unsafe structures.

An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

108.1.2 Unsafe equipment.

Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

108.1.3 Structure unfit for human occupancy.

A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

304.4 Structural members.

All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

304.6 Exterior walls.

All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface-coated where required to prevent deterioration.

C0077730

*Atención: Documento importante con respecto a sus derechos y responsabilidades. Si usted no comprende inglés consiga traducción inmediatamente.
Atansyon: Dokuman sa impòtan an rapò avek droi è responsablità ou. Si ou pa kompran anglè relé nou ou bien chèché ou moun pòu nou espliké sa tou suit.*

304.7 Roofs and drainage.

The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

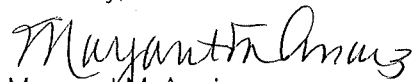
304.13 Window, skylight and door frames.

Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

The building, structure, or premise is condemned and shall be demolished within 30 days. The building or structure has been posted with a Condemned placard and ordered vacated to prevent further occupancy until work is completed and the final inspection has been approved. The demolition of the building or structure must fully comply with all local ordinances and the currently adopted Florida Building Code (FBC). **If no action has been taken by the legal owner to come into compliance within the time specified, the City may initiate demolition proceedings in accordance with the City of Fort Pierce Charter and all applicable codes, with all costs incurred charged against the owner of record and a lien filed upon such real estate.**

Should you have questions regarding this matter, you may contact my office at (772) 467-3720.

Sincerely,



Margaret M. Arraiz
Code Compliance Manager
City of Fort Pierce

In addition to the party listed above, a copy of this notice has been provided by certified mail to the following:

RIVERSIDE NATIONAL BANK OF FL
2810 S FEDERAL HWY
FT PIERCE, FL 34982

4022 1966 0000 DELT ST02

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee \$

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$

Return Receipt (electronic) \$

Certified Mail Restricted Delivery™

Adult Signature

Adult Signature

Postage \$

Total Postage \$

Sent To

Street and Apt. #

City, State, ZIP+4®

Christopher Hall
1509 N 24th Street
Fort Pierce, FL 34950

COND 204 N 17th Street Case # 18-1177

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.

1. Christopher Hall
1509 N 24th Street
Fort Pierce, FL 34950

COND 204 N 17th Street Case # 18-1177

9590 9402 3462 7275 0293 80



2. Article Number (Transfer from service label)

7015 1730 0000 9361 2304

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
- B. Received by (Printed Name) Addressee
- C. Date of Delivery 7/1/16
- D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

- 3. Service Type
 - Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Mail
 - Mail Restricted Delivery

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$

Return Receipt (electronic) \$

Certified Mail

Adult Signatu

Adult Signatu

Postage

Total Postage \$

Sent To \$

Street and Apt

City, State, ZIP+4®

COND 204 N 17th Street Case # 18-1177

Postmark

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 1730 0000 9361 2410

SENDER: COMPLETE THIS SECTION

1. Riverside National Bank of FL
 2810 S Federal Highway
 Fort Pierce, FL 34982

COND 204 N 17th Street Case # 18-1177

9590 9402 3462 7275 0293 97

2. Article Number (Transfer from service label)
 7015 1730 0000 9361 2410

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X
 Agent

B. Received by (Printed Name) _____ C. Date of Delivery _____

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Restricted Delivery	

Domestic Return Receipt





THE SUNRISE CITY

FORT PIERCE
CODE ENFORCEMENT
Florida



AFFIDAVIT OF POSTING - PLACARD

CASE NO: 18-00001177

RE: 204 N 17TH ST

BEFORE ME, the undersigned authority, personally appeared Andy Avery, Code Enforcement Officer for the City of Fort Pierce, Florida, who after being duly sworn deposes and says:

That the property listed above was posted with a CONDEMNED placard in accordance with the International Property Maintenance Code Section 108.4.

FURTHER AFFIANT SAYETH NOT.

DATED this 12th day of April, 2018.

Andy Avery
Andy Avery, Code Enforcement Officer

STATE OF FLORIDA
COUNTY OF ST. LUCIE

SWORN TO and SUBSCRIBED before me

this 12th day of April, 2018.

Margaret M. Arraiz
NOTARY PUBLIC - STATE OF FLORIDA

MY COMMISSION EXPIRES:





THE SUNRISE CITY
FORT PIERCE
CITY CLERK'S OFFICE
Florida

June 7, 2018

CERTIFIED MAIL – RETURN RECEIPT REQUESTED
AND FIRST CLASS REGULAR MAIL

CHRISTOPHER HALL
1509 N 24TH ST
FT PIERCE, FL, 34950

RIVERSIDE NATIONAL BANK OF FL
2810 S FEDERAL HWY
FT PIERCE, FL, 34982

Dear Interested Party:

Pursuant to Resolution 18-R29, certified copy enclosed, there will be a Quasi-Judicial Hearing before the City Commission of the City of Fort Pierce, Florida, at their meeting which begins at 6:30 p.m. on Monday, July 2, 2018 in the City Hall Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida, allowing interested parties to show cause as to why the building or structure located at 204 N 17th Street should not be condemned and its removal or destruction required. (Parcel ID 2409-512-0017-000/5).

All interested parties are invited to attend this meeting and be heard.

Very truly yours,

Linda W. Cox
City Clerk

cc: Peggy Arraiz, Code Compliance Manager

Jan 23, 2018 2:53:37 PM





Jan 23, 2018 2:53:48 PM



Jan 23, 2018 2:55:49 PM



Jan 23, 2018 2:56:09 PM

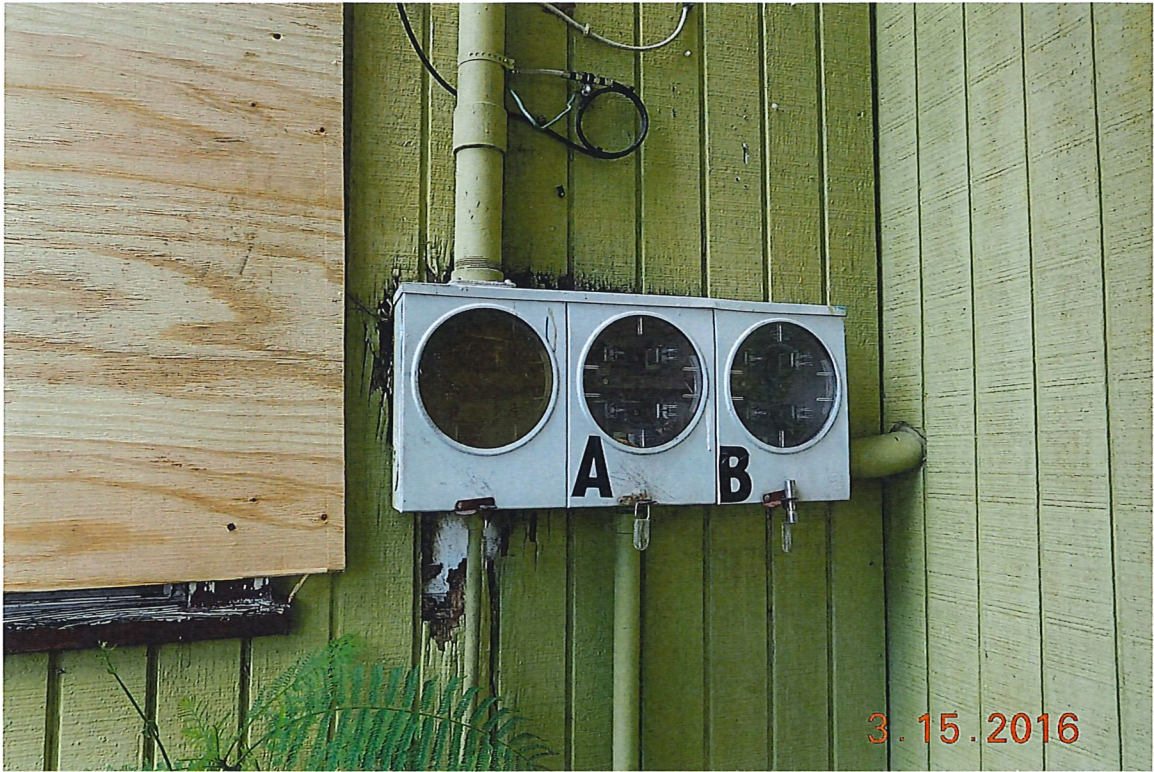
Jan 23, 2018 2:56:46 PM





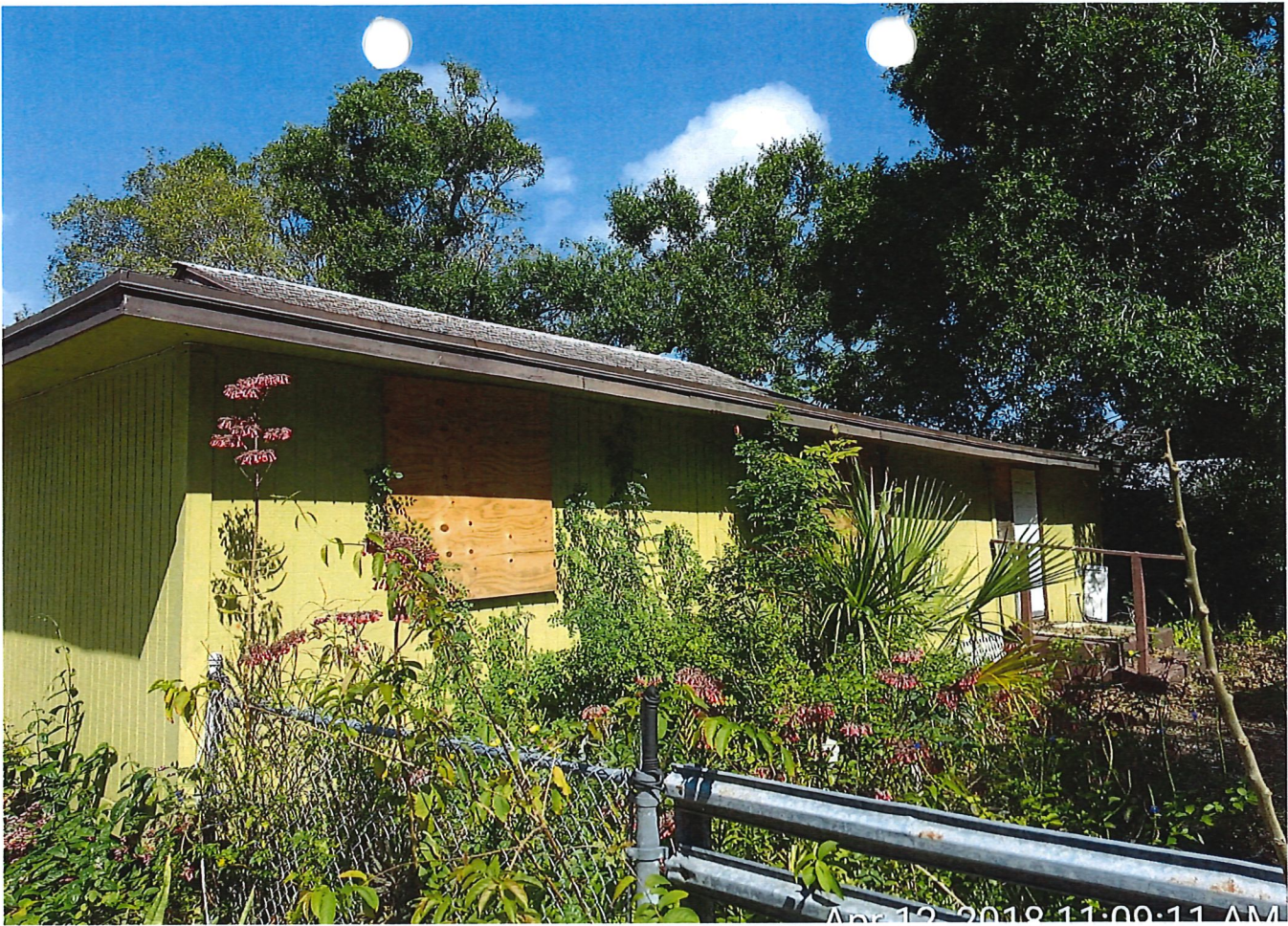
Jan 23, 2018 2:57:06 PM

















Michelle Franklin, CFA -- Saint Lucie County Property Appraiser -- All rights reserved.

Rtqrgrtv{ #f g p v h e c v i q p

Site Address: 204 N 17th ST Parcel ID: 2409-512-0017- Account #: 21560 Sec/Town/Range:
 000-5 Use Type: 0100 09/35S/40E
 Map ID: 24/09N Zoning: R4 Jurisdiction: Fort Pierce

Q y p g t u j k r Ngic n # g u e t k r v k p
 Christopher Hall KILLER'S S/D BLK 2 LOTS 12 AND 13 (OR 1516-841)
 1509 N 24th St
 Fort Pierce, FL 34950

F w t t g p v # k c n w g u K k u v t l e c r # c n w g u # 0 { g c t

Just/Market:	Assessed:	Year	Just/Market	Assessed	Exemptions	Taxable
\$26,500	\$25,155	2017	\$26,500	\$25,155	\$0	\$25,155
Exemptions: \$0	Taxable: \$25,155	2016	\$23,900	\$22,869	\$0	\$22,869
		2015	\$20,800	\$20,790	\$0	\$20,790

U c r g # k k u v t {

Date	Book/Page	Sale Code	Deed	Grantor	Price
03-29-2002	1516 / 0841	XX00	WD	Leary, Lawrence	\$27,000
11-12-2001	1458 / 0344	XX02	WD	Leary, Lawrence J	\$17,500
01-03-2001	1354 / 1370	XX00	WD	Harrington, Roger L	\$16,500

R t o c t { # e w k f p i # p h o t o c v i q p

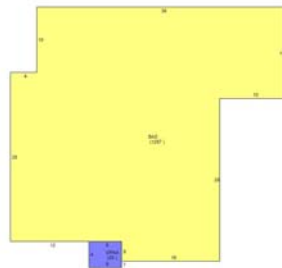
Finished Area of this building: 1,297 SF
 Gross Area of this building: 1,317 SF

Exterior Data

View: Roof Cover: Fibrglss Shg Roof Structure: Gable Building Type: HD
 Year Built: 1941 Frame: Grade: D Effective Year: 1941
 Primary Wall: Wood no Sh Story Height: 1 Story No. Units: 1 Secondary Wall:

Interior Data

Bedrooms: 3 A/C %: 0% Electric: AVERAGE Primary Int Wall:
 Full Baths: 1 Heated %: 0% Heat Type: Avg Hgt/Floor: 0
 Half Baths: 0 Sprinkled %: N/A% Heat Fuel: Primary Floors: Double Pine



V q v e r # d t g c u

Finished/Under Air (SF):	1,874
Gross Area (SF):	1,919
Land Size (acres):	0.33
Land Size (SF):	14,400
Total Building Count:	2

U r g e k n # i g c w t g u # p f # { c t f # i v g o u

Type	Qty	Units	Year Blt
CHAINLINK 4'	1	192	

This information is believed to be correct at this time but it is subject to change and is not warranted.
 © Copyright 2018 Saint Lucie County Property Appraiser. All rights reserved.



Condemnation for Demolition – Property Status Statement

Description	Status	Notes:
Homestead Status	Non-homesteaded	Confirmed with Tax Collector on 06-19-2018
Occupancy	Not occupied – vacant	
Prior attempts by owner to remedy violation	None	
Additional code enforcement activity at the property	Nothing active or current	
Historic Property	No	
Utilities	None	
Title Search Completed	Yes	No new parties identified.

RESOLUTION NO. 18-R33

A RESOLUTION DETERMINING THAT A CERTAIN BUILDING OR STRUCTURE LOCATED AT **204 N 17TH ST** IN FORT PIERCE, FLORIDA IS UNSAFE AND A NUISANCE THAT CONSTITUTES A MENACE TO THE BUSINESS, HEALTH AND SAFETY OF THE COMMUNITY; AND THAT SAID BUILDING OR STRUCTURE **SHALL BE CONDEMNED AND DEMOLISHED**; DECLARING THE PARTIES OF INTEREST WERE PROVIDED THE OPPORTUNITY TO BE HEARD AND ARE RESPONSIBLE FOR THE REMOVAL OF THE BUILDING OR STRUCTURE; AND ORDERING THE CITY OF FORT PIERCE TO AFFECT SUCH REMOVAL AND PLACE A LIEN UPON THE PROPERTY IDENTIFIED IF COMPLETED BY THE CITY OF FORT PIERCE; PROVIDING FOR APPEAL; PROVIDING FOR NOTICE TO ALL PARTIES; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, The Charter for the City of Fort Pierce, Florida provides the City Commission the authority to declare a building or structure unsafe and require its removal or destruction; and

WHEREAS, a public hearing was held before the City Commission on this date, July 2, 2018, to determine if the building or structure located at 204 N 17TH ST is unsafe and a nuisance that constitutes a menace to the business, health and safety of the community; and

WHEREAS, all parties with interest to the property were properly provided notice of the hearing and given the opportunity to show cause why the structure should not be condemned; and.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Fort Pierce, Florida;

SECTION 1. That the City Commission determines that the building or structure located on the said lot, tract, or parcel of land within the City of Fort Pierce, St. Lucie County, Florida, described as follows:

204 N 17TH ST
KILLER`S S/D BLK 2 LOTS 12 AND 13 (OR 1516-841)
2409-512-0017-000/5

Is unsafe and a nuisance that constitutes a menace to the business, health and safety of the community and shall be condemned in accordance with the Charter of the City of Fort Pierce and order its removal by demolition in accordance with the time frames and regulations outlined in the Rules of Procedure for Condemnation and Demolition as adopted by the City Commission.

SECTION 2. The owners, agents, or any person, firm or corporation having a lien on, or interest in, said building or structure, which lien or interest is a matter of record in the public records of St. Lucie County, Florida, were provided the opportunity to be heard and to show cause why said building or structure should not be condemned and its removal or destruction required.

CHRISTOPHER HALL
1509 N 24TH ST
FT PIERCE, FL, 34950

SECTION 3. The hereinbefore named persons, firms, or corporations are responsible for the removal or demolition of the building or structure and should such parties fail to demolish the building or structure as required by order of the City Commission, the City of Fort Pierce shall provide for its removal or destruction, the cost of which shall constitute a lien upon said property.

SECTION 4. The hereinbefore named persons, firms, or corporations shall have the right to appeal this resolution to the Circuit Court of St. Lucie County, within thirty (30) days of the effective date of this resolution pursuant to the Florida Rules of Appellate Procedure.

SECTION 5. A certified copy of this resolution shall be mailed by registered or certified mail to the hereinbefore named persons, firms, or corporations, by the City Clerk for the City of Fort Pierce, Florida.

SECTION 6. This resolution shall be effective immediately upon final adoption by the Commission.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this _____ day of _____, 20____.

Linda Hudson, Mayor

ATTEST:

Linda Cox, City Clerk

(SEAL)

Approved as to Form
And Correctness:

James M. Messer, Esq.
City Attorney

City Commission Regular Meeting

13.a.

Meeting Date: 07/02/2018

Re: Changing the Vesting Period

Submitted For: Johnna Morris, Finance Director, Finance Department

SUBJECT:

The City Commission directed the Retirement Board to obtain an actuarial impact statement on the financial impact of amending the vesting period from 10 years to either 8 years or 5 years for employees hired after October 1, 2012.

SUMMARY:

In 2012, as a part of the City's pension reform, the City Commission changed the pension vesting period from 5 years to 10 years. Attached are memorandums from the City Manager, Chief of Police and Fort Pierce Utilities Authority Director explaining how this change has affected the retention and attraction of employees. The City's Actuary has provided an actuarial impact statement to measure the financial impact of changing the vesting period. For 8 years the FY'19 contribution increases by \$14,267, or .004% of payroll, for all classes; \$8,623 for General members, \$4,413 for FPUA members and \$1,501 for Police members. For 5 years the contribution increases by \$51,924, or .17% of payroll; \$26,927 for General members, \$22,096 for FPUA members and \$3001 for Police members.

RECOMMENDATION:

Approve the changing of the vesting period from 10 years to 8 years or 5 years.

ALTERNATIVES:

Make no changes.

RESPONSIBLE STAFF:

Johnna Morris, Secretary/Treasurer

COORDINATED WITH:

City of Fort Pierce Retirement Board

Fiscal Impact

Budgeted Y/N: Y
Fiscal Year: 2019
Amount: TBD

OTHER INFORMATION:

The approved amount for the change will be budgeted in the FY'19 budget.

Attachments

Actuarial Impact - Vesting

Nick Mimms - Vesting
Chief Burney Memo - Vesting
John Tompeck - FPUA - Vesting

Form Review

Inbox	Reviewed By	Date
Finance Department	Johnna Morris	05/25/2018 10:43 AM
Finance Department	Johnna Morris	05/25/2018 12:30 PM
City Manager	Nick Mimms	06/28/2018 11:18 AM
Form Started By: Queen Thompkins		Started On: 05/24/2018 04:48 PM
Final Approval Date: 06/28/2018		



April 9, 2018

Ms. Johnna Morris
Finance Director
City of Fort Pierce Retirement
and Benefit System
100 North U.S. Highway One
Fort Pierce, Florida 34950

**Re: City of Fort Pierce Retirement and Benefit System
Actuarial Impact Statement as of September 30, 2017**

Dear Johnna:

As requested, we have prepared the enclosed Actuarial Impact Statements (AIS) to measure the financial impact of changing the vesting period for members hired after October 1, 2012.

Present Provision: The current vesting provisions are as follows:

- For Members hired prior to October 1, 2012: 5 or more years of service. For Members hired on or after October 1, 2012: 10 or more years of service.

Proposed Provisions:

- **Proposal 1:** For Members hired prior to October 1, 2012: 5 or more years of service. For Members hired on or after October 1, 2012: 8 or more years of service.
- **Proposal 2:** For all Members: 5 or more years of service.

Summary of Findings

- It is our understanding that benefits for current inactive or retired members would not be affected by the proposed benefit changes. They were excluded from this study.
- **Proposal 1**
 - The City's Contribution for Fiscal Year 2019 increases by \$14,267, or 0.04% of covered payroll.
 - The System's funded ratio (Actuarial Value of Assets divided by Actuarial Accrued Liability) decreases from 89.38% to 89.37%.
 - The Unfunded Accrued Liability increases by \$33,649.

- **Proposal 2**

- The City's Contribution for Fiscal Year 2019 increases by \$51,924, or 0.17% of covered payroll.
- The System's funded ratio (Actuarial Value of Assets divided by Actuarial Accrued Liability) decreases from 89.38% to 89.34%.
- The Unfunded Accrued Liability increases by \$108,845.

Actuarial Disclosures

This report was prepared at the request of the City and is intended for use by the City and those designated or approved by the City. This report may be provided to parties other than the City only in its entirety and only with the permission of the City.

This report is intended to describe the financial effect of the proposed plan changes on the retirement system. Except as otherwise noted, potential effects on other benefit plans were not considered. No statement in this report is intended to be interpreted as a recommendation in favor of the changes, or in opposition to them. This report should not be relied on for any purpose other than the purpose described above. GRS is not responsible for unauthorized use of this report.

The actuarial assumptions and methods, financial data, and participant census data utilized in these calculations are the same actuarial assumptions and methods, financial data, and participant census data used in the actuarial valuation as of September 30, 2017 as presented in our report dated March 8, 2018, except for the changes noted above.

The date of the valuation was September 30, 2017. This means that the results of the supplemental valuation indicates what the September 30, 2017 valuation would have shown if the proposed benefit changes had been in effect on that date. Supplemental valuations do **not** predict the result of future actuarial valuations. Rather, supplemental valuations give an indication of the cost of the **benefit change only** without comment on the complete end result of future valuations.

If you have reason to believe that the assumptions that were used are unreasonable, that the plan provisions are incorrectly described, that important plan provisions relevant to this proposal are not described, or that conditions have changed since the calculations were made, you should contact the author of the report prior to relying on information in the report.

In the event that more than one plan change is being considered, it is important to remember that the results of separate actuarial valuations cannot generally be added together to produce a correct estimate of the combined effect of all of the changes. The total can be considerably greater than the sum of the parts due to the interaction of various plan provisions with each other, and with the assumptions that must be used.

Ms. Johnna Morris

April 9, 2018

Page 3

Brad Lee Armstrong is a Member of the American Academy of Actuaries (MAAA) and meets the Qualification Standards of the American Academy of Actuaries to render the actuarial opinions contained herein. The undersigned actuary is independent of the plan sponsor.


This report has been prepared by actuaries who have substantial experience valuing public employee retirement systems. To the best of our knowledge the information contained in this report is accurate and fairly presents the actuarial position of the Plan as of the valuation date. All calculations have been made in conformity with generally accepted actuarial principles and practices, and with the Actuarial Standards of Practice issued by the Actuarial Standards Board and with applicable statutes.

If there are any questions, or if we can be of further assistance, please contact us.

The Impact Statement should be transferred to the City of Fort Pierce letterhead and signed. A copy of the Impact Statement and Actuarial Cost Estimate should be sent prior to the second reading together with a copy of the proposed ordinance to:

Division of Retirement
Department of Management Services
Bureau of Program Services
P.O. Box 9000
Tallahassee, Florida 32315-9000

Sincerely,



Brad Lee Armstrong, ASA, EA, FCA, MAAA

BLA:sc

Enclosures

City of Fort Pierce Retirement and Benefit System

Actuarial Impact Statement, April 9, 2018

Description of Amendments

Current Provisions of Interest

- **Vested Benefit** – For Members hired prior to October 1, 2012: 5 or more years of service. For Members hired on or after October 1, 2012: 10 or more years of service.

Proposed Provisions of Interest

- **Vested Benefit** – For Members hired prior to October 1, 2012: 5 or more years of service. For Members hired on or after October 1, 2012: 8 or more years of service.

Funding Implications of the Amendments

An actuarial cost estimate for the amendments is attached.

Certification of Administrator

The actuary has been furnished with a description of the amendments.

I believe the amendments to be in compliance with Part VII, Chapter 112, Florida Statutes and Section 14, Article X, of the Constitution of the State of Florida.

_____, Administrator
City of Fort Pierce
Retirement and Benefit System

City of Fort Pierce Retirement and Benefit System

Actuarial Cost Estimate, April 9, 2018

Actuarial Valuation Information

Valuation Date

September 30, 2017

Report Requested by

City of Fort Pierce

Group Valued

All active members.

Actuarial Assumptions and Methods

Assumptions and methods are the same as the September 30, 2017 actuarial valuation report dated March 8, 2018.

Amortization Period for Any Change in Actuarial Accrued Liability

30 years.

Summary of Data Used in Report

Same as the data used for the September 30, 2017 actuarial valuation.

Actuarial Impact of Proposal(s)

See attached pages.

Description of Amendments

Current Provisions of Interest

- **Vested Benefit** – For Members hired prior to October 1, 2012: 5 or more years of service. For Members hired on or after October 1, 2012: 10 or more years of service.

Proposed Provisions of Interest

- **Vested Benefit** – For Members hired prior to October 1, 2012: 5 or more years of service. For Members hired on or after October 1, 2012: 8 or more years of service.

City of Fort Pierce Retirement and Benefit System
Actuarial Cost Estimate, April 9, 2018

Contribution Implications of the Amendments

Before Amendment	General Members	Utilities Authority	Police Members
Normal Cost	15.24 %	14.49 %	16.16 %
Unfunded Actuarial Accrued Liability	3.87	6.41	0.00
Full funding credit	0.00	0.00	(0.50)
FS 112.64 (5) Compliance	2.31	2.64	0.77
Administrative Expenses	0.73	0.73	0.73
Total	22.15	24.27	17.16
Member portion	5.16	6.16	5.16
Employer portion	16.99	18.11	12.00
Illustrative Employer Portion	\$1,627,793	\$2,500,994	\$900,394


After Amendment	General Members	Utilities Authority	Police Members
Normal Cost	15.31 %	14.51 %	16.17 %
Unfunded Actuarial Accrued Liability	3.88	6.42	0.00
Full funding credit	0.00	0.00	(0.50)
FS 112.64 (5) Compliance	2.32	2.64	0.78
Administrative Expenses	0.73	0.73	0.73
Total	22.24	24.30	17.18
Member portion	5.16	6.16	5.16
Employer portion	17.08	18.14	12.02
Illustrative Employer Portion	\$1,636,416	\$2,505,137	\$901,895

Allocation of Contribution Increase	General Members	Utilities Authority	Police Members
Member portion	0.00 %	0.00 %	0.00 %
Employer portion	0.09	0.03	0.02
Illustrative Employer Portion	\$8,623	\$4,143	\$1,501

City of Fort Pierce Retirement and Benefit System
Actuarial Cost Estimate, April 9, 2018

Actuarial Present Values (thousands of dollars)

	Before Amendment				After Amendment			
	General Members	Utilities Authority	Police Members	Total	General Members	Utilities Authority	Police Members	Total
Actuarial present value of active member benefits:								
Service retirement	\$26,942	\$39,995	\$25,464	\$ 92,401	\$26,942	\$39,995	\$25,464	\$ 92,401
Vested termination benefits	2,735	3,877	1,485	8,097	2,838	4,012	1,566	8,416
Disability retirement	664	867	945	2,476	664	867	945	2,476
Survivor benefits (pre-retirement)	854	1,270	444	2,568	854	1,270	444	2,568
Termination benefits - refunds	266	421	241	928	223	330	171	724
Total	31,461	46,430	28,579	106,470	31,521	46,474	28,590	106,585
Actuarial present value of terminated vested members	1,687	2,071	407	4,165	1,687	2,071	407	4,165
Actuarial present value of retired members & beneficiaries	40,956	60,335	33,118	134,409	40,956	60,335	33,118	134,409
Total actuarial present value of future benefit payments	74,104	108,836	62,104	245,044	74,164	108,880	62,115	245,159
Actuarial Accrued Liability	64,855	96,438	53,848	215,142	64,872	96,452	53,852	215,175
Unfunded Actuarial Accrued Liability	7,352	12,801	2,690	22,842	7,368	12,814	2,693	22,876
Present value of active member future payroll	61,633	88,071	52,663	202,367	61,633	88,071	52,663	202,367
Present value of future active member contributions	3,180	5,425	2,717	11,323	3,180	5,425	2,717	11,323
Active member accumulated contributions	4,484	8,256	3,568	16,309	4,484	8,256	3,568	16,309


 4/9/2018
 Brad Lee Armstrong, ASA, EA, FCA, MAAA [17-5614]

City of Fort Pierce Retirement and Benefit System Actuarial Impact Statement, April 9, 2018

Description of Amendments

Current Provisions of Interest

- **Vested Benefit** – For Members hired prior to October 1, 2012: 5 or more years of service. For Members hired on or after October 1, 2012: 10 or more years of service.

Proposed Provisions of Interest

- **Vested Benefit** – For all Members: 5 or more years of service.

Funding Implications of the Amendments

An actuarial cost estimate for the amendments is attached.

Certification of Administrator

The actuary has been furnished with a description of the amendments.

I believe the amendments to be in compliance with Part VII, Chapter 112, Florida Statutes and Section 14, Article X, of the Constitution of the State of Florida.

_____, Administrator
City of Fort Pierce
Retirement and Benefit System

City of Fort Pierce Retirement and Benefit System

Actuarial Cost Estimate, April 9, 2018

Actuarial Valuation Information

Valuation Date

September 30, 2017

Report Requested by

City of Fort Pierce

Group Valued

All active members.

Actuarial Assumptions and Methods

Assumptions and methods are the same as the September 30, 2017 actuarial valuation report dated March 8, 2018.

Amortization Period for Any Change in Actuarial Accrued Liability

30 years.

Summary of Data Used in Report

Same as the data used for the September 30, 2017 actuarial valuation.

Actuarial Impact of Proposal(s)

See attached pages.

Description of Amendments

Current Provisions of Interest

- **Vested Benefit** – For Members hired prior to October 1, 2012: 5 or more years of service. For Members hired on or after October 1, 2012: 10 or more years of service.

Proposed Provisions of Interest

- **Vested Benefit** – For all Members: 5 or more years of service.

City of Fort Pierce Retirement and Benefit System
Actuarial Cost Estimate, April 9, 2018

Contribution Implications of the Amendments

Before Amendment	General Members	Utilities Authority	Police Members
Normal Cost	15.24 %	14.49 %	16.16 %
Unfunded Actuarial Accrued Liability	3.87	6.41	0.00
Full funding credit	0.00	0.00	(0.50)
FS 112.64 (5) Compliance	2.31	2.64	0.77
Administrative Expenses	0.73	0.73	0.73
Total	22.15	24.27	17.16
Member portion	5.16	6.16	5.16
Employer portion	16.99	18.11	12.00
Illustrative Employer Portion	\$1,627,793	\$2,500,994	\$900,394


After Amendment	General Members	Utilities Authority	Police Members
Normal Cost	15.47 %	14.61 %	16.19 %
Unfunded Actuarial Accrued Liability	3.90	6.43	0.00
Full funding credit	0.00	0.00	(0.50)
FS 112.64 (5) Compliance	2.33	2.66	0.78
Administrative Expenses	0.73	0.73	0.73
Total	22.43	24.43	17.20
Member portion	5.16	6.16	5.16
Employer portion	17.27	18.27	12.04
Illustrative Employer Portion	\$1,654,620	\$2,523,090	\$903,395

Allocation of Contribution Increase	General Members	Utilities Authority	Police Members
Member portion	0.00 %	0.00 %	0.00 %
Employer portion	0.28	0.16	0.04
Illustrative Employer Portion	\$26,827	\$22,096	\$3,001

City of Fort Pierce Retirement and Benefit System
Actuarial Cost Estimate, April 9, 2018

Actuarial Present Values (thousands of dollars)

	Before Amendment				After Amendment			
	General Members	Utilities Authority	Police Members	Total	General Members	Utilities Authority	Police Members	Total
Actuarial present value of active member benefits:								
Service retirement	\$26,942	\$39,995	\$25,464	\$ 92,401	\$26,942	\$39,995	\$25,464	\$ 92,401
Vested termination benefits	2,735	3,877	1,485	8,097	3,060	4,273	1,666	8,999
Disability retirement	664	867	945	2,476	664	867	945	2,476
Survivor benefits (pre-retirement)	854	1,270	444	2,568	854	1,270	444	2,568
Termination benefits - refunds	266	421	241	928	135	176	75	386
Total	31,461	46,430	28,579	106,470	31,655	46,581	28,594	106,830
Actuarial present value of terminated vested members	1,687	2,071	407	4,165	1,687	2,071	407	4,165
Actuarial present value of retired members & beneficiaries	40,956	60,335	33,118	134,409	40,956	60,335	33,118	134,409
Total actuarial present value of future benefit payments	74,104	108,836	62,104	245,044	74,298	108,987	62,119	245,404
Actuarial Accrued Liability	64,855	96,438	53,848	215,142	64,908	96,490	53,853	215,251
Unfunded Actuarial Accrued Liability	7,352	12,801	2,690	22,842	7,404	12,852	2,694	22,951
Present value of active member future payroll	61,633	88,071	52,663	202,367	61,633	88,071	52,663	202,367
Present value of future active member contributions	3,180	5,425	2,717	11,323	3,180	5,425	2,717	11,323
Active member accumulated contributions	4,484	8,256	3,568	16,309	4,484	8,256	3,568	16,309


 4/9/2018
 Brad Lee Armstrong, ASA, EA, FCA, MAAA [17-5614]



TO : Johnna S. Morris, Director of Finance
FROM : Nicholas C. Mimms, P.E., City Manager
RE : Changing Vesting Terms
DATE : January 19, 2018

Thank you for the opportunity to provide comments to your January 11, 2018, memorandum regarding changing the vesting terms from ten years to five years for the City of Fort Pierce Retirement System. The shorter vesting period will aid in the retention of existing employees and be more attractive for prospective employees who wish to work for this organization. The City of Fort Pierce has a significant challenge attracting and retaining professional, skilled and unskilled employees due to competitive neighboring businesses and organizations. Unfortunately, some employees have chosen to leave this organization in pursuit of greater compensation and more flexible benefits, which has caused reduced productivity. If determined to be financially feasible, this change to the vesting period will undoubtedly improve the recruiting/retention strategy for the City of Fort Pierce.

If you have any questions or need additional information, please contact me.

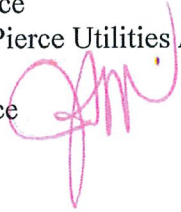
NCM:jdr

Attachment



THE SUNRISE CITY
FORT PIERCE
RETIREMENT AND
BENEFIT SYSTEM
Florida

TO: Nicholas Mimms, City Manager
Diane Hobley-Burney, Chief of Police
John K. Tompeck, Director of Fort Pierce Utilities Authority

FROM: Johnna S. Morris, Director of Finance 

RE: Changing the Vesting Terms

DATE: January 11, 2018

In 2012, the City Commission tasked the Retirement Board with looking at ways to reform the City's Retirement System, and decrease the employer's required contribution for all employees. There were several suggestions considered and one that was discussed and changed was the number of years required before vesting. Prior to 2012, employees had to work 5 years and then be entitled to a pension; any employees hired on or after October 1, 2012 are now required to work 10 years and then vest. At the Board's October meeting, there was discussion to approach Commission on changing the vesting years from 10 years back to 5 years. The Board decided to get input from you before this is considered. There will need to be an actuarial assumption done to determine the cost of the change; however, your input is requested before we contact the actuary. Please send a response before February 9th, for discussion at the February 15th meeting.

Should you have any questions, please feel free to contact me at (772) 467-3073.

RECEIVED
TIME _____
JAN 16 2018
CITY OF FT. PIERCE
CITY MANAGER'S OFFICE



THE SUNRISE CITY
FORT PIERCE
POLICE DEPARTMENT
"In Honor We Serve"

Florida

TO : Johnna Morris, Finance Director
cc : Nicholas Mimms, City Manager
FROM : Diane Hobley-Burney, Chief of Police *DHB*
RE : Changing Vesting Time
DATE : February 1, 2018

=====

I conferred with my Executive Staff regarding changing vesting from 10 years back to 5 years for employees. The unanimous response was that we are all in favor. The change could possibly attract new employees and may help in retaining employees for a longer period of time.

DHB/rfs

206 South 6th Street (34950)
PO Box 3191, Fort Pierce, FL 34948



Phone: 772.466.1600, Ext. 3200
Fax: 772.468.2412

Director of Utilities
"Committed to Quality"

To: Johnna S. Morris, Director of Finance

From: John K. Tompeck, Director of Utilities

A handwritten signature in black ink that reads "John K. Tompeck".

Re: Changing the Vesting Terms

Date: January 29, 2018

Ref: Your memo of January 11, 2018

In response to the referenced memo, FPUA would be interested in the Retirement Board evaluating a change in vesting from the current ten year requirement back to the five year requirement that was used prior to 2012. We think this potential change could be a benefit to future recruiting, especially for experienced, senior level personnel. Please advise us on the results of the actuarial study when it has been completed.

If you have any questions, feel free to contact me at (772) 466-1600, X-3200.

City Commission Regular Meeting

13.b.

Meeting Date: 07/02/2018

Re: Resolution 18-R32

SUBJECT:

Resolution 18-R32 Establishing the Police Department Advisory Committee

SUMMARY:

At the request of the City Commission, this resolution establishes an advisory committee for the Police Department.

RECOMMENDATION:

Adopt Resolution 18-R32 establishing a Police Department Advisory Board

ALTERNATIVES:

Adopt with modifications; do not adopt.

RESPONSIBLE STAFF:

Chief Diane Hobleby-Burney

COORDINATED WITH:

Nicholas Mimms, City Manager

Fiscal Impact

OTHER INFORMATION:

NA

Attachments

Memo from J. Messer re- Resolution -Community Advisory Committee (FINAL) 6.29.2018

Form Review

Form Started By: Kaitlyn Ballard

Started On: 06/27/2018 07:46 AM

Final Approval Date: 06/27/2018



THE SUNRISE CITY
FORT PIERCE
CITY ATTORNEY'S OFFICE *Florida*

TO : Diane Hoblely-Bruney, Chief of Police
THROUGH: Nicholas C. Mimms, P.E., City Manager *ncm*
FROM : James M. Messer, City Attorney *JM*
RE : Resolution: Community Advisory Committee (FINAL)
DATE : June 29, 2018

RECEIVED
TIME _____
JUN 29 2018
CITY OF FT. PIERCE
CITY MANAGER'S OFFICE

The attached has been approved as to legal form and correctness.

JM/mm

cc: Linda Cox, City Clerk
Rose Smith, Executive Assistant



RECEIVED
TIME _____

JUN 28 2018

CITY OF FT. PIERCE
CITY MANAGER'S OFFICE

CITY ATTORNEY USE ONLY

Date Received:	06/28/18
Assigned To:	JM
File:	
Due Date:	
Hours:	



REQUEST FOR LEGAL SERVICES

To: CITY ATTORNEY

SUBMITTED BY: DIANE HOBLEY-BRUNEY, CHIEF OF POLICE *DHB*

CITY MANAGER AUTHORIZATION: NICHOLAS C. MIMMS, P.E., CITY MANAGER *NCM*

RE: RESOLUTION: COMMUNITY ADVISORY COMMITTEE (FINAL)

DATE: JUNE 28, 2018

Service Required: (please circle or underline)

Review Documents

Draft Document

Written Opinion Requested

Attend Meetings

Advise

Other: _____

Upon review and/or "Approval as to Form and Correctness," the Department submitting the RLS is responsible for placement of any related item on a Commission or Board Agenda.

- Brief statement of the nature of the request or problem:** The police department has been tasked with creating a Citizens Advisory Committee. This committee will be an "advisory" committee that examine public issues or set of issues and develop alternative solutions and new ideas. The Committee may be asked to conduct research on a particular issue or set of issues, generate new ideas or solutions to ongoing or new problems, and/or provide recommendations on public policies and/or practices. However, the Committee has no authority over the police department including personnel issues. The Committee is not a policy-making body. The Committee will only serve in an advisory role to the Chief of Police.
- Discussion of the implications and the possible impact if not apparent from preceding information:** There are generally two types of Citizen Committees being utilized by law enforcement agencies and their communities: Citizen Advisory Committee and a Citizen Review Committee. The latter serves to review the investigative process and results of completed departmental investigations of formal citizen complaints, and the use of force by department employees. The Department of Justice through our Collaborative Reform Initiative conducted the research behind the two committees and strongly recommended the adoption and implementation of the Citizen Advisory Committee.

3. **Time considerations and their significance:** The Resolution creating the Community Advisory Committee is set for the July 2, 2018, City Commission Meeting.
4. **Are City funds required? If so, list approvals obtained for expenditure of funds:** No City funds are required for this Resolution at this time.
5. **Factual background:** (Outline the facts related to the underlying matter to provide context for the request.)
 - Location:
 - Phase of Construction:
 - Parties Involved: Chief of Police, City Manager, the Department of Justice (DOJ)
6. **List and/or attach all related documents and known authorities (e.g., statute, ordinance, resolution, administrative code, legal case, RFP, bidder's response, contract, lease, letter, memorandum, prior legal opinion, deed, etc.):** (Requestor should investigate the issue and gather all documents/information pertaining to the matter from any other related departments *prior* to submitting the request to this office):
 - Original "Draft" of the Chief's Community Advisory Committee that contains the background information/research conducted by the Department of Justice (DOJ)
 - "Draft" of proposed Resolution creating the Community Advisory Committee
7. **Identify prior legal assistance on this or a related matter and the attorney who handled it:** To my knowledge there was not any prior legal assistance provided on this matter.
8. **If this is a request for review of a contract, provide the following:**
 - a. **List of individuals who have read and approved the business terms and conditions of the contract and confirmed the ability to carry out the terms of the contract as they apply to the City:** (This office is not responsible for reviewing either the accuracy or value of the business terms and conditions or product specifications of the contract as agreed upon between the department and contractor. However, this office is available to negotiate the terms as desired by the City upon request.)
 - b. **Insurance requirements that differ from the City's template insurance terms:** (The department should consult with the Risk Manager for each contract to determine whether there are any special insurance requirements.)

CITY ATTORNEY USE ONLY			
Routed for Review	Date	Response Deadline	Response

RESOLUTION NO. -16

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA CREATING THE POLICE COMMUNITY ADVISORY COMMITTEE; ESTABLISHING ITS MISSION; PRESCRIBING THE SCOPE OF THE COMMITTEE ; ESTABLISHING DUTIES AND RESPONSIBILITIES OF SELECTED MEMBERS; ESTABLISHING THE COMPOSITION, NUMBER AND QUALIFICATIONS OF MEMBERS; ESTABLISHING PROCEDURES FOR THE APPOINTMENT OF MEMBERS; ESTABLISHING ORGANIZATIONAL STRUCTURE MEETINGS AND TERMS LIMITS; ESTABLISHING PROCEDURES FOR REMOVAL FROM OFFICE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Commission has determined that there is a need for citizen input into the Police Department so as to best promote the health, safety, and general welfare of the City of Fort Pierce; and,

WHEREAS, this input may be most efficiently obtained by the use of an advisory committee to assist the Chief of Police in order to facilitate interaction, build trust and mutual respect, and improve understanding between citizens and their Police Department.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. ESTABLISHMENT

The Police Community Advisory Committee is hereby established as an advisory body to the Chief of Police.

SECTION 2. MISSION STATEMENT

The Mission of the Police Community Advisory Committee (Committee) shall be to reduce crime and enrich the quality of life for the citizens of the City of Fort Pierce, through a collaborative partnership. Its main purpose is to facilitate interaction, build trust and mutual respect and improve understanding between Citizens and their Police Department.

SECTION 3. Scope of the Community Advisory Committee

1. The Committee will be developed to serve in an advisory capacity to the Chief of Police serving as a liaison concerning the relationship between the Department and the Community. The Committee shall have no authority over the Police Department and is not a policy making body, however they shall function solely as an advisory body. The Committee may be requested to make recommendations on matters affecting the relationship between the Police and the Citizens of the City of Fort Pierce. All activities of the Committee shall be conducted in accordance with Federal, State and Local laws including those laws relating to Public Records under section 119 Florida Statutes (2017) as well as the provisions of the Sunshine Law under section 286.011 Florida Statutes (2017).

2. A Citizen Advisory Committee is a group of individuals, who meet over an extended period, and who are appointed to examine an issue or set of issues of concern involving the relationship between the Police and the Community.

3. The Citizen advisory Committee ("the Committee") is established under the direction of the Chief of Police and acts as a liaison between the Community and the Police Department. Specifically, the Committee listens to the concerns of the Citizens conveys the stated concerns to the Police Chief. In this way the Committee helps further the goals and initiatives of the Police Department by providing interaction, building trust and mutual respect, and by improving understanding between the Citizens and the Police Department.

4. The Committee shall consist of a small number of individuals who represent the interests of the public and work to enhance relationships between the Fort Peirce Police Department and the Community. The Committee shall be a diverse group of volunteers with a vested interest in the addressing the issues relating to public safety and other issues which will foster safe neighborhoods within the Community.

5. The Committee will provide opportunities for citizens and the Police Department to gain a greater understanding of the nature and causes of community disharmony. The parties shall work collaboratively to strengthen and enhance mutual respect and the application of equal protection for all. The committee will assist the Police Chief in promoting public awareness of contemporary issues affecting police practice, and response of the community as well as the police to those issues.

SECTION 4. Duties and Responsibilities of the Committee

1. The Chief of Police or designee, or the committee by consensus may advance for discussion, issues of concern relating to policies, procedures or rules which directly affect the relationship between the police officers and the public. Policies and procedures which shall include personnel decisions, which do not relate to the public interface, shall not be within the purview of this Committee.

2. The Committee and the Department will work cooperatively to identify, inform, discuss, and address common issues and trends which may impact the quality and effectiveness of community policing and public safety. Such issues may include but are not limited to;

A) Stereotypes or implicit bias related to race, religion, ethnicity, sexual orientation, gender identity, body art or piercing, dress, or perceived socio economic status;

B) Victim Services, support, and advocacy;

- C) Training, recruitment and promotions;
- D) Crime reduction, prevention, and social disorder;
- E) Fair and impartial police practices;
- F) Distrust of Police services;
- G) Mental health issues;
- H) Homeless issues

SECTION 5. COMPOSITION, NUMBER AND QUALIFICATIONS OF MEMBERS

Committee Composition and Number

1. The membership of the Committee should reasonably represent the demographics, cultural and ethnic diversity, and special needs of the City and its neighborhoods. Committee members shall have established reputations of integrity, professionalism, and involvement in community service.

2. The Committee will be comprised of up to, but not more than, five (5) members who represent a range of backgrounds, interests, and personal or community service which shall include experience in one or more of the following areas:

- A. Faith-Based community,
- B. Mental Health resources,
- C. Education including local schools or college,
- D. Chamber of Commerce, small business, or other business organization,
- E. Social Service resources including aid to the homeless,
- F. Juvenile Justice, and dependent children or other youth centered resources,
- G. Diverse residential and business neighborhoods of the community,

Member Qualifications

3. No member of the Committee, nor any member of a Committee Appointee's immediate family, shall be currently employed by the City or be a former employee of the Police Department or the City.

4. No member of the Committee may currently be a party involved in or be a legal representative in litigation against the City or Police Department or any employee of those entities in their official capacity.

5. Each member of the Committee must be prepared and committed to invest the necessary time in enhancing police community relations in a manner that helps reduce the fear of crime and enhances relationships between the Police Department and the community.

6. Committee members must be permanent residents of the City of Fort Pierce, a member of the Business community of the City or otherwise be a recognized stakeholder in the City of Fort Pierce.

SECTION 6. Member Expectations

1. All members of the committee serve in a voluntary basis, and are expected to participate in monthly meetings of the Committee unless excused from participation by a consensus vote of the Committee.

Confidentiality and Disclosure of Conflicts of Interest

2. Members will not be privy to matters which are deemed confidential by law or which due to the nature of the information, will compromise the safety of officers or the public. Alternatively, information which may fit the legal definition of public record information shall be redacted in accordance with the provisions of Section 286.011 Florida Statutes (2017).

3. Members will not use their role as a Committee member and/or knowledge of Committee information for personal benefit or to secure special privileges, favors,

or exemptions for themselves, their community, an organization, or any other person.

4. Members are expected to abide by the consensus decisions of the Committee. Although they are free to disagree with consensus decisions of the Committee, members will refrain from publicly denigrating the Committee's decisions.

5. Members will disclose the general nature of any conflict of interest regarding matters coming before the Committee, including current or future litigation and/or being a witness to an incident in litigation against the City or Police Department.

6. Members will preserve the integrity and impartiality of the Committee and will not attempt to exercise individual authority over the Committee or Police Department, nor interfere with the operations of the Police Department.

SECTION 7. Selection and Appointment of Members

1. The City Clerk shall solicit citizen applications for membership on the Committee by:

A. Posting requests for applications on the FPPD and City of Fort Pierce web sites;

B. Issuing a press release explaining the formation, purpose, requirements for membership, and instructions on how to apply to the Committee;

C. Publishing the formation and purpose of the Committee as a public service announcement in local newspapers or other media outlets.

2. Nominees should represent the diversity set forth under Committee Composition in Section 5 for appointment to the Committee. Each nominee shall submit an application indicating their willingness to serve, agree with, and meet all requirements for membership on the Committee.

3. Following the receipt of applications the Mayor and each City Commissioner shall nominate one applicant from within their respective Districts and shall announce their nominee during a regular or Special Commission meeting.

Background Check

4. Prior to appointment, all Committee nominees shall submit to a criminal history background check due to the sensitivity of the matters that may be brought before the Committee.

Training

3. Prior to appointment, committee members will attend an orientation presented by the Chief. The initial Committee shall complete the Fort Pierce Police Department's Citizen's Academy together as a group to familiarize all members with the operation of City Government, the Police Department and the rules and operating procedures of the Committee. Members appointed subsequent to the initial appointments will complete the same training individually.

4. Training shall also include a minimum of two, 4 hour "ride alongs" with an Officer of the Fort Pierce Police Department.

5. Should a member resign, be removed in accordance with section 10, or otherwise be unable to serve, the appointing Commissioner or Mayor will select a qualified replacement from within their district.

SECTION 8. ORGANIZATIONAL STRUCTURE AND MEETING REQUIREMENTS

1. Two members of the Community Advisory Committee will be appointed by consensus of the Committee to serve as Chair and Vice Chair. The Chair and Vice Chair may serve in that capacity for only 2 consecutive terms unless the limitation is waived by a consensus vote of the Chief and Committee.

2. The Vice Chair shall serve as Chair in the absence of the Chair.

3. Community Advisory Committee Meetings shall be scheduled on a monthly basis and will be held at the police department or in another police facility as designated by the Police Chief.

4. Special meetings may be convened by the Chief of Police as needed.

5. All committee members are expected to regularly attend scheduled meetings.

6. Members are allowed two (2) absences from scheduled regular meetings during one calendar year. The Chief and the committee may vote to excuse a member's absence under extenuating circumstances.

6. When a committee member is not able to attend a regularly scheduled meeting, he/she must notify the Chair or the Chief of Police.

7. Failure to attend two consecutive meetings without contacting the Chair or the Chief with an acceptable explanation shall constitute grounds for removal from the committee using the procedures in Section 10.

SECTION 9. TERM LIMITS

1. Committee members shall be appointed for a two-year term, with an option to renew the appointment, per City Commission approval, for an additional term of two years.

2. Appointments to fill vacancies due to resignation or other unexpected events shall be limited to the unexpired term of such vacancy.

3. No individual shall be appointed for more than two terms, excluding however, any partial term for the filling of a vacancy as referenced above. Members may continue to serve on the Committee until a replacement has been appointed.

4. After having served two consecutive terms, any appointee may reapply for reappointment to the Committee after an absence from the Committee for at

least one year.

SECTION 10. REMOVAL OF MEMBERS

1. Members of the Committee are expected to exhibit the highest ethical and professional standards. Any member who engages in criminal, or unethical, immoral or illicit conduct as such are defined by Florida Law shall be recommended for removal by the Chief of Police upon consensus of the Committee and shall be subject to removal by the City Commission.

2. No member of the Committee shall attribute to the Committee any unauthorized written or oral opinion concerning Committee activity or use is/her position to obtain information which has been deemed confidential by law.

3. Members of the Committee are subject to removal for unauthorized disclosure of matters which are confidential by law or which if disclosed would interfere with the safety of officers and or the general public.

5. Members may also be removed for cause, or at the discretion of the Chief of Police or Chairman with approval of the Commission. In addition, members who, without being excused by the Chief or Chairman, fail to attend two consecutive regular meetings may be considered to have vacated their position and may be replaced.

SECTION 11. SEVERABILITY CLAUSE

If any provision of this act or its application to any person or circumstance is held invalid, the invalidity of that section does not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

SECTION 12. EFFECTIVE DATE

This resolution shall take effect immediately upon its adoption.

IN WITNESS WHEREOF, this Resolution has been duly adopted this _st day of _____, 2018.

Linda Hudson
Mayor Commissioner

ATTEST:

Linda Cox, City Clerk

Approved as to Form
And Correctness:

James M. Messer, Esq.
City Attorney

City Commission Regular Meeting

15.a.

Meeting Date: 07/02/2018

Re: City Manager's Report

Submitted For: Nick Mimms, City Manager, City Manager

SUBJECT:

City Manager's Report

Attachments

July City Manager Report

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	06/28/2018 11:18 AM
City Manager	Nick Mimms	06/28/2018 11:18 AM
Form Started By: Jennifer Robinson		Started On: 06/19/2018 04:31 PM
Final Approval Date: 06/28/2018		

SUNRISE CITY

SPECTRUM



JULY 2018



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8	POLICE DEPARTMENT	20	INDIAN HILLS GOLF COURSE
10	GRANTS ADMINISTRATION	21	FORT PIERCE CITY MARINA
12	PLANNING DEPARTMENT	22	SUNRISE THEATRE
14	BUILDING DEPARTMENT	24	CITY CLERK NEW BUSINESSES
16	CONSTRUCTION SPOTLIGHT	25	UPCOMING EVENTS

Stars Over St. Lucie

4th of July Celebration



Presented by The City of Fort Pierce with Main Street Fort Pierce

Come out and join the City of Fort Pierce and Main Street Fort Pierce for **Stars Over St. Lucie, a 4th of July Celebration!** On Wednesday, July 4, 2018 the festivities kick off at 6:00 p.m., rain or shine.

DJ – Jeff Brown from iHeart Media – WAVE 92.7 and OLDIES 103.7 will feature Top 40 dance music for the crowd and emcee the night's events from the community stage while the Humdingers play their hits. There will be inflatables from Billy's Bounce House for the kids, arts & crafts, food and fireworks. *Come see the massive American Flag provided by Fort Pierce Utility Authority!*

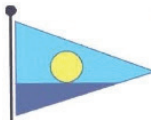
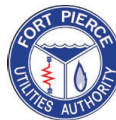
Common Ground Vineyard Church will be back at **Stars Over St. Lucie** to present historic military demonstrations. The gang will have a replica Civil War cannon that they will shoot off at 6:00 p.m., 7:00 p.m., 8:00 p.m. and 9:00 p.m. just in time to begin the fantastic fireworks show.

Fort Pierce City Marina Square
Melody Lane and Avenue A in Fort Pierce

The Downtown Parking Garage is open and free for your parking convenience.

Sponsors for the event are: Southern Eagle, Bluewater Beach Grill, City of Fort Pierce, Cobb's Landing, Fort Pierce Utilities Authority, Fort Pierce Yacht Club, the Original Tiki Bar, Seacoast Bank, and Waste Management.

SOUTHERN EAGLE
DISTRIBUTING



Praise IN THE PARK

■ DEVOSHAY JOHNSON,
IT MANAGER

On Saturday, June 23rd, all roads led to the City of Fort Pierce’s Martin Luther King Jr. Dreamland Park at 301 S 25th Street for the 3rd Annual Praise in the Park. It was community fun in the sun! The event represented the unique cultures and diversity that is the “heart” of Fort Pierce. After the opening prayer, the festivities and fun began. There was a wide variety of activities, such as face painting, bounce houses, basketball, live entertainment, and so much more and all impart to our community partners, and resources available. The City of Fort Pierce staff and volunteers had all hands-on deck as ensured all the stage, seating arrangements, tents, and activity stations were set up. Hats off to everyone and a BIG thank you to City staff for volunteering their time and, in some cases, contributing finances to this event.





The Public Works Department provided a continual supply of ice keeping our drinks cold for the sun filled day. Our Public Works director, Mike Reals, had the coolest seat in the park as he manned the dunk tank. Kids lined up to take a shot at dunking Mr. Reals. The tank setup and design was geared towards the depiction of drugs, gangs, poverty and other elements that we're "aiming" to dunk out of our community!

Our Procurement and IT volunteers welcomed eager warm, little faces at the arts and crafts tent! "Hey, I remember you from last year" said one little girl to Anna Ward (IT Specialist) at the crafts table.





The Police Department was perhaps the most visited station (next to the dunk tank) of the entire event. Free hotdogs and hamburgers may have had something to do with that! The Police Department is always making strides toward community engagement, having solid presence, and further fortifying a strong sense of trust.

As a whole, the City of Fort Pierce's presence at the event spoke volumes to our community and there were many testimonials by participants that expressed this sentiment.

Our community partners and service providers were a breath of fresh air to many; even a few new faces like Florida Rural Legal Service, AT&T, and our very own Natalie's Orchid Island came out to show their support. All we can say is, we can't wait until next year!



■ AUDRIA WELLS, FPPD PIO

NEW SHOES FOR KIDS: SHOP WITH A COP

Fort Pierce Police Department, Lil Feet of St. Lucie County, and the St. Lucie County Fire District joined forces to host a Shop with a Cop event at Payless Shoe Source in Fort Pierce on Saturday, June 16. Fort Pierce Police Officers helped 20 children find a new pair of shoes, some ended up with two pair. The children were selected from the department's Courageous Kids program or recommended by an officer. The Lil Feet program, sponsored by the Fire Department, provided the shoe cards. Payless also a partner of Lil Feet. It is the mission of Lil Feet is to provide new shoes to children in need so that they can run, play, and learn in comfort and with dignity; allowing them to focus on performing, rather than their circumstances.





FORT PIERCE POLICE CHIEF MAKES HISTORIC PROMOTIONS

Fort Pierce Police Chief Diane Hobbey-Burney promoted five (5) dedicated officers in her first promotional ceremony held Friday, June 22, 2018.

Family and friends gathered in the Main Station Lobby to witness this momentous occasion and celebrate their accomplishments.

Sergeant James Gagliano was promoted to the rank of Lieutenant. Lieutenant Gagliano has 18 years of service.

Detective Tyrone Campbell was promoted to the rank of Sergeant. Sergeant Campbell has 24 years of service.

Detective Christine M. Davis was promoted to the rank of Sergeant. Sergeant Davis has 20 years of service.

Detective Diego Palacio was promoted to the rank of Sergeant. Sergeant Palacio has 10 years of service.

Officer Tad Lindstadt will be promoted to the rank of Sergeant. Sergeant Lindstadt has 9 years of service.

“We are proud of the efforts of these committed veteran officers to our Citizens, our City, and Police Department in fulfilling our mission of “In Honor We Serve,” said Chief Hobbey-Burney.



FORT PIERCE DETECTIVE JEFFREY WACHENDORFER SELECTED TO SERVE ON STATEWIDE ADVISORY COMMITTEE

As one of the Fort Pierce Police Department’s Subject Matter Experts, Detective Wachendorfer has been hand-picked and chosen to represent the Police Department at the Law Enforcement Florida Basic Recruit Training Program Advisory Committee Workshop in Tallahassee.

The goal of this project is to update the 2020 Law Enforcement Basic Recruit Textbook and Instructor Guide based on several areas including, recommendations from the Strengthening the Bonds of Trust between Law Enforcement and the Public: Community Safety Recommendation report so that new officers are adequately prepared for a criminal justice profession within their communities.

Detective Wachendorfer has been with Fort Pierce Police Department since June 9, 2013. Prior to his hire, he served in the United States Army and the United States Navy. During the past five years, Detective Wachendorfer has received 3 lifesaving awards, a community service award, a superior unit award, awarded Officer of the month twice, and Officer of the year in 2014. He is now assigned to the Detective Bureau and assists the Training Department with a new class he developed, “Critical Thinking and Skepticism” and “Cognitive Assertion with Practical Application”.



WORLD CHANGER'S

■ Libby Woodruff, Grants Administration

More than 130 youth and adult volunteers visited Fort Pierce the week of June 11th. While here, they repaired and painted 10 homes, cleaned yards, picked up trash, provided groceries to lower income households, and helped Mustard Seed ministries and Sarah's Kitchen get organized. The City of Fort Pierce Grants Administration Division, provided the home rehab materials, paint, supplies, porta potties, large bathrooms, and shower trailers as well as oversaw their accommodations at the former PAL Center. World Changers provided advertising/marketing for all of the food for their annual block party which was held June 13th in Lincoln Park. 400 hamburgers, 400 hotdogs, baked beans, cole slaw, chips, drinks, and snow cones were served to anyone who wanted a free meal.





THE 4TH ANNUAL SUMMER JAM SUMMER CAMP

The 4th Annual Summer Jam Summer Camp is underway through August 4th at the former PAL facility on 21st Street.

More than 60 youth ages 7-16 are participating in this free summer camp - from 9:30am-3:00pm Monday-Thursday and are having a blast!

The City's Grants Administration Division is overseeing the camp. Partnership with the Treasure Coast Food Bank provides free breakfast and lunch to the kids each day. The Grants Admin. Division provides snacks, craft supplies, sports equipment, and covers the cost for 5 summer camp employees. Its been a great start so far!!



MORE PARKING!!

On the corner of Seaway Dr. and Ocean Dr., visitors coming to enjoy Jetty Park, restaurants, bars, and beaches of South Beach will soon have more parking available! This will be the first private parking lot on the island and will feature a solar powered light system (with sea turtle compliant lights). This is also the first parking lot to feature a kiosk pay system for its users.



CRA TOUR

On June 20, 2018, the City of Fort Pierce Community Redevelopment Agency and members of the public toured the beautiful Lincoln Park community. The tour provided a visual survey as well as acknowledge the areas in need of redevelopment long with the current capital improvements being provided. Approximately 30 individuals were in attendance. Planning Department staff included Rebecca Grohall-Planning Director, Vennis Gilmore-Planning Analyst, and Nate Spacek-Planning Intern.





1ST FLOOR

CONCRETE DISPLAY 3,088 SF
 SHOWROOM & SERVICE 24,182 SF (A/C)
 NEW CAR DELIVERY 1,175 SF (A/C)
 SERVICE WRITER 1,800 SF (A/C)
 SERVICE RECEPTION 4,294 SF (A/C)
 SERVICE LUBE 1,500 SF
 CAR WASH BAY 2,795 SF
 CAR WASH BAY 2,795 SF
 Q/L STORAGE/COMPRESSOR 482 SF
 TOTAL 194,775 SF - ACORN CONSTRUCTION

2ND FLOOR

OFFICE 8,451 SF (A/C)
 MEETING SECT. 3,000 SF (A/C)
 TOTAL 11,451 SF
 TOTAL A/R CONSTRUCTION (ACORN ALBERT SF)
 GRAND TOTAL SQ FOOTAGE 194,323 SF






2nd Floor Plan



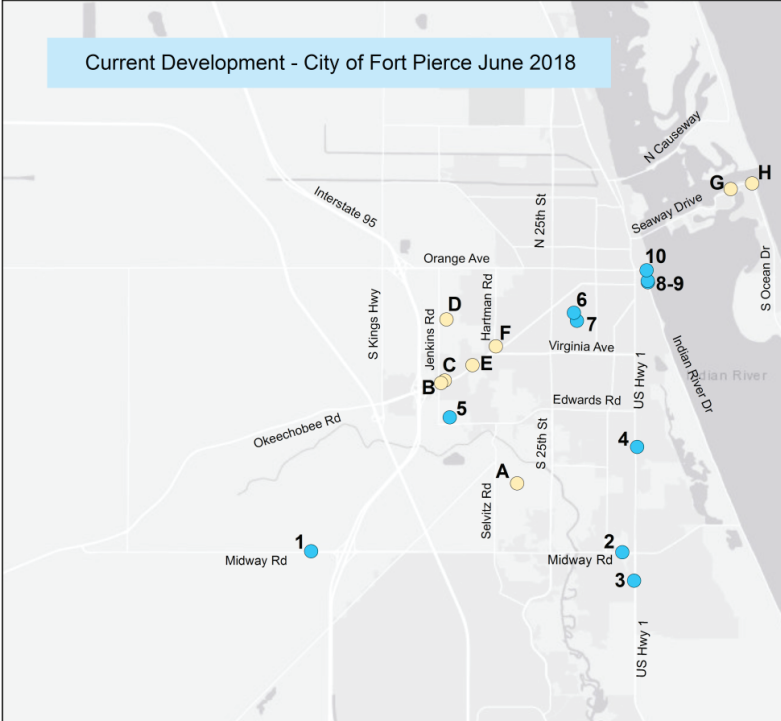
Entry Courtyard 2. Showroom 3. Cafe 4. Customer Lounge 5. Retail Display 6. Offices 7. New Vehicle Delivery 8. Service Writer 9. Service Reception
 10. Parts 11. Service Department 12. Detail Bays 13. Tire Prep 14. Express Lube 15. Carwash 16. Break Room 17. Meeting Room 18. Parts Storage 19. Open To Below

EXPANDING


In June 2018 the City Commission approved the site plan for a Bev Smith Toyota expansion. The current Toyota retail building will be demolished and replaced with a brand new 59,823 square foot Toyota retail building. There will also be a 3,000 square foot office expansion for the existing auto body shop.

CURRENT DEVELOPMENTS


Current Development - City of Fort Pierce June 2018



Map ID	Approved Projects (Blue)
1	Village at Midway
2	Treasure Coast Recovery Centers
3	Sunrise Volkswagen
4	Bev Smith Toyota
5	Jenkins Road KOA
6	Lawwood Physical Rehabilitation Center
7	Mayfair at Lawwood
8	Indian River Commerce Center
9	Indian River Villas
10	St. Andrews Upper School
Map ID	Projects Under Construction (Yellow)
A	Precast Concrete Specialties
B	Wawa
C	Chick-fil-A
D	Celebration Pointe
E	Portofino Landings
F	Dollar Tree
G	Inlet Palms
H	ASTA Parking



Created by:
Brandon Creagan
City of Fort Pierce
Planning Department



Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

Chick-fil-A & Wawa are almost ready!

Both structures are nearing the final stages of construction and are expected to be finished in July!! The inspections are continually being scheduled within days of each other... not too much longer Fort Pierce!



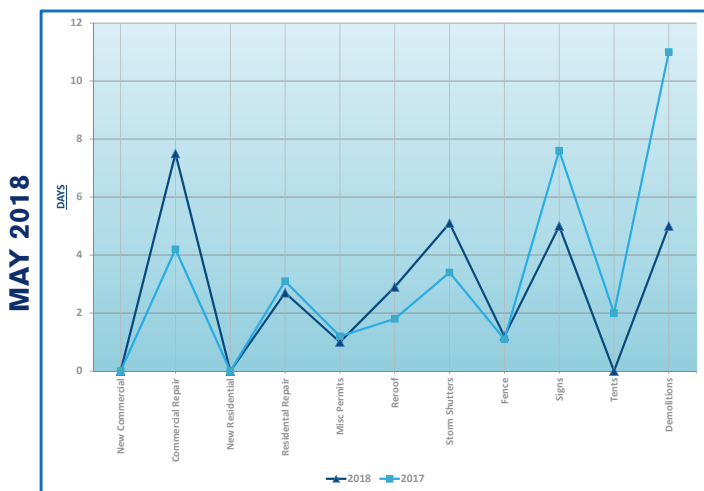


ANYTIME FITNESS

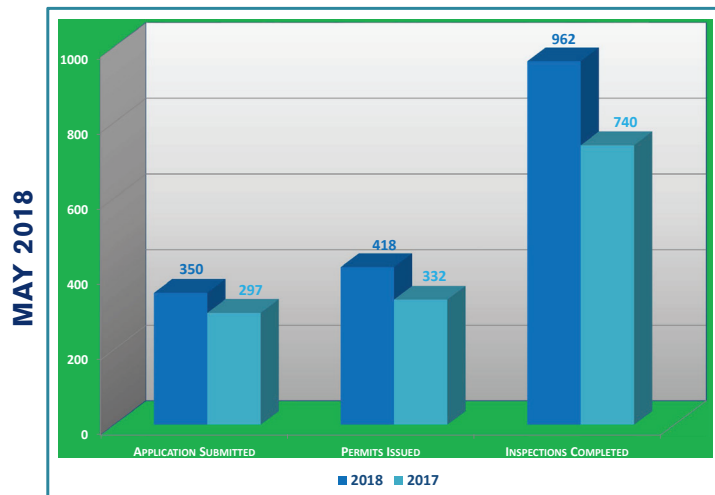
We are excited to announce that Anytime Fitness has relocated to the Peacock Arts District (P.A.D.)! After a major interior renovation and work on the façade, the certificate of occupancy has been issued and they are up and running. The goal of the building design was to accommodate the vibe and feel of the P.A.D. and new upcoming revitalization.

PLAN REVIEW PROCESSING TIME

For permits with 0 days, either the review was not completed within the month, or there were no reviews for the entire month.



BUILDING PERMIT ACTIVITY REPORT





Road Resurfacing - Milling



Road Resurfacing - Asphalt

Priority Tasks and Updates

US 1 Adaptive Traffic System – Construction has been completed for the project, 30 new cameras and 6 new TS2 Type I traffic cabinets along with a new traffic server were installed as part of this project. Econolite is completing the final software updates and input of intersection specific parameters. We anticipate the system to be on-line and operating by the end of July 2018.

City Marina Dinghy Docks – Brothers Construction Services has completed design work for the project and design has been released for fabrication. Onsite work activities will commence the second week of July in preparation of docks.

Avalon Drainage Repairs – Construction activities commenced on March 26, 2018. Currently the roadway is open to the traffic, but will be partially closed during the roadway striping scheduled for two weeks. Current construction activities include drainage pipe installation, replacement of all structures, sidewalk and driveway construction, sodding, and roadway resurfacing. Project completion is scheduled for June 2018.

Outfall Canal Stabilization

In September 2017, as a direct result of Hurricane Irma, both the Mayflower Canal and the unstabilized portion of the Virginia Avenue Outfall Canal received substantial bank sloughing and erosion sedimentation within the bed of the canals. Applications for funding were immediately sent to NRCS and after much anticipation we recently receive notification that we were awarded grant funding in the amount of \$3,296,283 to be utilized for canal bank hardening of these two important canal banks.

Design work is currently underway for both projects with design and cost estimates to be completed by the first of July. Construction commencement for both canals is expected in July/August 2018 with final completion in February/March 2019.



**Canal Stabilization –
Post Construction**



Mike Reals, Public Works Director

The Public Works Department is excited to announce the official launch of the City of Fort Pierce Recreation activities. Just shy of 400 youth have signed up for the Fort Pierce Firehawks football and cheerleading. On June 11th, the Fort Pierce Firehawks began practicing for the upcoming season. Over 300 young men are preparing to grind it out on the football field. Close to 80 young ladies will be cheering them on from the sidelines. On July 6th, at 6:30 the season kickoff will take place along with the Khalil Mack field dedication ceremony.

The future of recreation in the City of Fort Pierce is exciting as staff is working diligently to create programs that will greatly benefit our community. Look for updates throughout the summer as we develop new opportunities.





The long anticipated restroom downtown has officially opened. The final product is a beautiful facility that is architecturally pleasing and ready to serve visitors frequenting the many businesses and activities in the area.

RIVER WALK CENTER SALES REPORT MAY 2018

CLASSES	\$ 1,323.89
PARK PERMITS	\$ 3,212.50
SPECIAL EVENTS	\$ 1,050.00
GARDEN CENTER	\$ 1,017.34
MARAVILLA CENTER	\$ 1,190.50
OLD CITY HALL	\$ 2,435.37
RIVER WALK CENTER	\$ 3,666.81
TOTAL	\$ 13,896.41



Daniel Visconti, IHGC Manager

We have begun our summer maintenance projects with our first priority, the greens. They have been aerified and top dressed so they will remain a bit bumpy until approximately July 1st. The later part of June we will be performing the same procedure to the fairways which will immensely improve turf health and growth.

As we move through summer, we will address the bunkers to get them back to a consistent and playable state. We're excited with the progress and we look forward to a fantastic 2019!

We thank all of the members and guests who supported us during our maintenance time which is usually slow, but as you can see from the June round counts were anything but slow! As a token of our appreciation, we extended 50% off of all of our fees throughout the day over those two maintenance weeks!

We look forward to seeing you playing some great summer golf! There's always a breeze here at The Hills and we have an amazing natural drainage system that allows us to be open after even the hardest of rains!

Those of you that run groups or outings, please keep us in mind as we move into the Fall and Winter months. Saturday's are normally our most quiet day of the week, so even in peak season we could certainly accommodate your group.

Finally, our Junior Camps and Clinics will begin in June! Please contact the Golf Shop or check us out on Facebook to inquire about dates and times.

INDIAN HILLS SALES REPORT

	↑ 4/2018	↑ 5/2018
GOLF ROUNDS	2167	2875
GOLF FEES	\$32,982.25	\$19,777.10
RANGE TOKENS	\$843.71	\$1,339.20
MEMBERSHIP PASS	\$240.00	\$320.00
FOOD & BEVERAGES	\$4,092.98	\$4,713.16
MERCHANDISE	\$2,474.69	\$4,368.39
TOTAL	\$40,633.63	\$30,518.85



CITY MARINA FINANCIAL REPORT

	MARCH	APRIL	MAY
Dockage Reservations	206	244	190
Monthly Dockage	\$221,711.48	\$110,777.24	\$135,865.96
Transient Dockage	\$61,547.79	\$72,983.84	\$58,615.94
Electricity	\$6,306.81	\$5,454.16	\$5,159.33
Retail	\$31,622.43	\$23,442.02	\$13,510.89
Gas Sales	\$33,015.30	\$45,097.66	\$30,468.06
Diesel Sales	\$89,895.32	\$113,425.09	\$118,889.96
TOTALS	\$444,099.13	\$371,180.01	\$362,510.14

SUNRISE THEATRE FOR THE PERFORMING ARTS

is pleased to announce their 2018/19 Season of dazzling shows that have been confirmed to date. The Sunrise Theatre continues to expand and enhance our programming with highly sought after and celebrated national touring artists and will be continuing to add more throughout the summer into the 13th season!

HEADLINERS

Paul Anka Sings Sinatra, The Beach Boys, The Midtown Men – Holiday Hits! 4 Original stars from Broadway’s Jersey Boys, Darlene Love, Dave Koz & Friends – Mindi Abair, Jonathan Butler & Keiko Matsui, The Kingston Trio, and The Righteous Brothers

ROCK ‘N’ ROLL & TRIBUTE ARTISTS

Chris MacDonald’s Memories of Elvis “Rockin Birthday Bash”; ABBA Mania Tribute Concert, Rumours – Fleetwood Mac Tribute, The Australian Bee Gees, and One Night of Queen.

FAMILY OFFERINGS

DRUmline Live! Holiday Spectacular, The State Ballet Theatre of Russia’s The Nutcracker; The New Shanghai Circus, and iLuminate.

AND A HOST OF OTHERS

Legally Blonde: The Musical, Benise Fuego!, Murphy’s Celtic Legacy, Howie Mandel, and more.

Tickets for these and all 2018/19 Season Shows go on sale Members beginning Monday, July 23, at 10am and to the General Public on Tuesday, September 4th at 10am. For Tickets and Membership Information, call the Box Office (Monday-Friday 10am-2pm) at 772-461-4775 or online at www.sunrisetheatre.com.

20

18

19

13

LUCKY SEASON

SUNRISETHEATRE.COM
772.461.4775

*TICKETS ON SALE TO MEMBERS JULY 23RD
*ON SALE TO PUBLIC SEPTEMBER 4TH

 DRUMLINE Holiday Spectacular NOVEMBER 24 TH	 DAVE KOZ & FRIENDS CHRISTMAS TOUR 2018 NOVEMBER 28 TH	 THE MIDTOWN MEN Holiday Hits! DECEMBER 13 TH	
 THE STATE BALLET THEATRE OF RUSSIA PRESENTS: THE NUTCRACKER DECEMBER 26 TH	 THE KINGSTON TRIO JANUARY 10 TH	 THE RIGHTEOUS BROTHERS BILL MEDLEY & BUCKY HEARD JANUARY 18 TH	 HOWIE MANDEL JANUARY 25 TH
 iLuminate THE MOST FUN YOU'VE EVER HAD IN THE DARK! FEBRUARY 2 ND	 THE NEW SHANGHAI CIRCUS FEBRUARY 8 TH	 ABBA MANIA THE BEST ABBA CONCERT EVENT! FEBRUARY 16 TH	 DARLENE LOVE FEBRUARY 22 ND
 BENISE FUEGO! MARCH 1 ST	 Anka Sings Sinatra HIS SONGS, HIS STYLING, HIS BEST! MARCH 3 RD	 The Beach Boys MARCH 6 TH	 LEGALLY BLONDE THE MUSICAL MARCH 8 TH
 RUMOURS FLEETWOOD MAC TRIBUTE MARCH 14 TH	 AUSTRALIAN BEE GEES A TRIBUTE TO THE BEE GEES MARCH 29 TH	 MURPHY'S CELTIC LEGACY IRISH DANCE REBORN APRIL 3 RD	 ONE NIGHT OF QUEEN APRIL 26 TH

BECOME A MEMBER TODAY FOR AS LITTLE AS \$75!
 MEMBERS GET ADVANCE NOTICE OF SHOWS, DISCOUNTS ON TICKETS, MEET & GREET OPPORTUNITIES AND MORE! MEMBERS ALSO RECEIVE EXCLUSIVE DISCOUNTS FROM LOCAL BUSINESSES!

117 SOUTH 2ND STREET IN HISTORIC DOWNTOWN FORT PIERCE
 *MORE SHOWS AND ATTRACTIONS TO BE ADDED THROUGHOUT THE SEASON!

2018 Sunrise Theatre / MCT Summer Camps

Snow White & The Seven Dwarfs

Workshop/Camp - July 9-13 | Children’s Performance, Friday, July 13 @ 6:00pm

Blackbeard The Pirate

Workshop/Camp – July 23-27 | Children’s Performance, Friday, July 27 @ 6:00pm



SUNRISE THEATRE FINANCIAL REPORT

Date	Show	Attendance	Total Expense	Total Revenue	Gain/(Loss)
5/3	Ecology is Awesome (Childrens Show)	N/A	\$4,446.72	\$0.00	(\$4,446.72)
Date	Rental	Attendance	Total Expense	Total Revenue	Gain/(Loss)
5/11	St. Andrew's Spring Program	569	\$3,990.82	\$7,096.00	\$3,105.18
5/12	Community Outreach Talent Competition	358	\$1,659.39	\$3,867.00	\$2,207.61
5/18	An Evening With Floyd	491	\$14,933.90	\$20,633.40	\$5,699.50
5/19	John Carroll High Graduation	N/A	\$1,335.92	\$3,070.00	\$1,734.08
5-31/18	Jazz Jam	255	\$1,784.16	\$2,334.00	\$549.84
5-31/18	Comedy Corner	213	\$2,720.35	\$5,003.00	\$2,282.65
TOTALS			\$30,871.26	\$42,003.40	\$11,132.14



#FortMade - Lisa's Kayaks

Follow us on Social Media as we continue to share #FortMade stories about the unique and creative people living the Fort Pierce dream. This city wouldn't be the same without the wonderful people in our community.

WELCOMING NEW BUSINESSES!

- 1340 SEAWAY DRIVE LLC
- 3 D'S N M PRESSURES WASHING SE
- A1 SUPER MARKET, INC
- ALABON HAITIAN RESTAURANT
- BLUE HORIZON YACHT SALES, INC.
- BONAFIDE CLEANING LLC
- BURK, AMBER
- CASEY CREEK SOUTHERN BOUTIQUE
- COLDWELL BANKER PARADISE
- CONYERS, ROSEMARY
- DESTEFANIS, ROBERT I
- EKOR YACHT SERVICES, INC.
- ESSENTIAL PAWS ISLAND RESORT,
- FENAR, CHRISTOPHER
- HALL'S LAWN MAINTENANCE
- HERNANDEZ, MARIA
- HOT STOP FOOD MART, INC.
- HOT STOP WIRELESS II, INC.
- HYPOWER, INC.
- JC LAWN CARE
- JOHNSON'S HAIR CARE SALON
- JRP GROUP SERVICE, INC.
- KANTBAVERAGE, LLC
- LA PLACITA FTP
- LOGAN DESIGNS
- M & I CONSTRUCTION CLEANING
- MOM & POP MINI MART, LLC
- MULTI-SERVICE COMMUNICATIONS,
- PARADISE PHOTOGRAPHY
- PEREZ, REGINA
- QUAINTELLE BEAUT'EPORT, LLC
- REAL ESTATE EXPO
- REYES, BRANDON
- ROYAL GREEN LANDSCAPE & PEST M
- RROBERT ST.VAN DESIGN ENTERPRI
- SAM'S FOOD MART
- SAVANNAHS REALTY GROUP, INC
- SOUTH FLORIDA TATTOO CO. INC.
- SPARKY'S ELECTRIC, LLC
- SPELLS, SANDRA
- STORAGE PIRATES, LLC
- SUNRISE CITY PRODUCE



UPCOMING COMMUNITY EVENTS

EVENT	DATE	TIME	LOCATION
FORT PIERCE FARMER'S MARKET	EVERY SATURDAY	8:00 AM - 1:00 PM	MARINA SQUARE
GREEN MARKET	EVERY WEDNESDAY	12:00 PM - 6:30 PM	MARINA SQUARE
AVENUE D MARKET	EVERY FRIDAY AND SATURDAY	8:00 AM - 10:30 PM	AVENUE D PLAZA
STARS OVER ST. LUCIE	7/4	5:30 PM - 9:00 PM	MARINA SQUARE
FRIDAY FEST	7/6	5:30 PM - 9:00 PM	MARINA SQUARE
UNITED STATES NAVY BAND	7/7	3:00 PM - 5:00 PM	SUNRISE THEATRE
MISSOULA CHILDREN'S SUMMER THEATRE	7/9	6:00 PM	SUNRISE THEATRE
UNITY IN OUR COMMUNITY	7/11	10:00 AM - 2:00 PM	PERCY PEEK GYM
JUNIOR GOLF CAMP	7/16	9:00 AM - 1:00 PM	INDIAN HILLS GOLF COURSE
CHOW DOWN FOOD TRUCKS	7/31	5:00 PM - 9:00 PM	VETERANS MEMORIAL PARK



Mission Statement

To provide community leadership, quality public service, and a safe environment for all citizens, by an empowered team of employees motivated by pride in themselves and their work.

WWW.CITYOFFORTPIERCE.COM ■ [FACEBOOK.COM / FTPIERCE](https://FACEBOOK.COM/FTPIERCE)