

CITY PLANNING BOARD

BOARD AGENDA

Planning Board Regular Meeting - Tuesday, June 12, 2018 - 6:00 p.m.
City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **CONSIDERATION OF ABSENCES**
5. **APPROVAL OF MINUTES**
 - a. Minutes from the May 8, 2018 meeting
6. **NEW BUSINESS**
 - a. Annexation - Peter Angelos - 2850 S. Jenkins Road
 - b. Zoning Text Amendment - Section 22-22 - Allowed Uses
 - c. Conditional Use - St. Nicholas Greek Church Private School - 2525 S. 25th Street
 - d. Conditional Use - Cox Dwelling Rental - 502 S. Compass Drive
 - e. Conceptual Site Plan - Sunrise Country Pre-School - 2706 Sunrise Boulevard
 - f. Special Exception - Hicks Residence - 71 Southpointe Drive
7. **BOARD COMMENTS**
8. **ADJOURNMENT**

Any person seeking to appeal any decision by the Planning Board with respect to any matter considered at this meeting is advised that a record of proceedings is required in any such appeal and that such person may need to insure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

Persons who require special accommodations under the Americans with Disabilities Act (ADA) should contact (772) 467-3729, at least five (5) days prior to the meeting. Persons who are hearing or speech impaired may use the Florida Relay System by dialing 711.

Planning Board

5.a.

Meeting Date: 06/12/2018

Information

REQUESTED ACTION

Minutes from the May 8, 2018 meeting

LOCATION

RESPONSIBLE STAFF

RECOMMENDATION

Attachments

Planning Board Minutes 5.8.18

Form Review

Form Started By: Alicia Rosenthal

Started On: 05/17/2018 01:28 PM

Final Approval Date: 06/06/2018

DRAFT



CITY OF FORT PIERCE PLANNING BOARD

Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, **MAY 8, 2018**, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Present: **Gloria Johnson-Scott; Bob Burdge; Brian Paul; Michael Broderick; John George; Tim O'Connell; Frank Creyaufmiller, Chairman**

Staff Present: **James Messer, City Attorney**
Rebecca Grohall, Planning Director
Vennis Gilmore, Planning Analyst
Brandon Creagan, Planner
Alicia Rosenthal, Executive Assistant

4. **CONSIDERATION OF ABSENCES**

All members were in attendance.

5. **APPROVAL OF MINUTES**

- a. Minutes from the April 10, 2018 meeting

Motion was made by Michael Broderick, and seconded by John George to approve the minutes from the April 10, 2018 meeting.

AYE: Michael Broderick, John George, Tim O'Connell, Gloria Johnson-Scott, Bob Burdge, Brian Paul, Chairman Frank Creyaufmiller

Passed

6. **NEW BUSINESS**

a. **Hearing of the Local Planning Agency
Comprehensive Plan Amendment to Future Land Use Map - Fresh Wind Fresh Fire
Church - 411 N. 25th Street**

Mr. Gilmore gave an overview of the application. Abraham Chabab, Applicant Representative, stated the reason the church is applying for an amendment use change is to be consistent with the adjacent property.

Motion was made by John George, and seconded by Gloria Johnson-Scott to forward a recommendation of approval to the City Commission for the proposed amendment.

AYE: Brian Paul, Michael Broderick, John George, Tim O'Connell, Gloria Johnson-Scott, Bob Burdge, Chairman Frank Creyaufmiller

Passed

b. **Hearing of the Local Planning Agency - Comprehensive Plan Amendment to Future Land Use Map - Camping World - 2191 S. Jenkins Road**

Mr. Creagan gave an overview of the application. Brad Currie, Applicant Representative from Engineering Design & Construction, provided a brief background on Camping World.

Motion was made by John George, and seconded by Michael Broderick to forward a recommendation of approval to the City Commission.

AYE: John George, Tim O'Connell, Gloria Johnson-Scott, Bob Burdge, Brian Paul, Michael Broderick, Chairman Frank Creyaufmiller

Passed

c. **Annexation - Peter Angelos - 2850 S. Jenkins Road**

Mr. Gilmore gave an overview of the application. No one spoke for or against the application.

Motion was made by John George, and seconded by Michael Broderick to forward a recommendation of approval for the proposed annexation.

AYE: Tim O'Connell, Gloria Johnson-Scott, Bob Burdge, Brian Paul, Michael Broderick, John George, Chairman Frank Creyaufmiller

Passed

d. **Zoning Atlas Amendment (Rezoning) - Fresh Wind Fresh Fire Church - 411 N. 25th Street**

Item 6d, 6i and 6o were presented together. Mr. Gilmore gave an overview of the application.

Abraham Chabab, Applicant Representative, stated they are in agreement with the staff report.

Motion was made by John George, and seconded by Gloria Johnson-Scott to forward a recommendation of approval of the proposed amendment.

AYE: Gloria Johnson-Scott, Bob Burdge, Brian Paul, Michael Broderick, John George, Tim O'Connell, Chairman Frank Creyaufmiller

Passed

e. **Zoning Atlas Map Amendment (Rezoning) - Camping World - 2191 S. Jenkins Road**

Items 6e and 6j were presented together.

Mr. Creagan gave an overview of the application and answered questions from the Board regarding the Technical Review Committee comments, landscape barrier and traffic study.

Ms. Grohall stated all the Technical Review Committee comments have been addressed by the applicant and some of the items will become conditions of approval but most would be in place before it goes to City Commission. Ms. Grohall explained the water feature will be a fountain that will help with water circulation and pond retention. Ms. Grohall said St. Lucie County Engineering will work with Camping World to ensure any traffic impacts are mitigated and the traffic study was looking at a maximum build out scenario for the property, so not all 64,000 trips will occur on the same date. Ms. Grohall stated the county is going to ensure that the turn lanes are safe and appropriate for the school. Ms. Grohall said the applicant is conducting a neighborhood meeting on May 17, 2018, to ensure there is not any comments or questions from any of the adjacent properties. She also said there was a sign placed on the property advising people of the site plan and rezoning and a large advertisement ran in the newspaper for the Future Land Use component.

Brad Currie, Applicant Representative, from Engineering, Design & Construction, explained that two traffic studies were completed; one for the maximum build out and one for zoning. Mr. Currie stated the revised site plan shows queuing lanes, and they will be required to get a right-of-way permit through St. Lucie County. He went on to say, St. Lucie County will do a thorough review of their application and traffic study and make a determination of what the required turn lanes will be. Mr. Currie stated Camping World will be giving an additional 40 feet of right-of-way dedication.

Marty Sanders, St. Lucie County School District Representative, expressed concerns with the payment in lieu of option for sidewalks along Jenkins Road and creating a back log of school buses trying to turn into Samuel Gaines Academy, because of the 200 foot reduction in the left turn lane.

Mr. Currie stated the revised site plan shows a sidewalk along Jenkins Road and the payment in lieu of is for the required sidewalk along Graham Road. Mr. Currie explained there is a minimum distance that is required for DOT turn lanes and that distance was met for the left turn lane going into Camping World and the left turn lane going into Samuel Gaines Academy. Mr. Currie preceded to say that the existing turn lane at Samuel Gaines Academy far exceeds DOT standards so they tried to split the difference.

Motion was made by Michael Broderick, and seconded by John George to forward a recommendation of approval to the City Commission.

AYE: Michael Broderick, John George, Tim O'Connell, Gloria Johnson-Scott, Bob Burdge, Brian Paul, Chairman Frank Creyaufmiller

Passed

f. **Zoning Atlas Amendment (Rezoning) - Wilson Rezoning - 1101 N. US Highway 1**

Mr. Gilmore gave an overview of the application. Sandzua Cooper, Applicant, introduced herself to the Board.

Motion was made by John George, and seconded by Gloria Johnson-Scott to forward a recommendation of the proposed amendment.

AYE: Tim O'Connell, Gloria Johnson-Scott, Bob Burdge, Brian Paul, Michael Broderick, John George, Chairman Frank Creyaufmiller

Passed

g. Zoning Atlas Amendment & Planned Development Plan - Crownman PD - 515 S. Indian River Drive

Item 6g and 6n were presented together. Mr. Creagan gave an overview of the application and answered questions from the Board regarding parking. Mr. Broderick disclosed that he discussed the planning concept with the applicant.

Ms. Grohall explained the parking requirement can be met through a lease agreement with the adjacent properties or the payment in lieu of option but they do not have to make it a binding agreement with the site plan.

Kris Einstein, Owner, provided additional information on parking, licensed kitchen, event pavilion, landscaping and fencing.

Kurt Holden, Director of Operations for Fly the Whale, spoke in favor of the development.

Kip Lyman, Neighbor, stated she is in favor of the Bed and Breakfast and the conceptual idea of having a quaint event opportunity but she has many concerns. Ms. Lyman provided a handout to the Board with options to her concerns. She expressed concerns with the event pavilion being located 85 feet from her bedroom window, construction of the residence located on the east side of Indian River Drive blocking her view and safety concern with traffic on Delaware Avenue. Ms. Lyman explained she is more than happy to work with the Planning department and her neighbors to work on something that would be amicable for all.

Dr. Ron Lyman, Neighbor, spoke against the driveway off of Delaware and the location of the residence and pavilion.

Ms. Einstein said she went over the plans a few days prior to the meeting with the neighbors and she would love to work with them on looking at the properties and the building placements. Ms. Einstein stated she will be living on the property and on call 24/7 and will maintain and watch the noise levels.

Mr. Broderick asked Ms. Einstein if she would be willing to table the application for the next Planning Board meeting, to have the opportunity to meet with the abutters, to address some of the concerns, and come up with some modifications.

Ms. Einstein stated she prefers to keep moving forward and not take another month to delay the application approval process.

Chairman Creyaufmiller stated it would be difficult for the Board to move the project forward to City Commission, because ample time is needed to make changes, to satisfy the needs of the neighbor.

Ms. Einstein stated it was unfortunate that they sat with the neighbors and are being blindsided at the meeting. Ms. Einstein said their proposal will not work with the setback and parking requirements and the bank on the other side of the road is not usable space. Ms. Einstein went on to say that they will be including valet services to help alleviate the parking issues and safety issues and they will be living on the property so they can watch the level of noise and how late it goes. Ms. Einstein said they can work together on those items and try to keep their view available, so it should not deter from moving forward with the approval process for the PD. Ms.

Einstein said they are proposing to build the residence across the street so one day they can possibly move to the residence and allow more rentals on the back unit. Ms. Einstein stated that another option for the property was a boutique hotel but they felt bad for the neighbors and decided to do something one level, to go along with the waterfront charette and to reuse the existing buildings to how the downtown historic area was designed.

Mr. George asked if the Board could allow staff to work with the two parties to make an amicable decision, before coming to the board.

Ms. Grohall stated it is entirely possible that staff can work this out and it still would have to go to City Commission and the Lyman's have every opportunity at City Commission to speak in favor or in opposition of the project. Ms. Grohall said the landscaping, Delaware Avenue, the storm water capacity area and the parking lot is going to help provide a lot of buffer. Ms. Grohall explained that an opaque buffer, different height and different plant materials will also achieve some additional buffering. Ms. Grohall stated her recommendation was to improve the project with the conditions and include the meeting if the Board desires. Ms. Grohall explained that the project will go to the Historic Preservation Board for character as part of the River's Edge Historical District and the preference is that it goes to Historic Preservation Board prior to the City Commission.

Planning Board discussion ensued.

Ms. Grohall provided clarification on the letter that was mailed out for the Bed and Breakfast Conditional Use with No New Construction application. She stated that the Planned Development is a new application, which encompasses several different uses in it, and when the project moves forward to City Commission new notices would be mailed to all the adjacent properties.

Motion was made by Bob Burdge, and seconded by John George to lay the question on the table.

AYE: Gloria Johnson-Scott, Bob Burdge, Brian Paul, Michael Broderick, John George, Tim O'Connell, Chairman Frank Creyaufmiller

Passed

h. Conditional Use - Morestant Driving School - 1607 Avenue D

Mr. Gilmore gave an overview of the application and answered questions from the Board regarding the Technical Review Committee comments.

Ms. Grohall stated the St. Lucie County Planning department comments are advisory in nature only and the county participates merely as a courtesy on the projects and the jurisdictional approvals are to the city. Ms. Grohall preceded to say that the Fort Pierce Engineering comments are minor in nature and can be handled prior to any actual authorization and before they begin operations.

Buteau Morestant, Applicant, stated customers would take class at his location, to prepare them for the driving test.

Motion was made by Gloria Johnson-Scott, and seconded by John George to forward a recommendation to 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 & OJ Lighting. Please provide the lighting plan with a minimum average of two (2) footcandles.**
- 2) Please consider the installation of a bicycle rack (two (2) -space minimum) for students/visitors per CityCode Section 22-60 Off-Street Parking and Loading.**
- 3) Remove the existing driveway skirt that is located next to the eastern property line.**

AYE: Bob Burdge, Brian Paul, Michael Broderick, John George, Tim O'Connell, Gloria Johnson-Scott, Chairman Frank Creyaufmiller

Passed

i. Development Review & Design Review - Fresh Wind Fresh Fire Church - 411 N. 25th Street

Item 6d, 6i and 6o were presented together. Mr. Gilmore gave an overview of the application.

Abraham Chabab, Applicant Representative, stated they are in agreement with the staff report.

Mike Menard, from Architectonic, ensured they will meet all code criteria, including ADA and Life Safety.

Motion was made by Michael Broderick, and seconded by John George to recommend approval of the proposed Site Plan and Design Review application.

AYE: Bob Burdge, Brian Paul, Michael Broderick, John George, Tim O'Connell, Gloria Johnson-Scott, Chairman Frank Creyaufmiller

Passed

j. Development Review, Design Review, & Conditional Use - Camping World - 2191 S. Jenkins Road

Items 6e and 6j were presented together.

Mr. Creagan gave an overview of the application.

Motion was made by Michael Broderick, and seconded by John George to forward a recommendation of approval to the City Commission with the following conditions:

- 1. Coordinate with St. Lucie County for the installation or payment-in-lieu for sidewalks along Graham Road.**
- 2. Submit a tree protection and mitigation plan pursuant to City Code 22-194, Tree Protection and Mitigation prior to the City Commission Meeting.**
- 3. Before a CO is issued, please provide a landscape bond for all proposed landscaping pursuant to City Code 22-180.**
- 4. A Unity of Title will be needed prior to the issuance of a Building Permit.**
- 5. That both the Zoning Atlas Map Amendment and Future Land Use Map Amendment are approved**

AYE: John George, Tim O'Connell, Gloria Johnson-Scott, Bob Burdge, Brian Paul, Michael Broderick, Chairman Frank Creyaufmiller

Passed

k. Development Review & Design Review - Bev Smith Toyota - 3350 S. US Highway 1

Mr. Creagan gave an overview of the application and answered questions from the Board on the water retention area.

Pat Ferland, Applicant Representative from Culpepper and Terpening, stated they agree with the conditions on the staff report.

Motion was made by Bob Burdge, and seconded by John George forward a recommendation of approval to the City Commission with the following conditions:

- 1. Coordinate with St. Lucie County for the installation of sidewalks along Dixieland Drive and Southland Drive.**
- 2. Schedule a meeting with Planning Staff and the City Arborist to discuss the proposed tree mitigation that was discussed at the project intake meeting. Please schedule this meeting prior to the City Commission meeting.**
- 3. Before a CO is issued, please provide a landscape bond for all proposed landscaping pursuant to City Code 22-180.**
- 4. A Unity of Title will be needed prior to the issuance of a Building Permit.**
- 5. Please provide a copy of the approved agreement made with the County that grants approval to move Southland Drive to the new desired location. This agreement must be submitted with the Building Permit.**

AYE: Michael Broderick, John George, Tim O'Connell, Gloria Johnson-Scott, Bob Burdge, Brian Paul, Chairman Frank Creyaufmiller

Passed

l. Major Amendment to Planned Development - Celebration Pointe - 5501 Peterson Road

Item 6l and 6m were presented together. Brandon Creagan gave an overview of the application and answered questions from the Board on density, traffic, open space and parks.

Ms. Grohall said the Planned Development was originally approved and processed through St. Lucie County and was annexed it in together. Ms. Grohall stated as market conditions changed, the project owner indicated that they were looking to do a multi-family project to the north, so a re-plat of the parcel is needed to take off the single family lots and turn it into one large lot. She said the project will need to come back with a PD modification with the plan. Ms. Grohall explained that as the project stands, it meets the 20% green space based upon the area, which includes the stormwater parks and recreational amenities. Ms. Grohall proceeded to say that every time they pull a building permit, they are going to pay a impact fee to the Parks and Recreation department, which helps provide parks to the community at large and every time a single family or multi-family permit is processed, there is a school impact fee paid that helps the school board provide schools to the neighborhood.

Mr. Burdge had concerns with no parks planned for the neighborhood.

Mr. Sanders, St. Lucie School District Representative, stated the school district does collect school impact fees to plan for schools and they don't expect the developer to provide school sites.

Bill Barboro, Applicant Representative, from Carnahan Proctor and Cross, stated the current site plan has 21% open green space, not including the lakes, which is 31 acres of landscape area. Mr. Barboro stated the minor modification is to add a community green space area and

clubhouse to the single family units, which will be accessible by the multi-family units. Mr. Barboro stated the site plan was accepted at the time of annexation and the question of donating land for parks was not presented at that time.

Mr. Barboro explained that Wall Homes had purchased lots within the development and there will be a Master HOA that includes all sections and a sub section HOA for the single family homes.

Motion was made by John George, and seconded by Brian Paul to forward a recommendation of approval to the City Commission.

AYE: Brian Paul, Michael Broderick, John George, Tim O'Connell, Gloria Johnson-Scott, Chairman Frank Creyaufmiller

NAY: Bob Burdge

Passed

m. Minor Replat - Celebration Pointe - 5501 Peterson Road

This item was presented with 6l.

Motion was made by John George, and seconded by Brian Paul to forward a recommendation of approval with the following conditions:

- 1. The applicant adhere to any comments that may be rendered by the City Engineer**
- 2. The applicant adhere to any comments that may be rendered by NorthStar Geomatics, the City's surveyor.**

AYE: John George, Tim O'Connell, Gloria Johnson-Scott, Brian Paul, Michael Broderick, Chairman Frank Creyaufmiller

NAY: Bob Burdge

Passed

n. Waiver of Distance - Crownman Bed & Breakfast - 515 S. Indian River Drive

Mr. Creagan gave an overview of the application and answered questions from the Board regarding license requirements on premises and the landscape plan.

Ms. Grohall explained the Waiver of Distance process looks at, proximity of schools, churches and other license establishments, and she stated the city has several facilities that serve beer, wine and alcohol within a school's proximity, so that is all to be considered as part of this process.

Kris Einstein, Applicant, explained the 4COP is for the Bed and Breakfast area only and the gazebo and pavilion event area will have alcohol provided by a caterer. She preceded to say that the Bed and Breakfast cannot legally provide any alcohol to any other area.

Dr. Lyman stated he is not opposed to an alcohol license for the Bed and Breakfast.

Motion was made by Michael Broderick, and seconded by John George forward a recommendation to the City Commission for approval of the requested Waiver of Distance for a 4COP Alcoholic Beverage License for the proposed establishment with the following conditions:

1. Provide a lighting plan or photometric survey with the Planned Development Plan that demonstrates compliance with City Code 22-600)(1)(d) prior to the City Commission Meeting.

2. Provide a Landscape Plan with the Planned Development Plan that demonstrates compliance with City Code 22-187, General Landscaping Requirements prior to the next Planning Board Meeting.

AYE: Gloria Johnson-Scott, Bob Burdge, Brian Paul, Michael Broderick, John George, Tim O'Connell, Chairman Frank Creyaufmiller

Passed

o. Abandonment - Fresh Wind Fresh Fire Church - Avenue C (between N. 25th St. and N. 26th St.)

Item 6d, 6i and 6o were presented together. Mr. Gilmore gave an overview of the application and answered a question regarding payment for the abandonment.

Abraham Chabab, Applicant Representative, explained they do not know the exact price of the abandonment at this time.

Mr. Messer explained the process for the abandonment payment is the property is appraised and the person who wants the property pays the appraised value unless the City Commission waives it or reduces it.

Ms. Grohall stated a price for the abandonment will be determined by the City Commission and the City Commission typically ask for the appraisal and they like the applicant to pay the appraised price.

7. BOARD COMMENTS

Ms. Grohall reminded the Board that Ms. Susan Trevarthen, from Weiss Serota Helfman Cole & Bierman law firm, will be speaking about vacation rentals, at the Conference Agenda meeting on May 14, 2018 at 9 AM, and the mayor has agreed to accept questions from the Planning Board.

8. ADJOURNMENT

Planning Board

6.a.

Meeting Date: 06/12/2018

Information

REQUESTED ACTION

Annexation - Peter Angelos - 2850 S. Jenkins Road

LOCATION

2850 S. Jenkins Road

RESPONSIBLE STAFF

Vennis Gilmore, Planning Analyst

RECOMMENDATION

Approval

Attachments

Staff Report

Application & Property Record Card

Survey

TRC Comments

Form Review

Form Started By: Vennis Gilmore

Started On: 06/05/2018 10:01 AM

Final Approval Date: 06/07/2018



TO: Members of the City of Fort Pierce Planning Board

THROUGH: Rebecca Grohall, AICP, Planning Director

FROM: Vennis Gilmore, Planning Analyst

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

DATE: June 5, 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

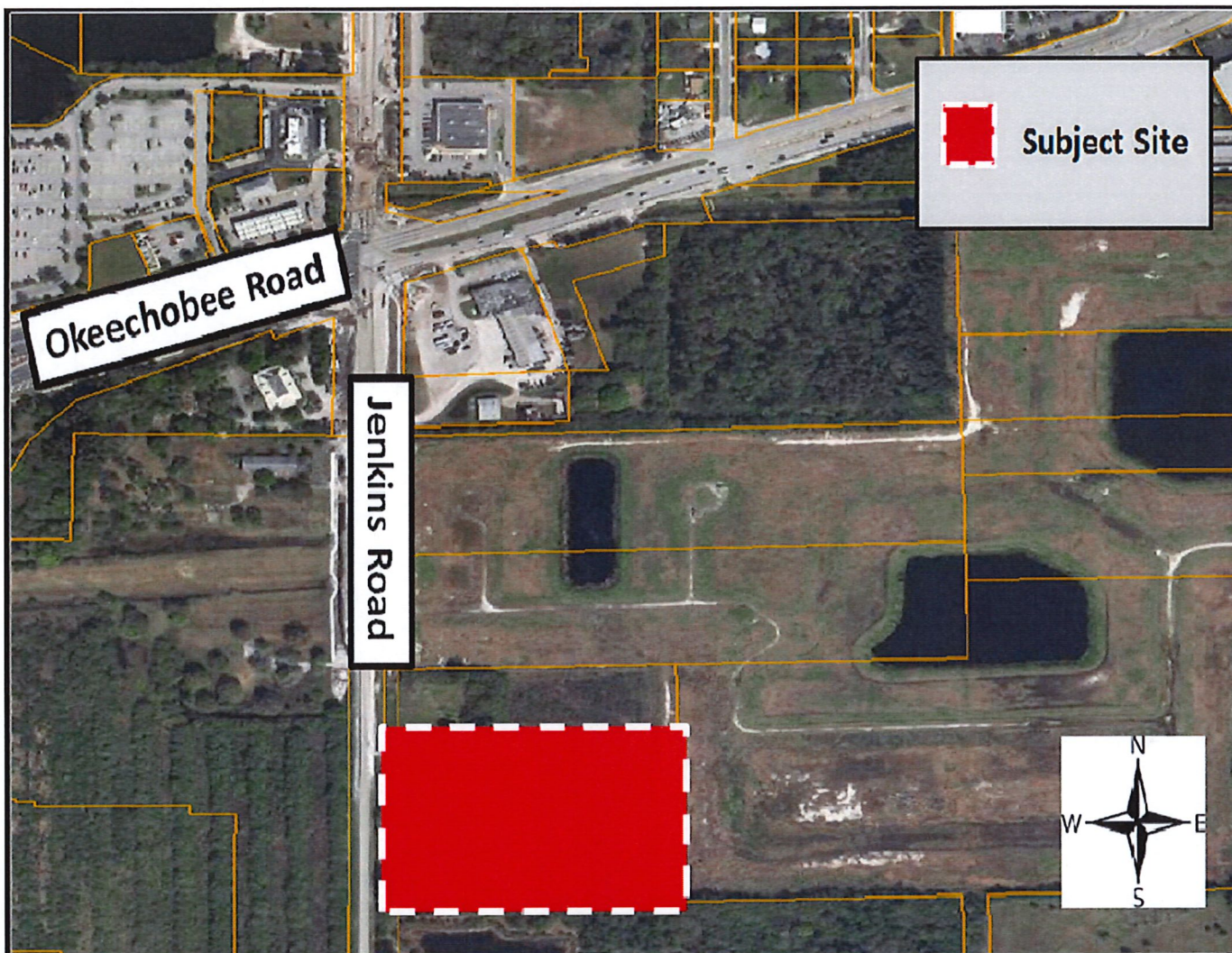
Surrounding Zoning:
Surrounding Future Land Use:

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.



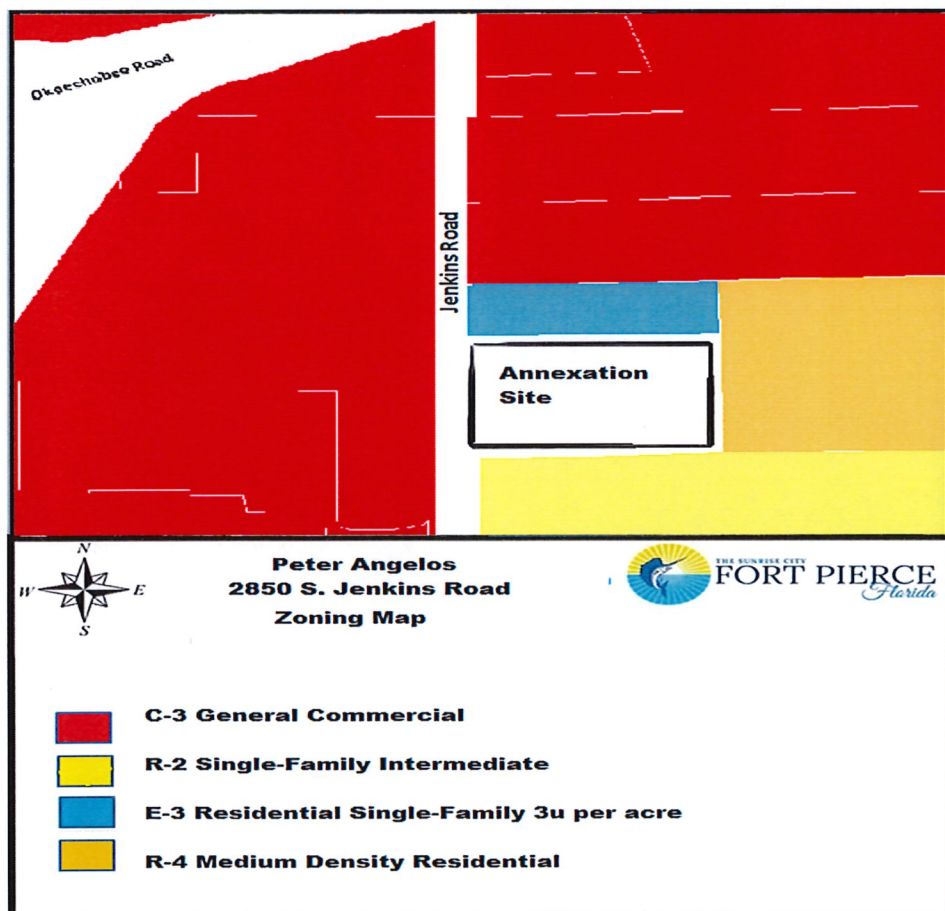
**Annexation
2850 S. Jenkins Road
Site Map**

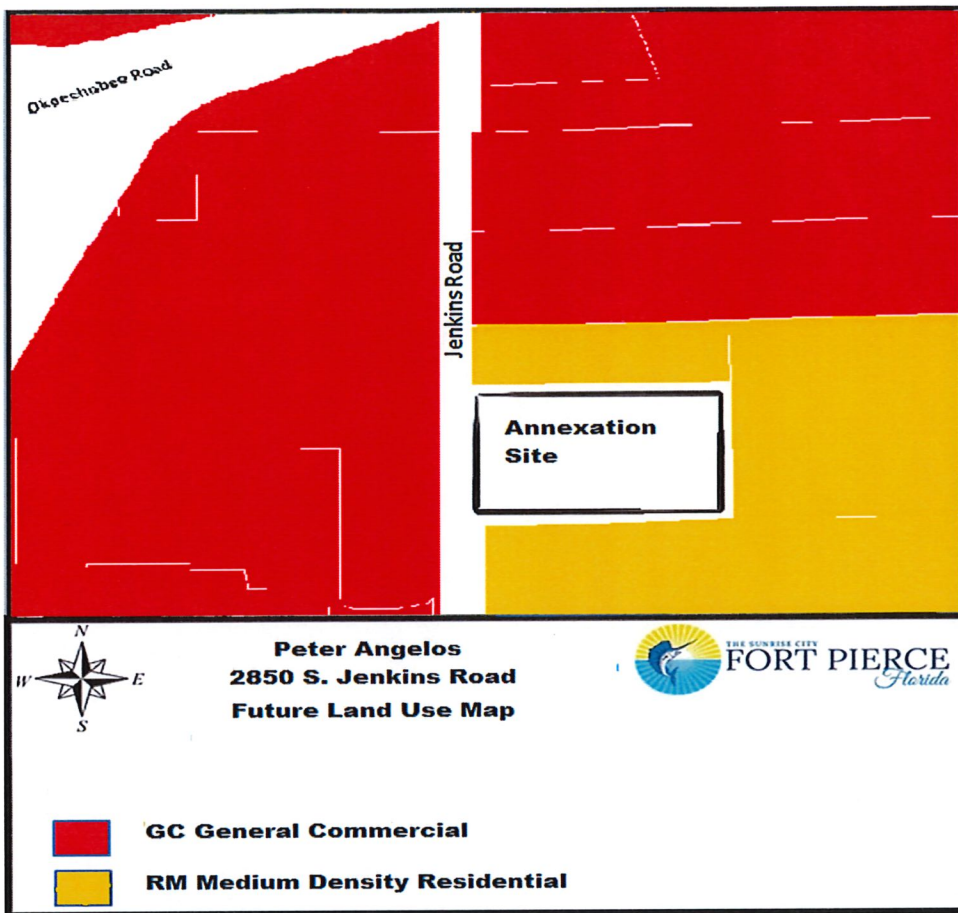


Background & Project Summary

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.

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 Planning Board forward a recommendation of approval for the proposed annexation.



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 FT FOR 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:

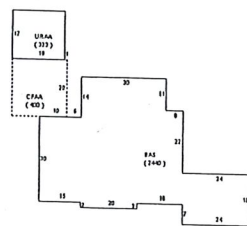
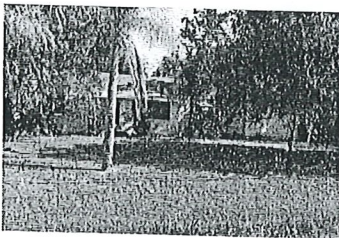
Bedrooms: 3
Full Baths: 1
Half Baths: 0

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



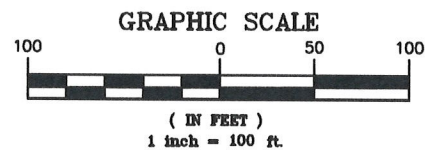
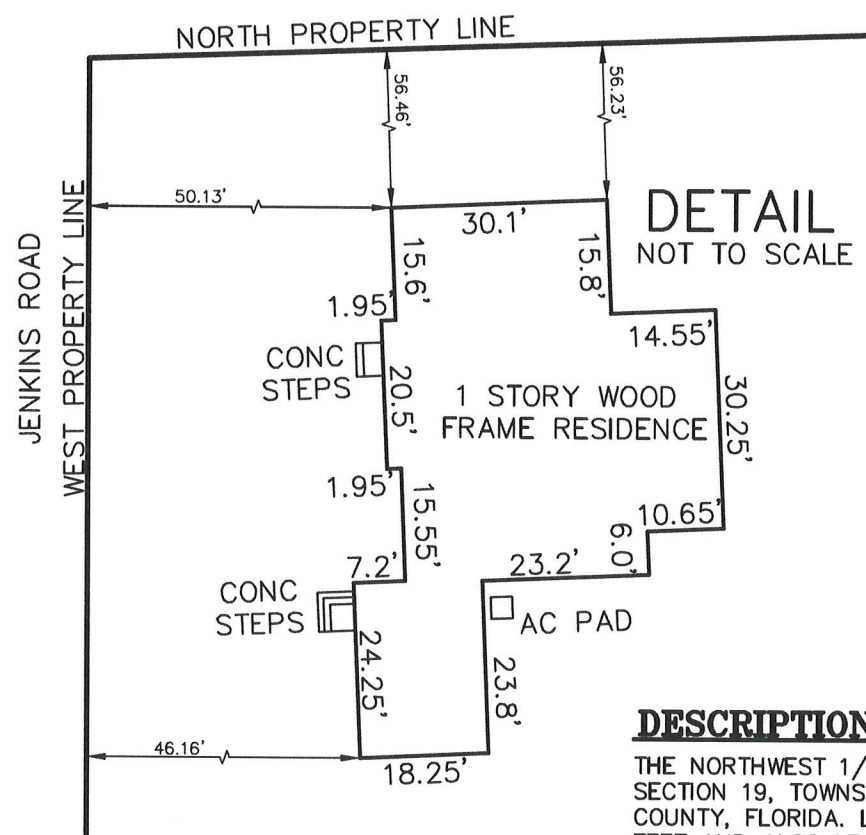
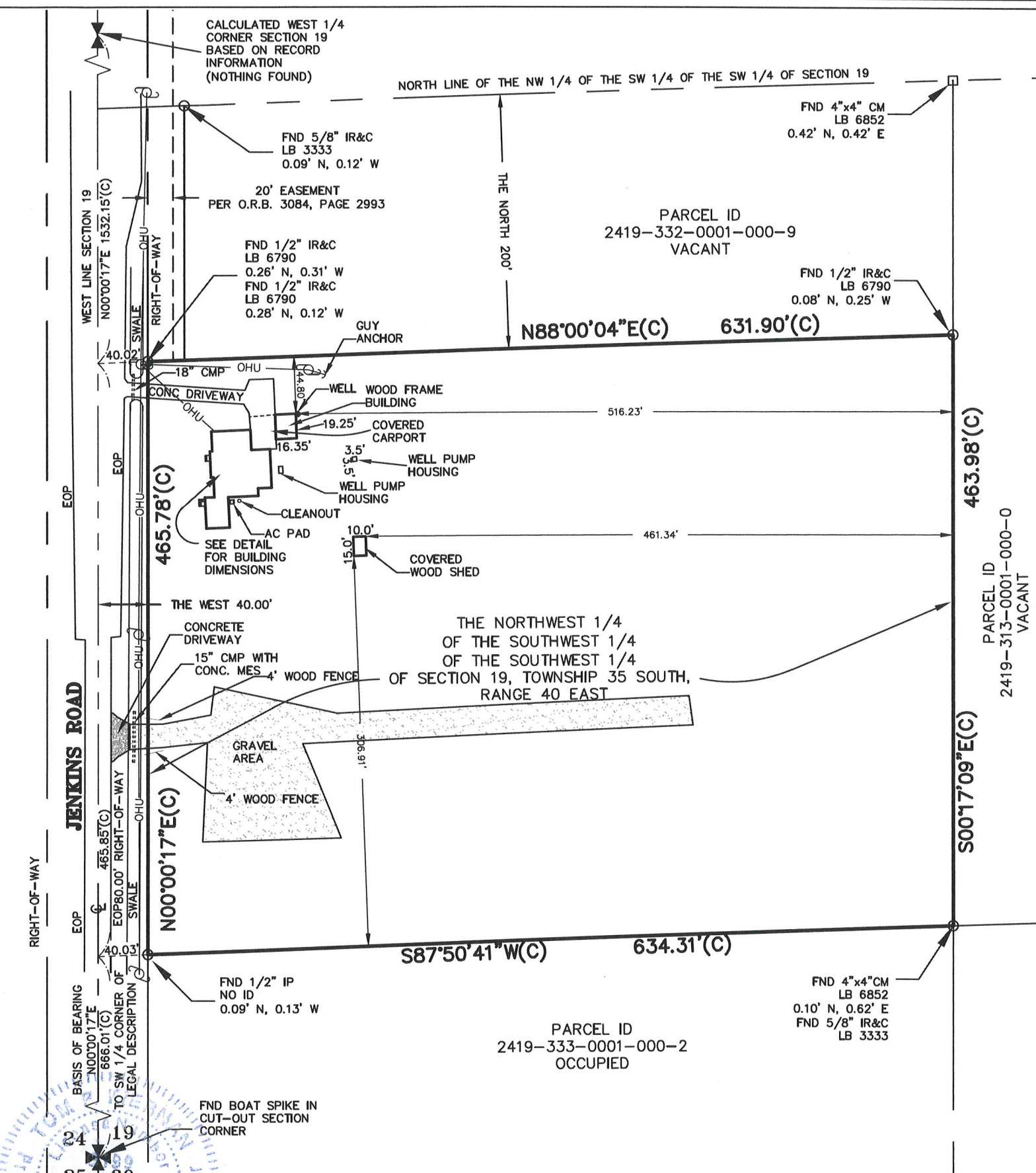
Total Areas

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.
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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

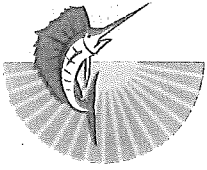
1701 S. 37th Street

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

Planning Board

6.b.

Meeting Date: 06/12/2018

Information

REQUESTED ACTION

Zoning Text Amendment - Section 22-22 - Allowed Uses

LOCATION

N/A

RESPONSIBLE STAFF

Brandon C. Creagan, LEED Green Associate, Planner

RECOMMENDATION

Approve

Attachments

Planning Staff Report

Draft Ordinance

Ordinance L-295

Ordinance L-217

TRC Comments

Form Review

Form Started By: Brandon Creagan

Started On: 06/05/2018 10:22 AM

Final Approval Date: 06/07/2018



TO: Members of the City of Fort Pierce Planning Board

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

FROM: Brandon Creagan, LEED Green Associate, Planner *BCC*

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

DATE: June 5, 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 Application for Zoning Atlas Map Amendment and have provided conditional approval based on compliance with requirements of the City Code. The comments generated from the technical review, and any responses by the applicant are provided for review.

Staff Recommendation:

Staff recommends that the Planning Board forward a recommendation of approval of the proposed Amendment to Section 22-22, Allowed Uses, to the City Commission, 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)

	EP	E3	RT	R2	R3	R4	R4A	R5	C1	C2	C3	C4	C5	C6	CP	P1	P2	P3	P4	P5	P6	P7	P8	P9	P10	P11	P12	P13	P14	P15	P16	P17	P18	P19	P20						
Wholesale Trade	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	C	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Heavy Industrial (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Heavy Equipment Sales & Rentals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Processing of Food & Related Products	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
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~~

~~(e) *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~~
- (e) ~~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 of 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.

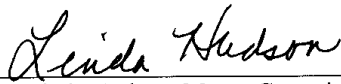
SECTION 25. All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

SECTION 26. This Ordinance is and the same shall become effective immediately upon final passage.

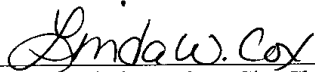
STATE OF FLORIDA)
ST. LUCIE COUNTY)^{SS}

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)

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.

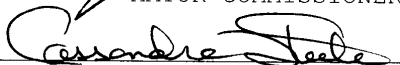
SECTION 7. This Ordinance is and the same shall become effective immediately upon final passage hereof.

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)



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

Planning Board

6.c.

Meeting Date: 06/12/2018

Information

REQUESTED ACTION

Conditional Use - St. Nicholas Greek Church Private School - 2525 S. 25th Street

LOCATION

2525 S. 25th Street

RESPONSIBLE STAFF

Vennis Gilmore, Planning Analyst

RECOMMENDATION

Staff recommends the Planning Board forward a recommendation to **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 lie 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.

Attachments

Staff Report
Application
Narrative
Survey
Floor Plan
TRC Responses

Form Review

Form Started By: Vennis Gilmore
Final Approval Date: 06/07/2018

Started On: 06/05/2018 02:17 PM



TO: Members of the City of Fort Pierce Planning Board

THROUGH: Rebecca Grohall, AICP, Planning Director *(Signature)*

FROM: Vennis Gilmore, Planning Analyst *(Signature)*

RE: **Application for Conditional Use with No New Construction**
St. Nicholas Greek Church Private School
2525 S. 25th Street

DATE: June 5, 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, plus that will need to be re-striped. 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 Planning Board.

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 Planning Board forward a recommendation to **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 Gieseler Attorney/Gieseler & Gieseler 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 772-464-7194 State Zip

City 888-202-2402 State Zip

Phone Number stnick@aol.com

Phone Number nmg@gieselerlaw.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)

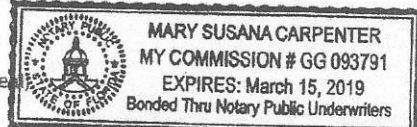
STATE OF FLORIDA -- COUNTY Indian River

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

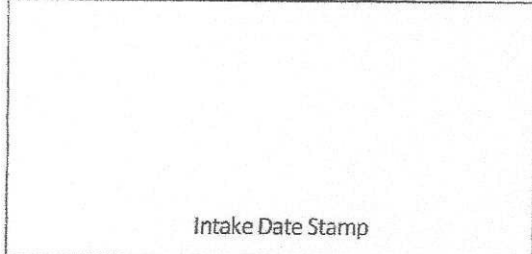
Pre-Application Meeting Date _____ Fees _____ Control # _____ B. Permit # _____

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:

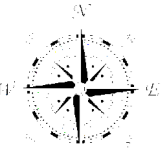
- (1) The city commission shall hold a public hearing in accordance with the provisions of section 22-143 prior to acting on the application for conditional use.
- (2) In the event the city planning board disapproved the application for conditional use or in case of a protest against said application 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

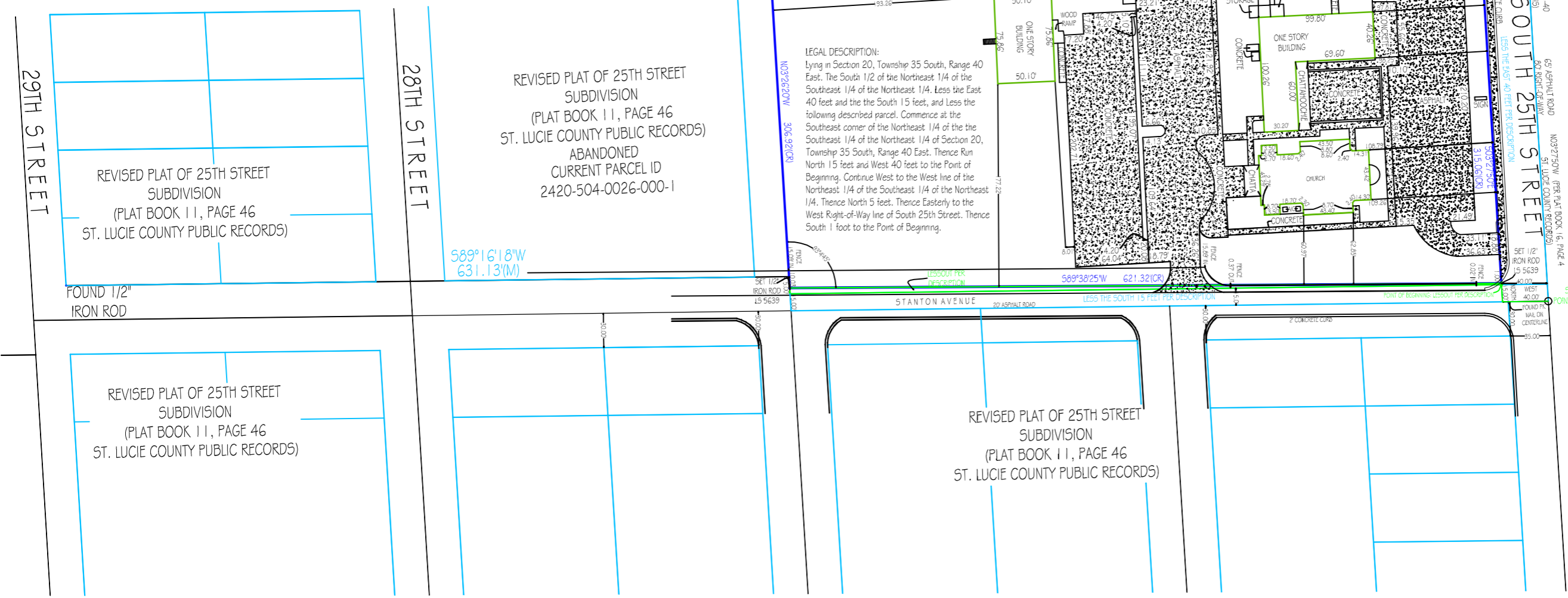


Description of Proposed Use

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)

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

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.

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.

SIGNED: 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)
DATE:

- 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
 - BOUNDARY LINE
 - BUILDING LINE
 - CENTERLINE
 - EASEMENT LINE
 - METAL FENCE
 - WOODEN FENCE
 - PVC FENCE
 - OVERHEAD CABLE
 - P - DENOTES PLAT
 - 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:

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

Planning Board

6.d.

Meeting Date: 06/12/2018

Information

REQUESTED ACTION

Conditional Use - Cox Dwelling Rental - 502 S. Compass Drive

LOCATION

502 S. Compass Drive

RESPONSIBLE STAFF

Vennis Gilmore, Planning Analyst

RECOMMENDATION

Staff recommends the Planning Board forward a recommendation to **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.
-

Attachments

Staff Report

Application

Location Map

Zoning Map

Floor Plan

Rules & Regulations

TRC Comments

Form Review

Form Started By: Vennis Gilmore

Started On: 06/05/2018 02:23 PM

Final Approval Date: 06/07/2018



TO: Members of the City of Fort Pierce Planning Board

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 5, 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
<i>Length of Stay</i>	Less than 6 months	30 days or less
<i>Lodging Type(s)</i>	Non-Transient (more than 30 days)	Transient Lodging
<i>State License Requirement</i>	If rented 30 days or less (Vacation Rental)	Division of Hotels & Restaurants – Vacation Rental License
<i>Public lodging establishment (ADA & Misc. Regulations)</i>	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 Planning Board.

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 Planning Board forward a recommendation to **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

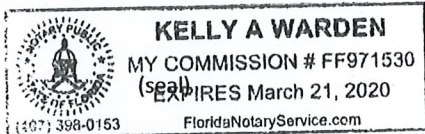
Coldwell Banker Paradise - Property Management
 Applicant/Representative, Title, Company
100 Mainsail Dr
 Street Address
Ft. Pierce, FL 34949
 City State Zip
772-489-10100
 Phone Number
Oceanvillage@cbparadise.com
 Email Address

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



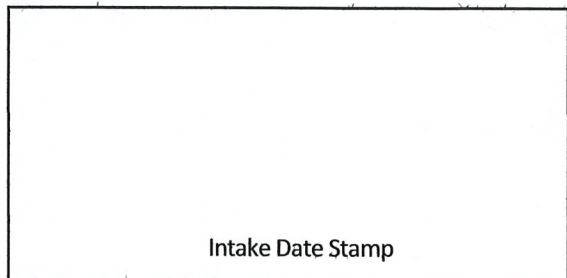
INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772) 467-3729

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:

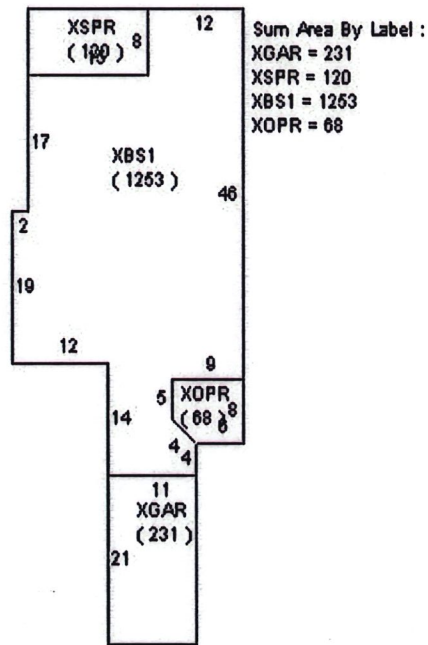
1. This property is currently managed by Coldwell Banker Paradise (CBP). There is an onsite office at Ocean Village and the property manager is available 24/7 for any complaints or issues. The CBP office is open Monday - Friday from 9:00am – 5:00pm, Saturday 9:00am – 4:00pm, Sunday 11:00am – 4:00pm and 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

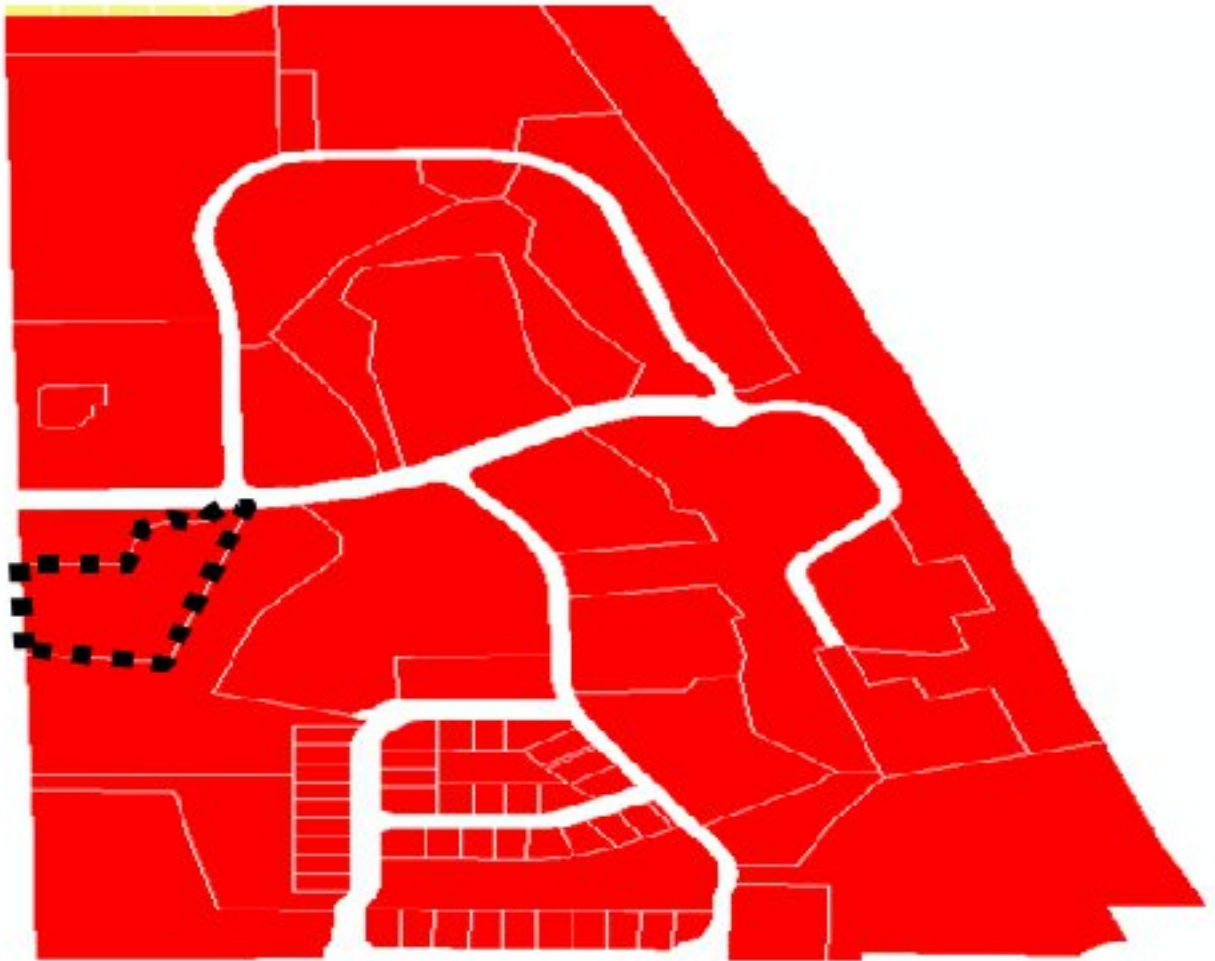
Northern Legend

- | | | |
|------------------|--------------------------|-------------------------|
| 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.



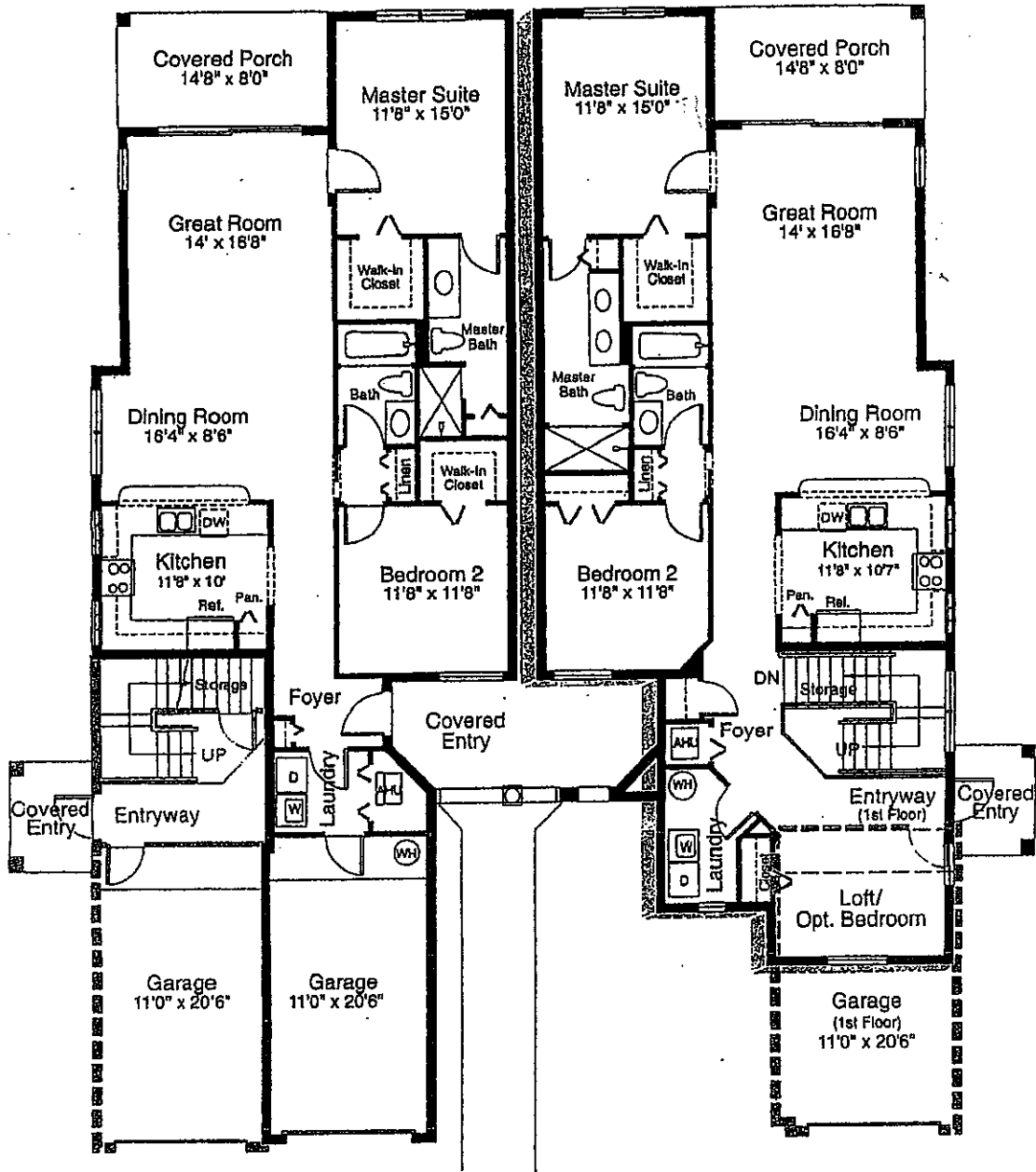
Cox Dwelling Rental
Conditional Use w/ No New Construction
502 S. Compass Drive

R4-A =  **R-2 =** 



THE SUNRISE CITY
FORT PIERCE
Florida

Zoning Map



Ground Floor
Residences A&B

2nd Floor
Residences C&D

Southpointe
at Ocean Village
 South Hutchinson Island

Golf Lodges

Unit A & B	
Living Area	1301 Sq. Ft.
Covered Porch	117 Sq. Ft.
Covered Entry	61 Sq. Ft.
Garage	254 Sq. Ft.
Total Footage	1733 Sq. Ft.

Unit C & D	
Living Area	1778 Sq. Ft.
Covered Porch	117 Sq. Ft.
Covered Entry	41 Sq. Ft.
Garage	254 Sq. Ft.
Total Footage	2190 Sq. Ft.

All dimensions are approximate. The developer reserves the right to change and/or alter materials, specifications, features, designs and pricing without notice.



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.

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- 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).

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- 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

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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,

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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

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incident report which will be given to Management.

RENTAL WRISTBANDS-COLORS DETERMINED ANNUALLY

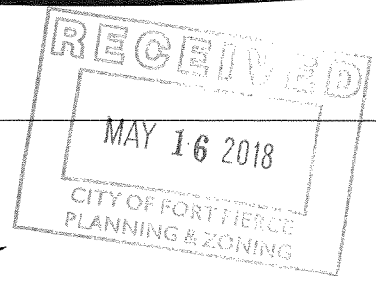
- Renters are required to wear the wristbands IN PLAIN SIGHT while using any amenity.
- Unit owners are required to provide wristbands for their renters (all owners will receive 2 rental wristbands at no charge upon request).
- Rental agencies (Realtors) are required to provide wristbands for their renters.
- 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 REVOCATION 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:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Conditional Use Application | <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

- 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

Planning Board

6.e.

Meeting Date: 06/12/2018

Information

REQUESTED ACTION

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

LOCATION

2706 Sunrise Boulevard

RESPONSIBLE STAFF

Vennis Gilmore

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.

Attachments

Staff Report

Application

Survey

Site Plan

Elevations & Floor Plan

TRC Comments

TRC Responses

Form Review

Form Started By: Vennis Gilmore


Started On: 06/05/2018 02:26 PM

Final Approval Date: 06/07/2018



TO: Members of the City of Fort Pierce Planning Board

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 5, 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 applicant 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 Planning Board.

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.



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

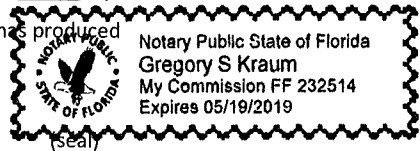
 Property Owner(s) Signature(s)

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 _____

Intake Date Stamp

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 type="checkbox"/> Conceptual Development Plan		<input type="checkbox"/> Minor Amendment	

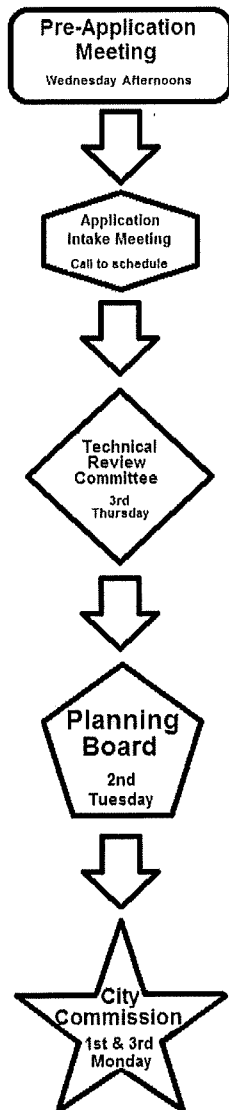
Site Information:

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)

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:

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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.

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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

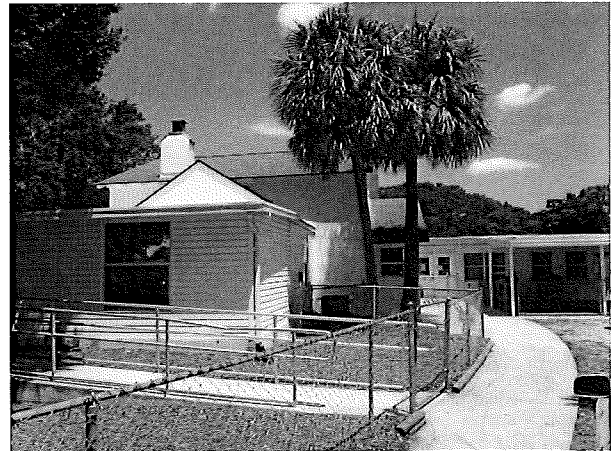
OCD Kids Inc
2706 Sunrise BLVD
Fort Pierce, FL 34982

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

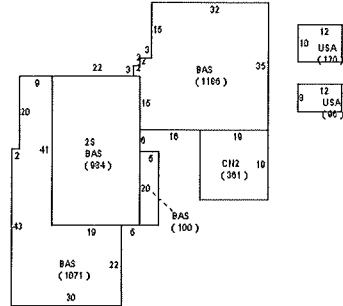
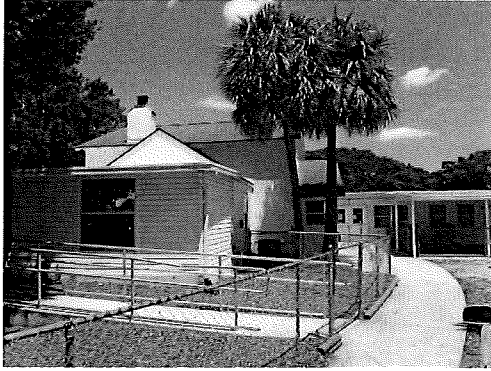
Sale History

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

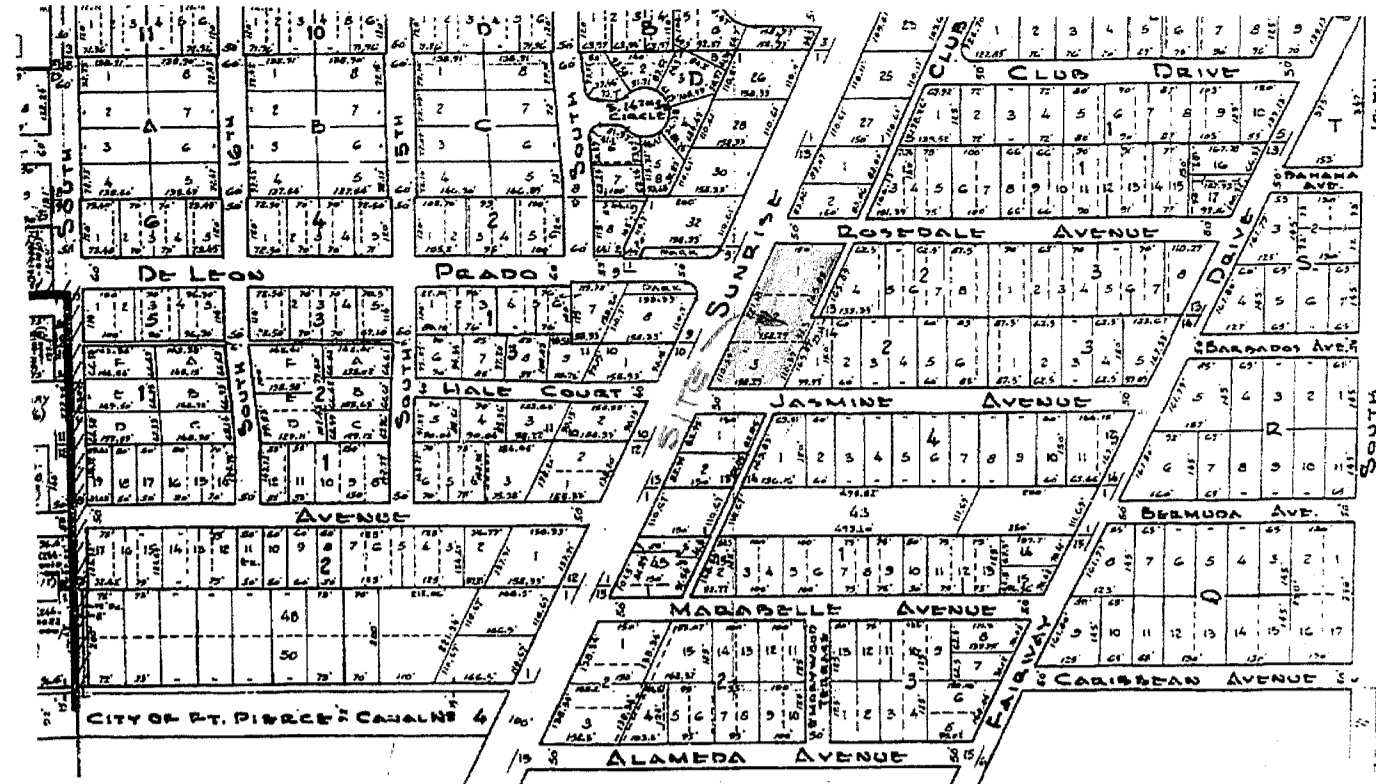
Fee:

\$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

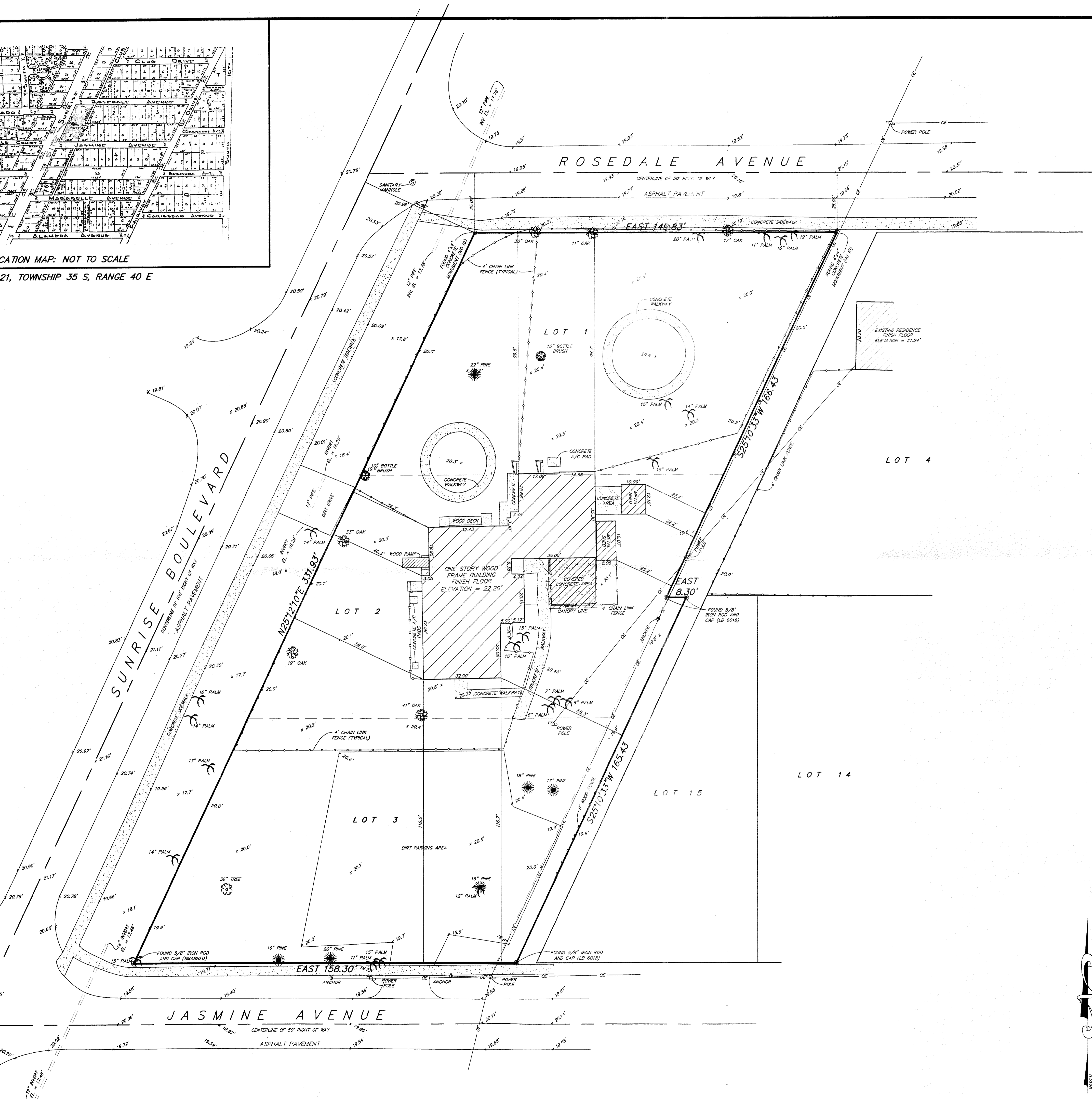
This information is believed to be correct at this time but it is subject to change and is not warranted.
© Copyright 2018 Saint Lucie County Property Appraiser. All rights reserved.

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:

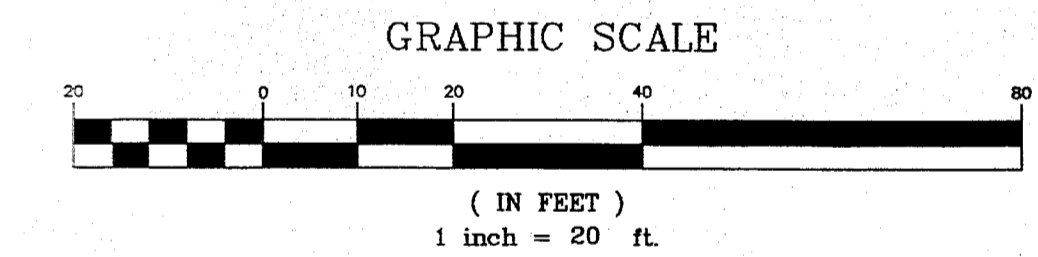
LOTS 1, 2 AND 3, BLOCK 2, MARAVILLA PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 13, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; TOGETHER WITH THE WEST 7.5 FEET OF VACATED ALLEY ADJACENT TO BLOCK 2, MISIK'S RESUB OF PART OF MARAVILLA PARK, AS RECORDED IN PLAT BOOK 9, PAGE 60, PUBLIC 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:

1. 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.
2. NO ATTEMPT WAS MADE BY THIS FIRM TO LOCATE UNDERGROUND FOOTINGS OF BUILDINGS OR FENCES ON OR ADJACENT TO THIS SITE.
3. LANDS SHOWN HEREON WERE SURVEYED WITHOUT THE BENEFIT OF A TITLE SEARCH.
4. BEARINGS SHOWN HEREON REFER TO AN ASSUMED MERIDIAN OF N90°00'00"E ALONG THE SOUTH PROPERTY LINE OF SAID LOT 3.
5. LEGAL DESCRIPTION FURNISHED BY CLIENT.
6. SITE AREA: 46,267 SQUARE FEET OR 1.06 ACRES MORE OR LESS.
7. THIS SITE LIES IN FLOOD ZONE 'X' AS SCALED AND INTERPOLATED ON FEMA PANEL MAP NO. 12111C-0187-G, DATED: NOVEMBER 4, 1992.

CERTIFICATIONS:

1. SUNRISE COUNTRY PRESCHOOL



SURVEYOR'S CERTIFICATION:

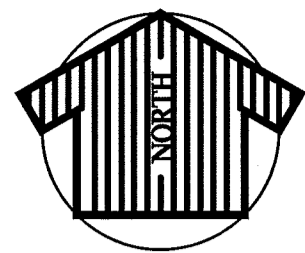
I HEREBY CERTIFY THAT THIS PLAT OF SURVEY WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA STATUTES, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND 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

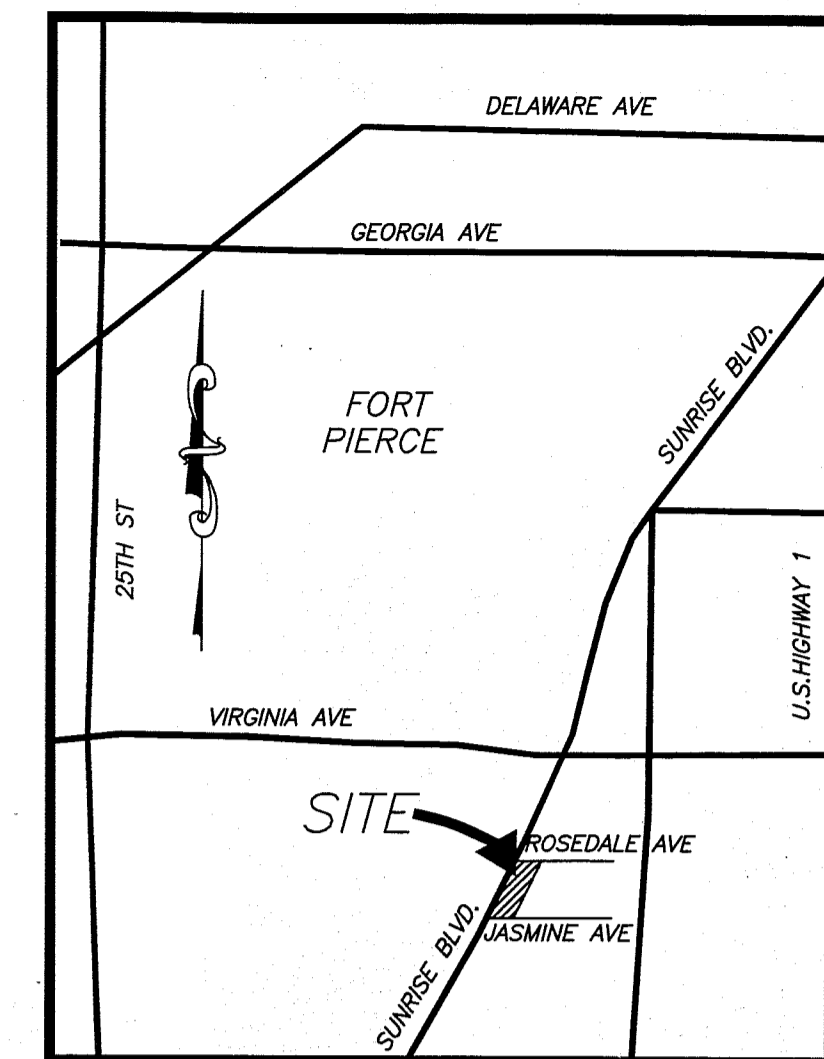
SHEET 1 OF 1		
DRAWN BY: A.C.		
SCALE: 1" = 20'		
FIELD WORK COMPLETED: 10/28/2005		
FIELD BOOK: A131/B-11		
JOB NO: 9124		
REVISIONS		
DATE:	DESCRIPTION:	BY:
11-17-06	UPDATE SURVEY	A.C.
03-07-07	UPDATE SURVEY	A.C.
10/19/07	LOCATION MAP	F.J.Y.

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, 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.

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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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
DATE

VELCON ENGINEERING & SURVEYING LLC
702 SW FORT ST. LUCIE BLVD.
FORT ST. LUCIE, FL 34957
PHONE (772) 879-0477
FAX (772) 879-0477
P.E. No. 68212



REVISIONS	DESCRIPTION	DATE

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 :

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.

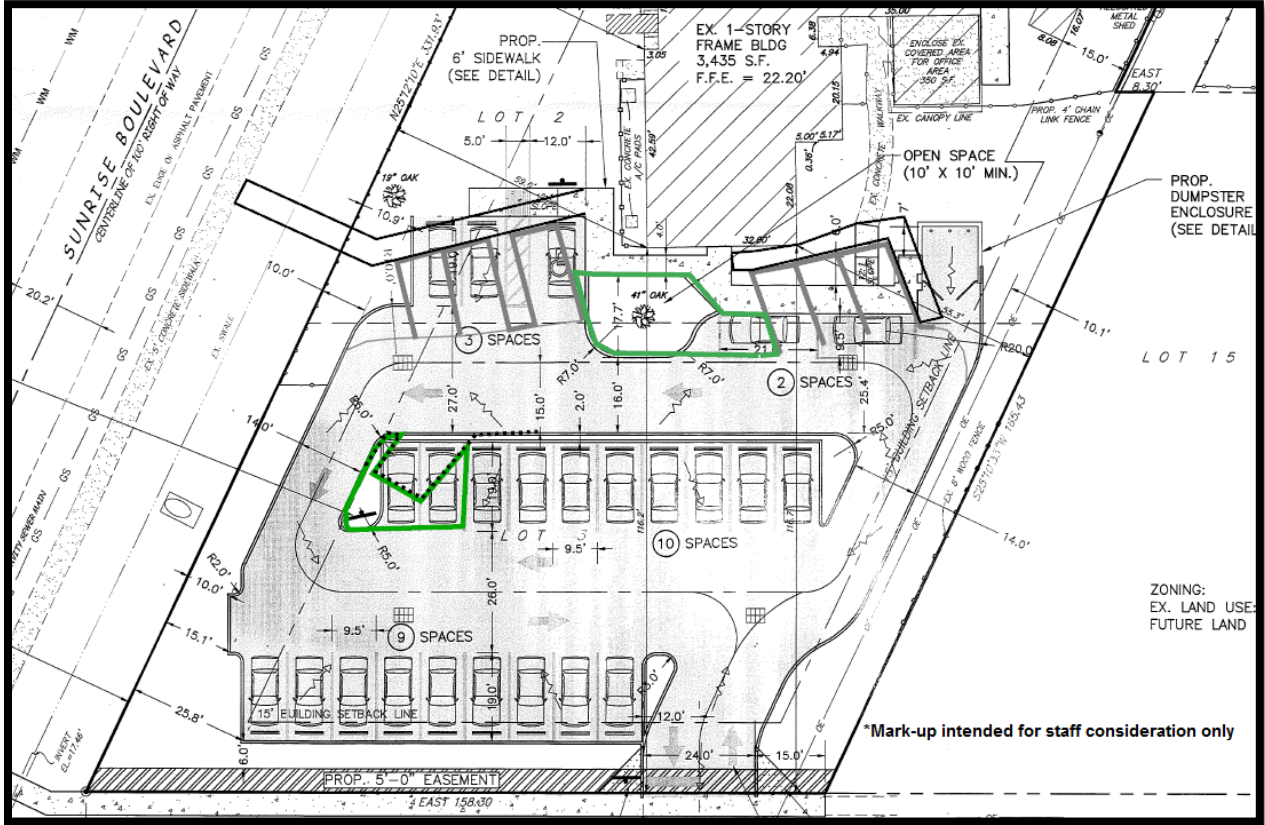
Background

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

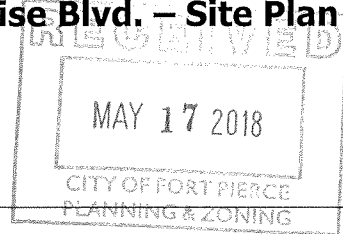
Florida

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 |

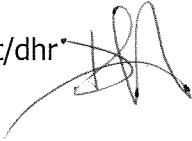
Developer, Owner, Engineer, Contractor and other members of the Development Team must be aware, the above recommendation is based only on the construction requirements of the engineering plans and other engineering documentation approved by this department. The Development Team shall be responsible for 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





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

Planning Board

6.f.

Meeting Date: 06/12/2018

Information

REQUESTED ACTION

Special Exception - Hicks Residence - 71 Southpointe Drive

LOCATION

71 Southpointe Drive

RESPONSIBLE STAFF

Brandon C. Creagan, LEED Green Associate, Planner

RECOMMENDATION

Approve

Attachments

Planning Staff Report

Application & Supporting Documents

Aerial Map

Form Review

Form Started By: Brandon Creagan

Started On: 06/05/2018 10:16 AM

Final Approval Date: 06/06/2018



TO: Members of the City of Fort Pierce Planning Board

THROUGH: Rebecca Grohall, AICP, Planning Director *(Signature)*

FROM: Brandon Creagan, LEED Green Associate, Planner *BCC*

RE: **Application for Special Exception
 Addition to a Non-Conforming Structure
 71 Southpointe Drive**

DATE: June 5, 2018

STAFF REPORT

Owner/Applicant: Randall & Stacy Hicks
 8397 Greenside Drive
 Dublin, OH 43017

Requested Action: Recommendation of Approval to the Board of Adjustment to expand a non-conforming structure by 216 square feet, to construct a covered porch.

Location: 71 Southpointe Drive

Parcel ID: 2507-713-0009-000-4

Zoning: R-4A, Hutchinson Island Medium Density Residential

Surrounding Zoning:

North	East	South	West
R-4A	R-4A	R-4A	R-4A

Future Land Use: HIR, Hutchinson Island Residential

Parcel Size: .14 acres/6,000 Square Feet

Construction Date: 2002

Existing Lot Coverage: 40.78%

Proposed Lot Coverage: 46.38%

Staff Analysis:

The subject site has a lot size of 6,011 square foot in the Southpointe Subdivision, within Ocean Village. The existing 2,572 square foot single-family home was constructed in 2002. The gross total building area equates to a total lot coverage of 40.78%. City Code Section 22-27.1(b)(3)(c), states that single family home structures, within the R-4A zone, shall not cover more than forty (40) percent of the lot area. The existing structure exceeds the allowable lot area coverage for single family homes in the R-4A zoning district, classifying this structure as non-conforming.

The applicants purchased the property in March 2018, in its existing state, unaware of the non-conformity. The applicants are proposing a rear addition to the structure that will be a screened patio. The applicants would like to have the ability to entertain guests outside and take advantage of the weather in Florida. They also note that the home was constructed without any hard surface area in the back yard and that their neighbors also have a patio similar to what they are proposing. The proposed screened patio will be 12X18 or 216 square feet and will with have a poly roof over it.

The requested addition to the structure necessitates the review and approval of a Special Exception, and Variance, based on the structure failing to meet the allowable lot coverage of forty (40) percent for single family homes in the R-4A zoning district. The new proposed lot coverage with this 216 square foot screened enclosure would be approximately 46.38%.

The addition, as presented, will further violate the established lot area restrictions noted, however the enlargement will not adversely affect traffic flow, safety and control, pedestrian safety and convenience or visibility at any street intersections, drives, rights-of-way, curb cuts or crosswalks. The proposed addition will meet the yard (setback) and height standards of the district, however the Board of Adjustment must consider authorizing a Variance, concurrent to the subject request, based upon the increase in lot coverage requested above the requirement. The proposed site plan and conceptual design are provided for review.

As a note, the next door neighbor at 61 Southpointe Drive received Special Exception and Variance approval for their screened enclosure in March 2015, for the same issue as presented in this staff report.

Pursuant to City Code 22-102.1 (b), the Board of Adjustment shall confer with the City Planning Board on all applications for such special exception. The Planning board is requested to review the proposed Special Exception for the proposed screened enclosure and advise the Board of Adjustment prior to any action by the Board of Adjustment on the application.

Staff Recommendation:

The proposed Special Exception meets the criteria specified in Section 22.102.1 of the City Code; with the acknowledgement that the proposed screened enclosure will further violate the established lot area restrictions, therefore, Staff recommends that the Planning Board forward a recommendation of **approval** to the Board of Adjustment with the condition that:

1. The proposed porch addition does not feature a roof impervious to weather, such as a complete screen enclosure, as to not further exceed the allowable lot coverage.



Special Exception

Property address or Location 71 Southpointe Dr.
 Parcel ID #(s) 2507 713 0009 000/4
 Project description Add 12'w x 18'l screened room structure with poly roof + 12'w x 27' brick paver deck

Randall + Stacy Hicks
 Property Owner(s)
8397 Greenside Dr.
 Street Address
Dublin, OH 43017
 City State Zip
614-361-4600
 Phone Number
rhickosusu@gmail.com
 Email Address

SAME AS OWNERS
 Applicant/Representative, Title, Company
 Street Address
 City State Zip
 Phone Number
 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.

Randall L Hicks
 Property Owner(s) Signature(s)

STATE OF FLORIDA -- COUNTY
 The foregoing instrument was acknowledged before me this 23rd day of May, 2018, by Randall Hicks who is personally known to me or has produced Florida DL as identification.

[Signature]
 Signature of Notary

(seal)
 AMARIS ISABEL GIL
 MY COMMISSION # FF 914194
 EXPIRES: August 30, 2019
 Bonded Thru Budget Notary Services

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

TO BE COMPLETED BY STAFF

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

Pre-Application Meeting Date _____ Fees _____ Control # _____ B. Permit # _____

Intake Planner _____
 Planner Assigned _____
 Approved By _____ Date _____
 Comments _____

Intake Date Stamp

SPECIAL EXCEPTION

Submit eight (8) hard copies and one (1) CD of the following for initial submittal, subsequent submittals will be required:

- Site plan, to scale, including all relevant improvements:
 - Existing & proposed structures
 - Landscaping & parking,
 - Fencing, signs, etc.

- As-built Survey

For Duplex:

- Verification of zoning prior to 1985 from City Clerk
- Complete, notarized application

Special Exception Type:

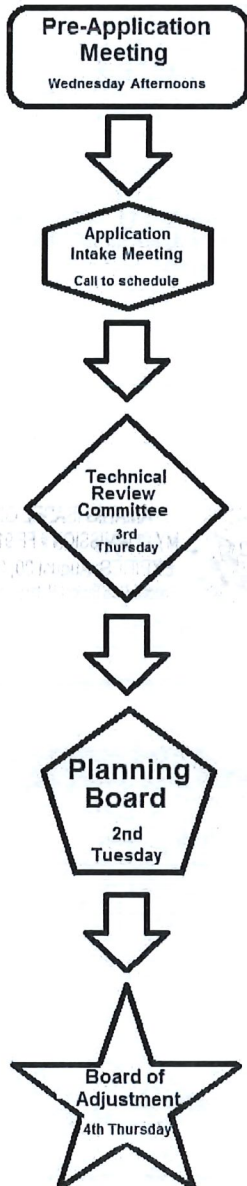
- Enlargement or Alteration of a Non-Conforming Structure
- Duplex as Special Exception

Structure	Size (sq. ft.)	Height	Use	Residential Units
Existing				
Proposed				

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

North	South	East	West

Application Outlook

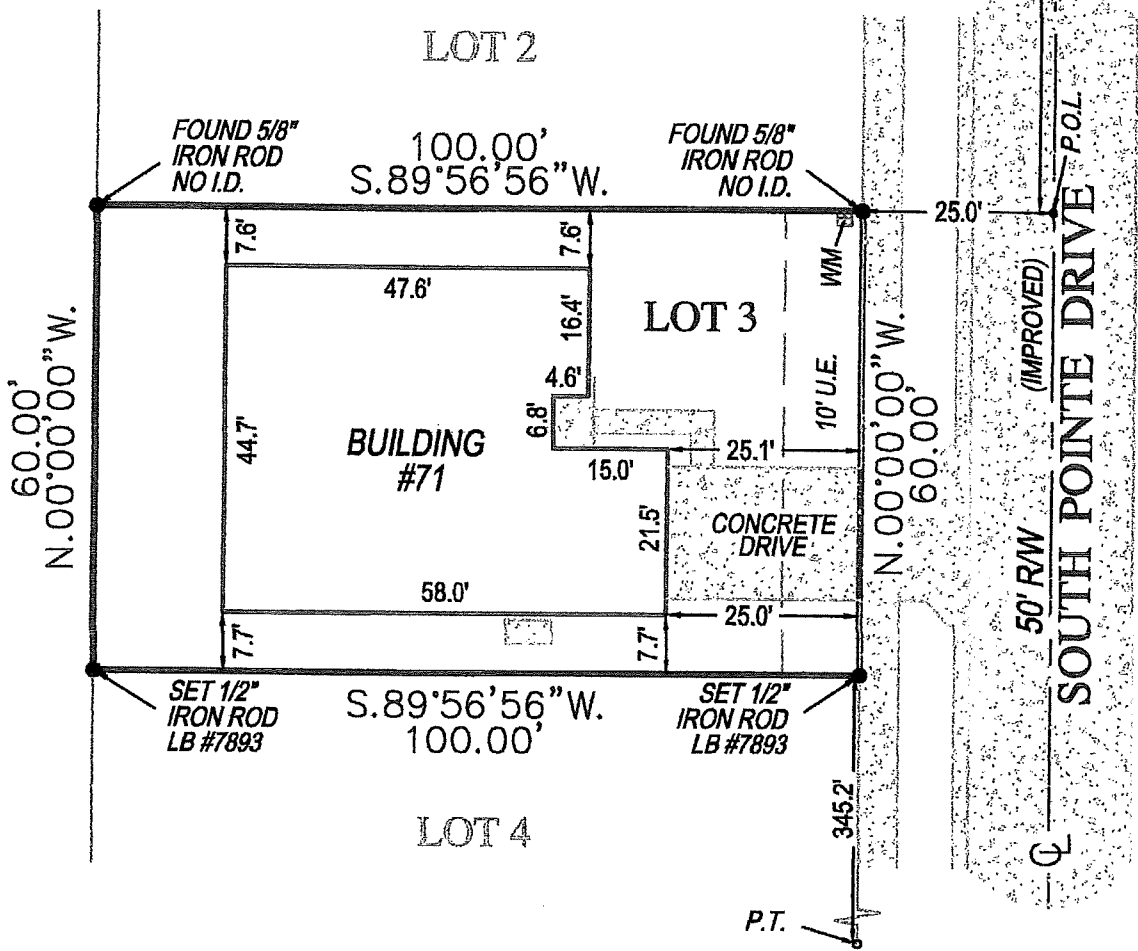


BOUNDARY SURVEY

SCALE
1"=25'

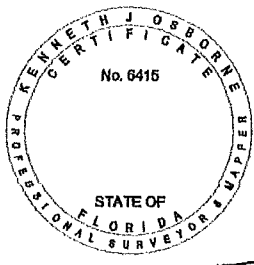
FOUND P-K
NAIL/DISC @
P.C.P. @ P.C.

NOT PLATTED



SURVEY NOTES
CONCRETE DRIVE CROSSING 10' U.E. AND LOT
BOUNDARY ON EAST SIDE OF LOT.

P.O.L. = POINT ON LINE



SURVEYORS CERTIFICATE
I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY
IS A TRUE AND CORRECT REPRESENTATION OF A
SURVEY PREPARED UNDER MY DIRECTION.
NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC
SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL,
OR A RAISED EMBOSSED SEAL AND SIGNATURE.

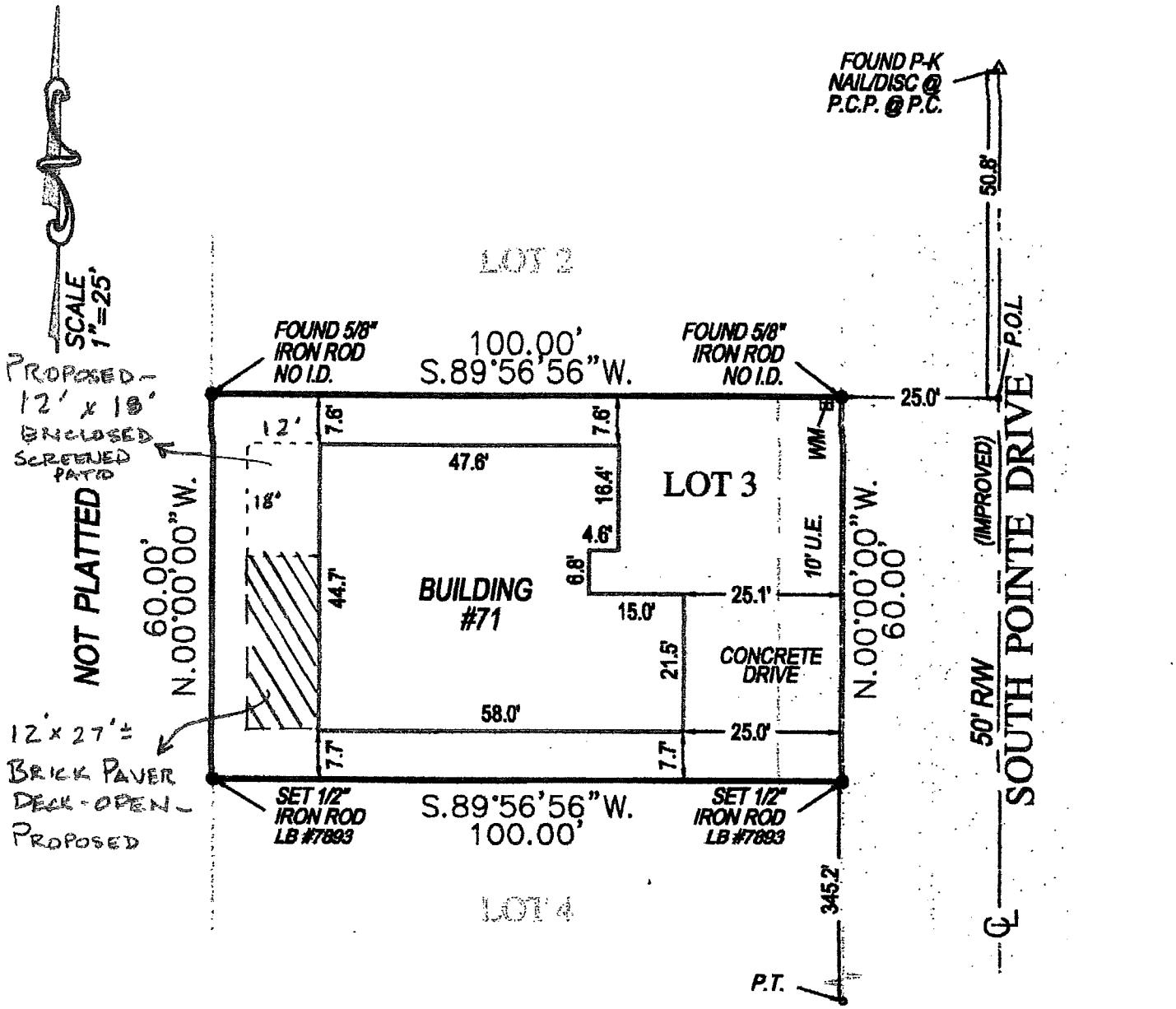
Kenneth Osborne
Kenneth Osborne

(SIGNED) **KENNETH J OSBORNE**
PROFESSIONAL SURVEYOR AND MAPPER #6415



Digitally signed by Kenneth
Osborne
Date: 2018.03.06 15:23:04 -05'00'
TARGET SURVEYING, LLC
LB #7893
SERVING FLORIDA
6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576
WEBSITE: <http://targetsurveying.net>

BOUNDARY SURVEY



SURVEY NOTES
 CONCRETE DRIVE CROSSING 10' U.E. AND 10' W.U.E. BOUNDARY ON EAST SIDE OF LOT 3.
 P.O.L. = POINT OF BEGINNING

*RANDALL + STACY HICKS
 71 Southpointe Dr.
 OCEAN VILLAGE*



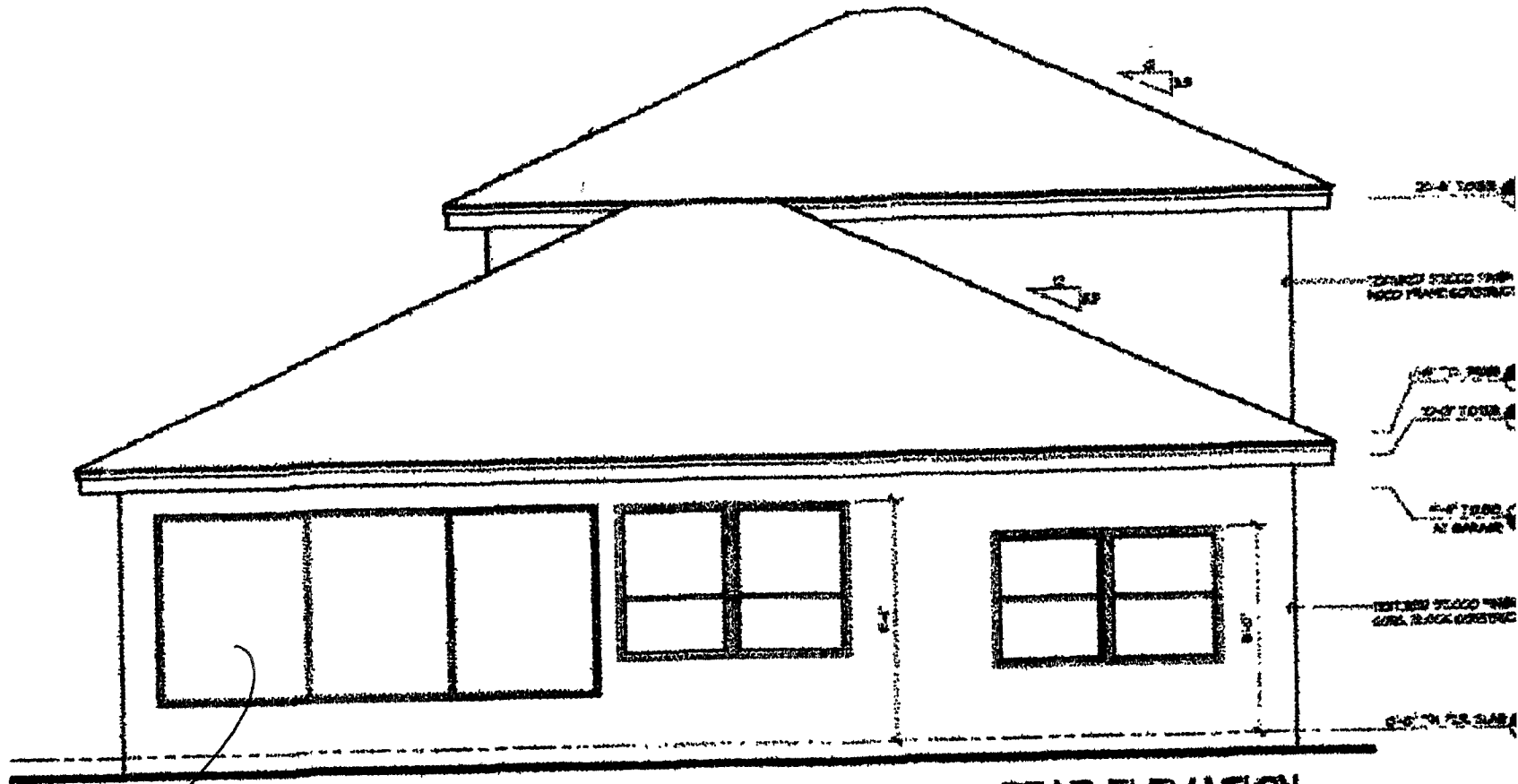
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Kenneth Osborne
Kenneth Osborne

(SIGNED) **KENNETH J. OSBORNE**
 PROFESSIONAL SURVEYOR AND MAPPER #6415

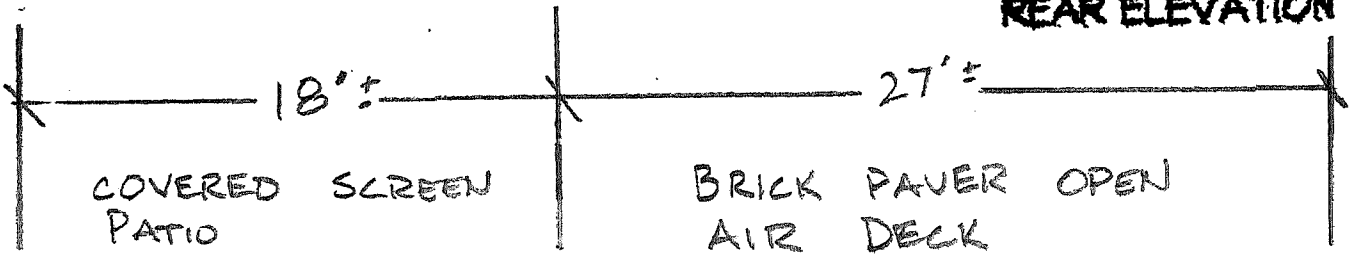
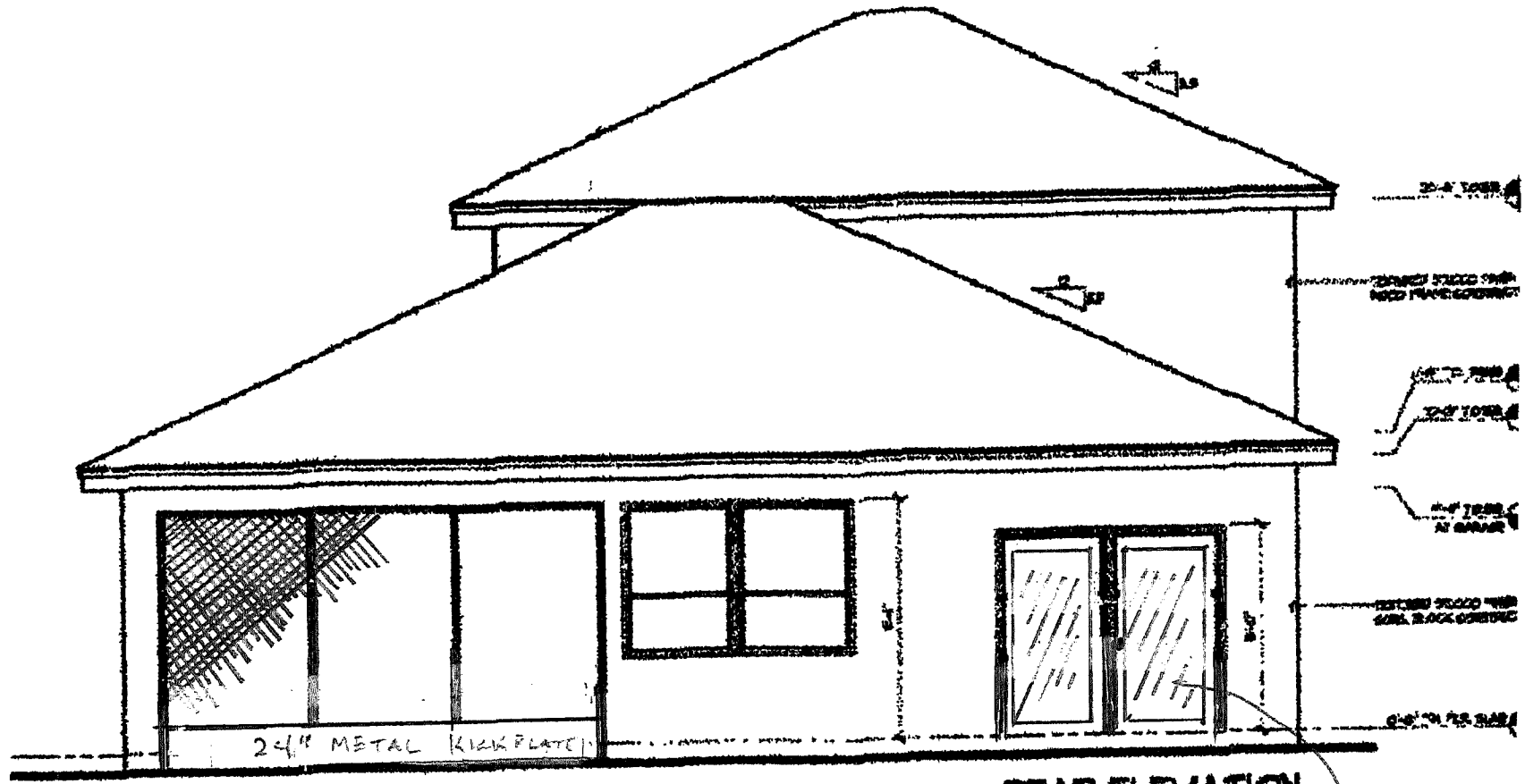


Digitally signed by Kenneth Osborne
 Date: 2018.03.06 15:23:04 -05'00'
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 WEBSITE: <http://targetsurveying.net>



REMOVE + REPLACE 3 FIXED
WINDOW PANELS + REPLACE
WITH SLIDING GLASS DOORS

CURRENT



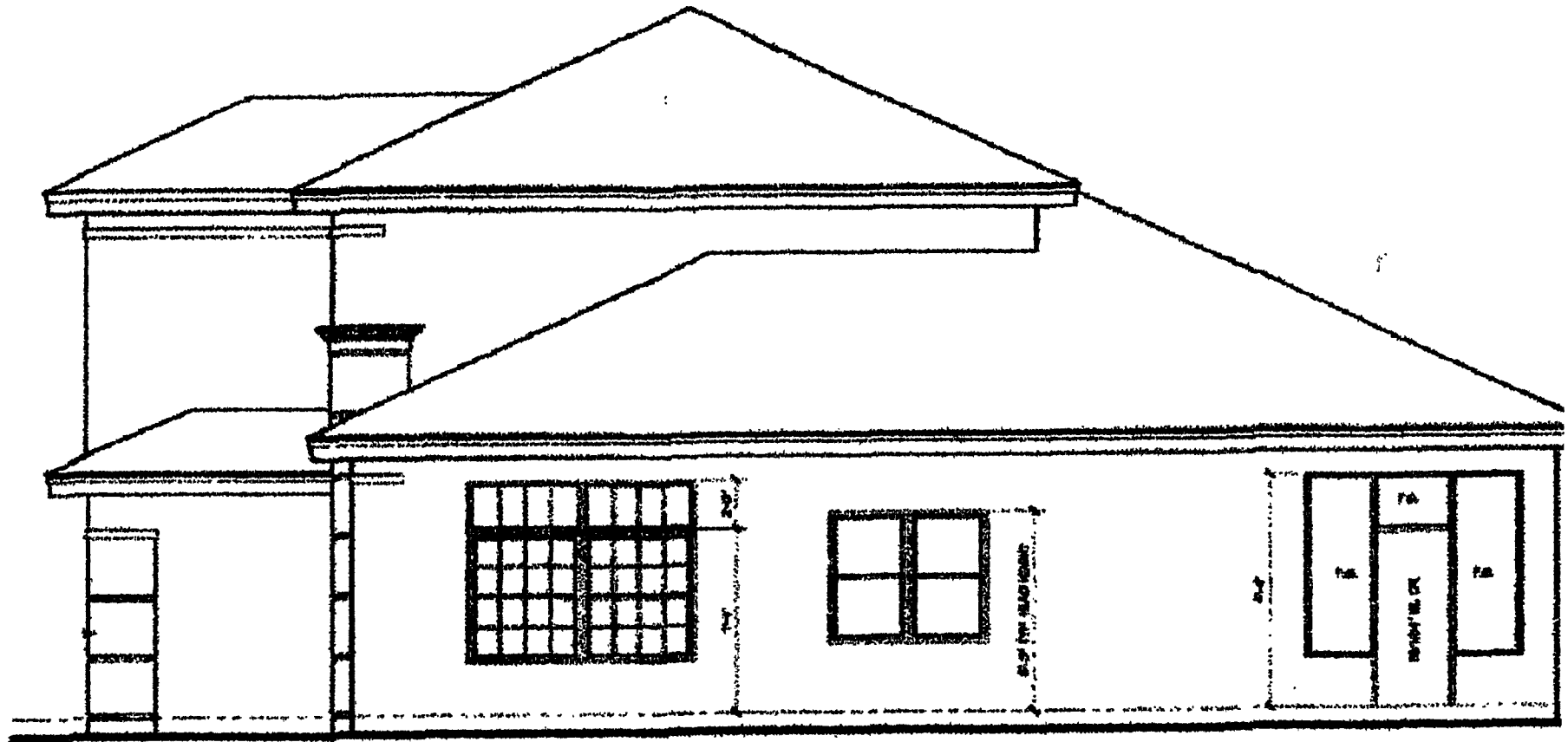
COVERED PATIO SCREEN PATIO

BRICK PAVER AIR DECK OPEN DECK

REAR ELEVATION

PROPOSED
- NTS -

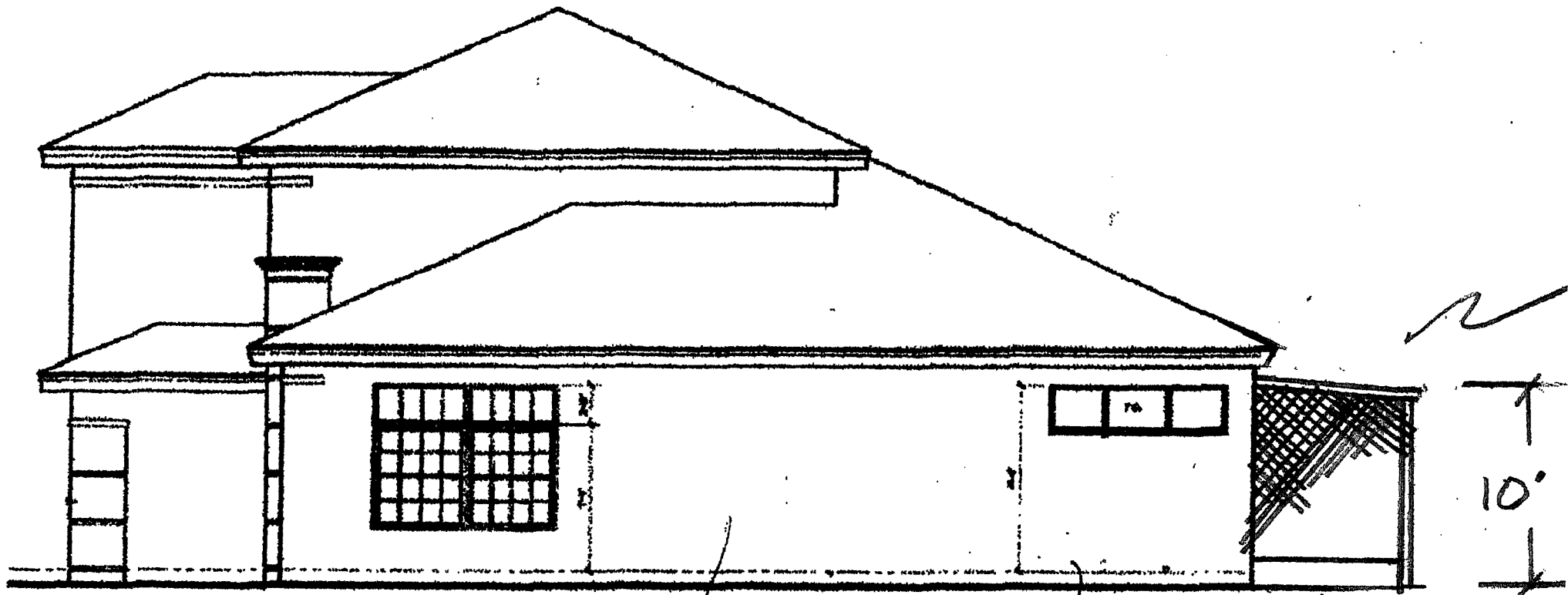
REMOVE MASTER BED WINDOW & REPLACE W/ FRENCH DOOR



RIGHT ELEVATION

CURRENT

- NTS -



RIGHT ELEVATION

REMOVE EXISTING
DINING RM. WINDOW
& FILL IN OPENING
W/ MASONRY

REMOVE DOOR &
LONG VERTICAL
SIDELIGHTS. REPLACE
LONG VERTICAL
SIDELIGHTS W/
2 TRANSOM WINDOWS
TO MATCH EXIST'G


PROPOSED

- NTS -

S. Ocean Drive

Southpointe Drive

Blue Heron Blvd

 Subject Site



Special Exception & Variance 71 Southpointe Drive Site Map



