

ORDINANCE NO. 23-013

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE AMENDING THE CITY'S ZONING ATLAS AND ESTABLISHING A ZONING DESIGNATION OF PLANNED DEVELOPMENT FOR FIVE (5) PARCELS CONTAINING APPROXIMATELY 84.8 ACRES AND BEING GENERALLY LOCATED AT OR NEAR THE SOUTHEAST CORNER OF N JENKINS ROAD AND FLOYD JOHNSON ROAD IN FORT PIERCE, FLORIDA; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the subject property comprises the following five (5) parcels, 2407-241-0001-000-3, 2407-231-0000-000-5, 2407-212-0001-000-3, 2407-221-0001-000-1 and 2407-211-0001-000-0, totaling approximately 84.5 acres. A map depicting the subject parcels is attached hereto as "**Exhibit A**"; and

WHEREAS, the subject property has been annexed into the municipal boundary of the City of Fort Pierce and allocated appropriate future land use designations; and

WHEREAS, the applicant, has applied for rezoning of the subject properties from St. Lucie County zoning of Planned Unit Development and Commercial General to City of Fort Pierce zoning of Planned Development; and

WHEREAS, the proposed zoning atlas map amendment (rezoning) is consistent with the comprehensive plan, will not have an adverse effect on the ability of the city to satisfy land and water use needs; and meet transportation demands and provide community facilities and services, and will promote and protect the public health, safety and general welfare as required by City Code 125-136; and

WHEREAS, the City of Fort Pierce Planning Board, at their, December 12th, 2022, meeting, voted 5 to 0 to recommend approval of the request; and

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

SECTION 1. From and after the effective date hereof, the property, comprising five (5) Parcels, depicted on "**Exhibit A**" and totaling +/- 84.8 acres, having legal description as described in **Exhibit "B"** and depicted on **Exhibit "C"**, attached hereto, and incorporated herein; are hereby rezoned Planned Development (PD), and made subject to the Conditions of Development (PD Zoning) at **Exhibit "D"** and attached hereto and incorporated herein.

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 which 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:

Tanya Earley
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. 23-013 was duly advertised in accordance with Section 163.3187 of the Florida Statutes in the St. Lucie News Tribune on Sunday, January 22, 2023; 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 February 06, 2023; and was duly introduced, read by title only, and passed on second and final reading February 21, 2023, 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 21st day of February, 2023.

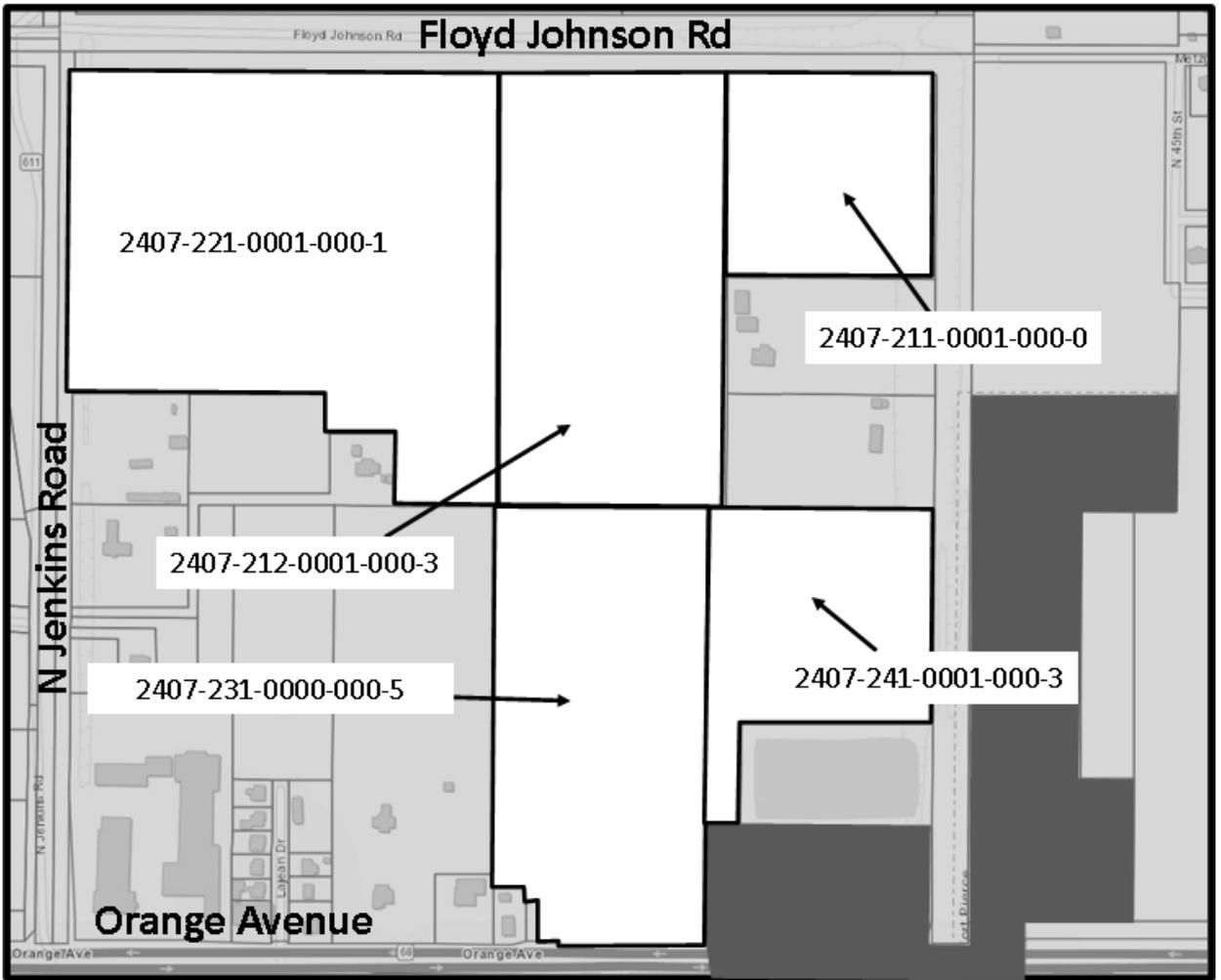
Linda Hudson
MAYOR COMMISSIONER

ATTEST

Linda W. Cox
CITY CLERK

(CITY SEAL)

EXHIBIT A
Parcels subject of Rezoning to Planned Development



Parcels ID #'s: 2407-241-0001-000-3, 2407-231-0000-000-5, 2407-212-0001-000-3, 2407-221-0001-000-1 and 2407-211-0001-000-0

EXHIBIT B
Legal Description

BEING THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 7, LESS AND EXCEPTING THE NORTH 66.50 FEET AND THE WEST 47.00 FEET THEREOF, FOR ROAD AND CANAL RIGHTS-OF-WAY.

LESS AND EXCEPTING THE FOLLOWING DESCRIBED LANDS:

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A 3"X4" CONCRETE MONUMENT (STAMPED P.R.M. R.W. HERR PLS 4907) AT THE NORTHEAST CORNER OF "HOEFFNER ESTATES" AS RECORDED IN PLAT BOOK 32, PAGE 6, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; FROM SAID POINT OF BEGINNING RUN N89°55'38"W, ALONG THE NORTH LINE OF SAID PLAT, A DISTANCE OF 30.00 FEET; THENCE RUN N00°14'22"W, A DISTANCE OF 30.00 FEET; THENCE RUN S89°55'38"E, A DISTANCE OF 421.31 FEET; THENCE RUN N00°11'28"E, A DISTANCE OF 178.71 FEET; THENCE RUN S89°55'38"E, A DISTANCE OF 208.71 FEET; THENCE RUN S00°11'28"W, A DISTANCE OF 208.71 FEET TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 7; THENCE RUN N89°55'38"W, A DISTANCE OF 600.05 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THE FOLLOWING DESCRIBED LANDS:

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF "HOEFFNER ESTATES" AS RECORDED IN PLAT BOOK 32, PAGE 6, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; FROM SAID POINT OF BEGINNING RUN N00°06'24"E ALONG THE EAST RIGHT-OF-WAY LINE OF THE NORTH ST. LUCIE RIVER WATER CONTROL DISTRICT CANAL NO. 30, A DISTANCE OF 321.51 FEET; THENCE RUN S89°55'38"E, A DISTANCE OF 776.80 FEET; THENCE RUN S00°11'28"W, A DISTANCE OF 112.80 FEET TO THE NORTHWEST CORNER OF LOT 5 OF THE REPLAT OF HOEFFNER ESTATES AS RECORDED IN PLAT BOOK 32, PAGES 17 THROUGH 17A, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE CONTINUE S00°11'28"E, ALONG THE WEST LINE OF SAID LOT 5, A DISTANCE OF 178.71 FEET; THENCE RUN N89°55'38"W, A DISTANCE OF 421.31 FEET; THENCE RUN S00°14'22"W, A DISTANCE OF 30.00 FEET TO THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 7; THENCE RUN ALONG SAID SOUTH LINE, A DISTANCE OF 354.99 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THE FOLLOWING DESCRIBED LANDS:

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 5 OF THE REPLAT OF HOEFFNER ESTATES AS RECORDED IN PLAT BOOK 32, PAGES 17 THROUGH 17A, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE NORTH 00°11'28" EAST, A DISTANCE OF 112.80 FEET; THENCE SOUTH 89°55'38" EAST, A

DISTANCE OF 509.07 FEET TO THE EAST LINE OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 7; THENCE SOUTH 00°11'50" WEST, ALONG SAID EAST LINE, A DISTANCE OF 321.51 FEET TO THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 7; THENCE NORTH 89°55'38" WEST, DEPARTING SAID EAST LINE AND ALONG SAID SOUTH LINE, A DISTANCE OF 300.33 FEET TO THE EAST LINE OF SAID LOT 5; THENCE NORTH 00°11'28" EAST, DEPARTING SAID SOUTH LINE AND ALONG SAID EAST LINE, A DISTANCE OF 208.71 FEET TO THE NORTH LINE OF SAID LOT 5; THENCE NORTH 89°55'38" WEST, DEPARTING SAID EAST LINE AND ALONG SAID NORTH LINE, A DISTANCE OF 208.71 FEET TO THE POINT OF BEGINNING.

CONTAINING 28.12 ACRES, MORE OR LESS.

AND

PARCEL 1:

THE WEST ONE-HALF (1/2) OF THE NORTHEAST ONE-QUARTER (1/4) OF THE NORTHWEST ONE-QUARTER (1/4) OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS RIGHT-OF-WAY FOR CANALS, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA.

PARCEL 2:

THE EAST 50 FEET OF THE FOLLOWING DESCRIBED PROPERTY: THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS AND EXCEPT RIGHTS OF WAY FOR PUBLIC ROADS, LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.

PARCEL 3:

THE NORTH 15 ACRES OF THE FOLLOWING DESCRIBED PROPERTY, THE EAST 1/2 OF THE SOUTHEAST 1/4 OF NORTHWEST 1/4 IN SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS AND EXCEPT RIGHTS OF WAY FOR CANALS, LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA. AND FURTHER LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL AS SET FORTH IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1433, PAGE 2915:

A PORTION OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND RAILROAD SPIKE MARKING THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE NORTH 00 DEG 07' 33" EAST ALONG THE WEST LINE OF SAID SECTION 7, A DISTANCE OF 806.208 METERS (2,645.03 FEET) TO A POINT ON A FOUND BOAT SPIKE MARKING THE WEST 1/4 CORNER OF SAID SECTION 7, SAID POINT BEING ON THE BASELINE OF SURVEY FOR STATE ROAD 68 (ORANGE AVENUE) AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR SECTION NO. 94070-2505; THENCE NORTH 89 DEG 42' 09" EAST ALONG SAID BASELINE OF SURVEY AND THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, A DISTANCE OF 624.027 METERS (2,047.33 FEET); THENCE NORTH 00 DEG 17' 51" WEST ALONG A LINE AT A RIGHT ANGLE TO THE LAST DESCRIBED COURSE, A DISTANCE OF 116.668 METERS (382.77 FEET) TO THE POINT OF BEGINNING; THENCE NORTH 89 DEG 47' 56" EAST, A DISTANCE OF 171.190 METERS (561.65 FEET); THENCE NORTH 00 DEG 18' 45" EAST, A DISTANCE OF 94.635 METERS

(310.48 FEET); THENCE SOUTH 89 DEG 47' 56" WEST, A DISTANCE OF 171.309 METERS (562.04 FEET); THENCE SOUTH 00 DEG 14' 26" WEST, A DISTANCE OF 94.634 METERS (310.48 FEET) TO THE POINT OF BEGINNING.

FURTHER LESS AND EXCEPTING THE FOLLOWING DESCRIBED PARCEL AS SET FORTH IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1430, PAGE 1914:

A PARCEL OF LAND LYING IN THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 15 ACRES OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER IN SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, EXCLUSIVE OF RIGHTS-OF-WAY FOR CANALS. LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE;

COMMENCE AT A FOUND RAILROAD SPIKE MARKING THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE NORTH 00 DEG 07' 33" EAST ALONG THE WEST LINE OF SAID SECTION 7, A DISTANCE OF 2,645.03 FEET TO A POINT ON A FOUND RAILROAD SPIKE MARKING THE WEST QUARTER CORNER OF SAID SECTION 7, SAID POINT BEING ON THE BASE LINE OF SURVEY FOR STATE ROAD 68 (ORANGE AVENUE) AS SHOWN ON A FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION NO. 94070-2505; THENCE NORTH 89 DEG 42' 09" EAST ALONG SAID BASE LINE OF SURVEY AND THE SOUTH LINE OF THE NORTHWEST

QUARTER OF SAID SECTION 7, A DISTANCE OF 2,047.33 FEET; THENCE NORTH 00 DEG 17' 51" WEST ALONG A LINE AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, A DISTANCE OF 382.77 FEET TO THE POINT OF BEGINNING.

THENCE NORTH 89 DEG 47' 56" EAST, A DISTANCE OF 561.65 FEET TO THE EASTERLY BOUNDARY OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, SAID LINE ALSO TO BE EXTENDED TO THE WESTERLY BOUNDARY OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER.

PARCEL 4:

THE NE1/4 OF THE NE1/4 OF THE NW 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, EXCEPTING ALL RIGHTS OF WAY FOR PUBLIC ROADS AND DRAINAGE CANALS AND DITCHES.

PARCEL 5:

THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE EAST 20' OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST.

LESS AND EXCEPTING THE EAST 50' THEREOF AND LESS RIGHT-OF-WAY FOR PUBLIC

ROADS.

FURTHER EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND: BEGIN 20' WEST OF THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 7 AND RUN THENCE NORTH 40' TO POINT OF BEGINNING; THENCE CONTINUE NORTH PARALLEL WITH THE EAST

LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 7, FOR A DISTANCE OF 165' TO A POINT; THENCE TURN AND RUN EAST PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, FOR A DISTANCE OF 100' TO A POINT; THENCE TURN AND RUN SOUTH 165' TO A POINT 100' EAST OF POINT OF BEGINNING; THENCE TURN AND RUN WEST 100' TO POINT OF BEGINNING.

LESS D.O.T. EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 1433, PAGE 2925, OFFICIAL RECORDS OF ST. LUCIE COUNTY, FLORIDA.

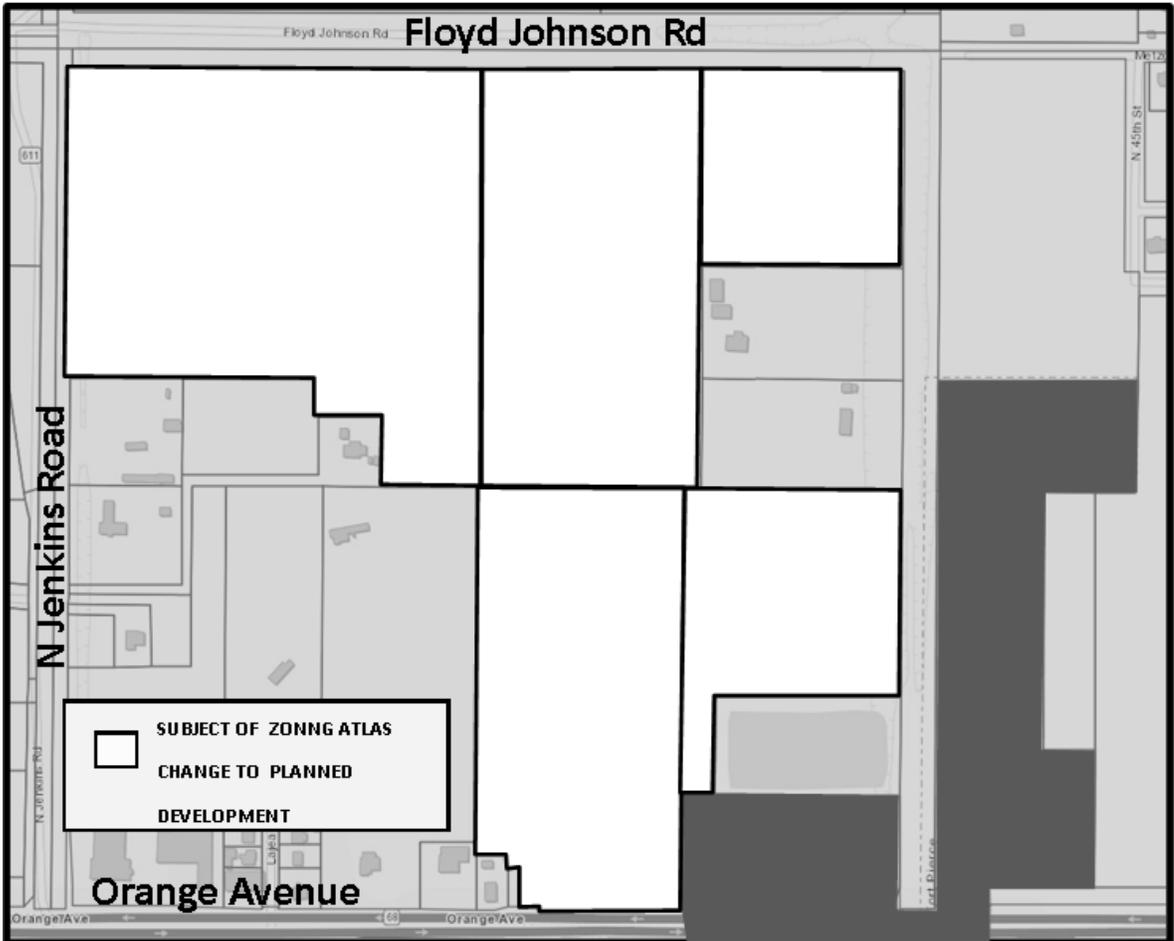
LESS THE WEST 1/2 OF THE CROSS EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 1938, PAGE 328 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE 20 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, THENCE N00°10'09"E FOR 40.00 FEET TO THE NORTH RIGHT OF WAY LINE OF ORANGE AVENUE (STATE ROAD NO. 68); THENCE N89°42'09"E ALONG SAID RIGHT OF WAY LINE OF ORANGE AVENUE FOR 54.99 FEET; THENCE N79°48'50"E FOR 45.07 FEET; THENCE N89°42'09"E FOR 0.67 FEET TO THE POINT OF BEGINNING; THENCE N00°10'09"E FOR 119.20 FEET, THENCE N89°42'09"E FOR 74.89 FEET; THENCE S00°10'09"W FOR 119.20 FEET TO SAID NORTH RIGHT OF WAY LINE OF ORANGE AVENUE; THENCE S89°10'09"W FOR 74.89 FEET TO THE POINT OF BEGINNING.

CONTAINING 56.67 ACRES, MORE OR LESS.

TOTAL PROPERTY BEING 84.8 ACRES, MORE OR LESS.

EXHIBIT C
Zoning Atlas Amendment



Current SLC Zoning = RS-2 & General Commercial (GC)

Proposed FP Zoning = Planned Development (PD)

EXHIBIT D
Conditions of Development (PD Zoning)

1. The parcels subject of this ordinance and zoned PD, shall conform to the following:
 - a. The Preliminary Overall Masterplan submitted and titled Orange Ave. Development II, Parcel Exhibit Orange Ave. PD Plan, by Redtail DG, dated 06/11/2022
 - b. The West Orange Development Criteria Requirements, attached hereto as Attachment **PD1**.
2. Prior to development, a Final PD site plan application shall be submitted as a Major Amendment to the PD zoning.
3. The Final PD plan shall conform to the requirements of the City Code of Ordinances and be subject to the general standards for approval of Planned Development Zoning.
4. Prior to submittal of Final PD site plan, a state wetland jurisdictional determination shall be conducted to determine the exact boundaries of the wetlands located on site. Further wetland evaluation and assessment shall be conducted to further determine mitigation options available for this site.
5. Prior to submittal of Final PD site plan, a Gopher Tortoise Survey shall be carried out on site.
6. Prior to submittal of Final PD site plan, and if required by the USFWS (US Fish and Wildlife Service), a Wood Stork foraging Habitat Assessment shall be carried out on site
7. A detailed stormwater and drainage plan and statement shall be submitted at time of Final PD site plan.
8. The Final PD site plan shall be in unified control and property ownership. All land intended to be included in the planned development shall be under the legal control of the applicant.
9. The Final PD site plan shall include a development phasing schedule indicating the approximate date when construction of the project can be expected to begin and the number of phases in which the project will be built and the approximate

date when construction of each phase can be expected to begin and completed.

10. The Final PD site plan shall include a general description of the buildings and streetscapes including standards for height, building coverage, parking areas, and public improvements proposed for each phase of the development.
11. The Final PD site plan shall include quantitative data for the total number and type of dwelling units; parcel sizes; proposed lot coverage of buildings and structures; residential gross densities; total amount of open space; and the total amount of nonresidential acreage.
12. The Final PD site plan shall include all agreements, provisions and covenants which govern the use, maintenance, and continued protection of the planned development and any of its common open space or other shared areas. This material shall include material which binds successors in title to any commitments concerning completion of the project and its maintenance and operation.
13. The Final PD site plan shall contain the following information, at minimum:
 - a. A Landscape and irrigation plan per section 125-314. c. of the City Ordinance.
 - b. Proposed lot lines and other divisions of land for management, use or allocation purposes.
 - c. The location, size and height of present and proposed buildings and structures.
 - d. The location and size of all areas proposed to be conveyed, dedicated, or reserved for streets, parks, playgrounds, public and semi-public buildings, and similar uses.
 - e. The existing and proposed vehicular circulation system, including off-street parking, and loading areas.
 - f. The pedestrian circulation system, including its interrelationships with the vehicular circulation system, within the development to adjacent streets, showing all curb cuts and sidewalks.
 - g. The existing and proposed utility systems, including sanitary sewers, storm sewers and water, electric and gas lines.
 - h. The proposed buffering treatment of the perimeter of the planned development, refuse stations, storage areas, or loading areas, including materials and techniques used such as screens, fences, and walls.

14. A Unity of Title with the St. Lucie County Clerk of Courts and a Parcel Combination with the St. Lucie County Property Appraiser shall be completed prior to the issuance of any Building Permit.
15. After completion of the Unity of Title and Lot Combination, a General Address Request Form for the newly created Parcel ID and for any and each proposed building and residential unit shall be submitted to the Planning Department.

Attachment PD1

West Orange Development Criteria Requirements

Lot Type	Maximum Gross Density Du/AC	Min Lot Size	Min Lot Width	Min Lot Depth	Min Road Frontage	Minimum Yard				Max Building Height (2)	Maximum Lot Coverage
						Front	Rear	Side	Side Corner		
General Commercial	N/A	5,000 sf	50'	100'	50'	0'	0'	0'	0'	65'	60.00%
Attached Townhome	N/A (3)	1,600 sf	20'	80'	20'	20'	10'/2' (4)	0'/5' (5)	5'	45'	50.00%
Detached Townhome	N/A (3)	1,600 sf	20'	80'	20'	20'	10'/2' (4)	5'	5'	45'	50.00%
Detached Single-Family	N/A (3)	4,000 sf	40'	80'	40'	20'	10'/2'(4)	5'	5'	45'	50.00%
Apartment (6)	N/A (3)	10,000 sf	100'	100'	100'	10' (6)	10' (6)	10' (6)	10' (6)	65'	50.00%
Cluster (7)	N/A (3)	10,000 sf	100'	100'	100'	10'	10'	0'/5'(8)	10'	25'	50.00%
<p>1. For any criteria that this table does not address the requirements of this Planned Development will default to the requirements of the respective underlying zoning district for each category, this includes uses listed within the use table continued in City Code 125-187. The General Commercial lot types will follow the criteria of City Code 125-200 in any instance where a development criteria is not addressed above and will follow the C-3 zoning uses within City Code 125-187. The Townhome and Apartment Lots will follow the criteria of City Code 125-194 in any instance where a development criteria is not addressed above and will follow the R-4 zoning uses within City Code 125-187.</p>											
<p>2. Height is measured from grade.</p>											
<p>3. Maximum Residential Density shall be determined by the Future Land Use in accordance with the City Comprehensive Plan. Development may be clustered, so that individual parcels may exceed the maximum units/acre within a given area, provided that the Planned Development Area in total does not exceed the allotted units/acre for the overall development. This Planned Development will contain areas with a Future Land Use of 12 units/acre and some areas with 15 units/acre.</p>											
<p>4. Principle/main structures have a 10' rear yard setback and accessory structures have a 2' rear yard setback.</p>											
<p>5. Attached interior townhome units have a 0' side yard setback. Attached exterior townhome units and accessory structures have a 5' side yard setback.</p>											
<p>6. <i>Apartment developments are unique in that they are usually developed with multiple buildings in mind and the development criteria for the apartment lots are designed to allow the greatest possible creativity when developing a site plan for apartments within this development. The setbacks are set to 10' minimum with 5' additional per 10' over 40' building height. Likewise, the proposed setbacks also allow the development to be pushed back from the road to create a more traditional style of development.</i></p>											
<p>7. (a) Minimum unit size is 700 sq.ft. (b) Minimum building separation distance is 20'. (c) Maximum units per lot is 5. (d) Minimum one sidewalk should connect to lot. (e) All units must connect to main sidewalk that connects to parking or individually connect.</p>											
<p>8. Duplex units allowed on individual lots or attached along lot lines.</p>											
<p>*The regulation for fences, walls, and hedges will follow City Code 125-322 (c)(4)</p>											
<p>*Unless otherwise noted above accessory structures will follow setback regulations for each lot type</p>											