

ORDINANCE NO. 23-045

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 (PD) FOR ONE (1) PARCEL CONTAINING APPROXIMATELY 19.55 ACRES AND BEING GENERALLY LOCATED AT OR NEAR 7325 PRUITT RESEARCH CENTER 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 parcel, 2323-501-0001-000-3, totaling approximately 19.544 acres. A map depicting the subject parcel is attached hereto as "**Exhibit A**"; and

WHEREAS, the applicant, has applied to modify the future land use designation for the subject property from RM, Medium Density Residential to GC, General Commercial; and

WHEREAS, the applicant, has applied for rezoning of the subject property from R-4, Medium Density Residential Zone to PD, Planned Development Zone; 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, 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, May 25th, 2023, meeting, voted 5 to 1 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 one (1) Parcel, depicted on "**Exhibit A**" and totaling +/- 19.55 acres, having legal description as described in **Exhibit "B"** and depicted on **Exhibit "C"**, attached hereto, and incorporated herein; is 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. 23-045 was duly advertised in accordance with Section 163.3187 of the Florida Statutes in the St. Lucie News Tribune on Sunday, June 4th, 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 June 20th, 2023; and was duly introduced, read by title only, and passed on second and final reading July 17th, 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 July 17th, 2023.

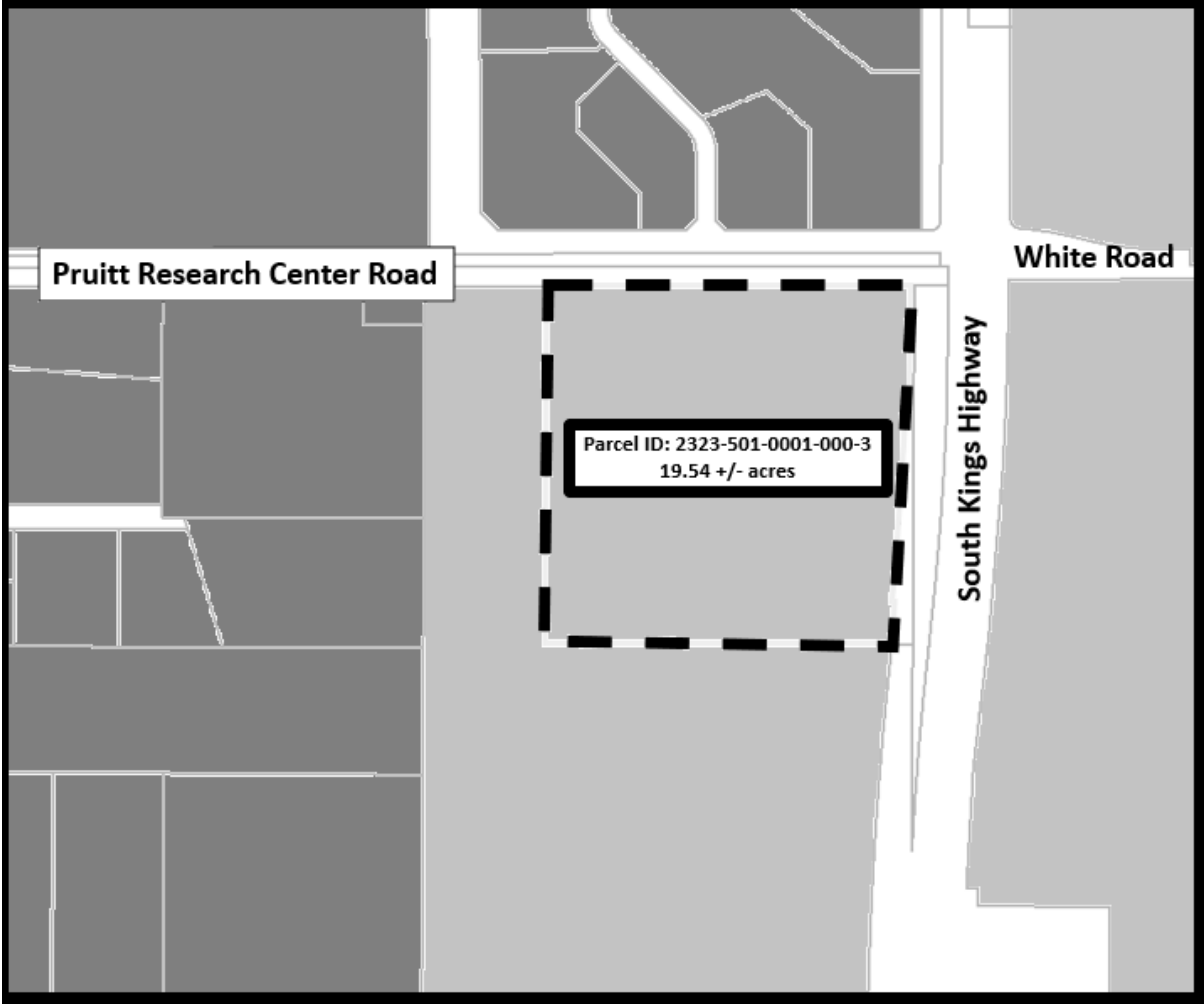
Linda Hudson
MAYOR COMMISSIONER

ATTEST

Linda W. Cox
CITY CLERK

(CITY SEAL)

EXHIBIT A
Parcel subject of Rezoning to Planned Development



Parcel ID #: 2323-501-0001-000-3

EXHIBIT B
Legal Description

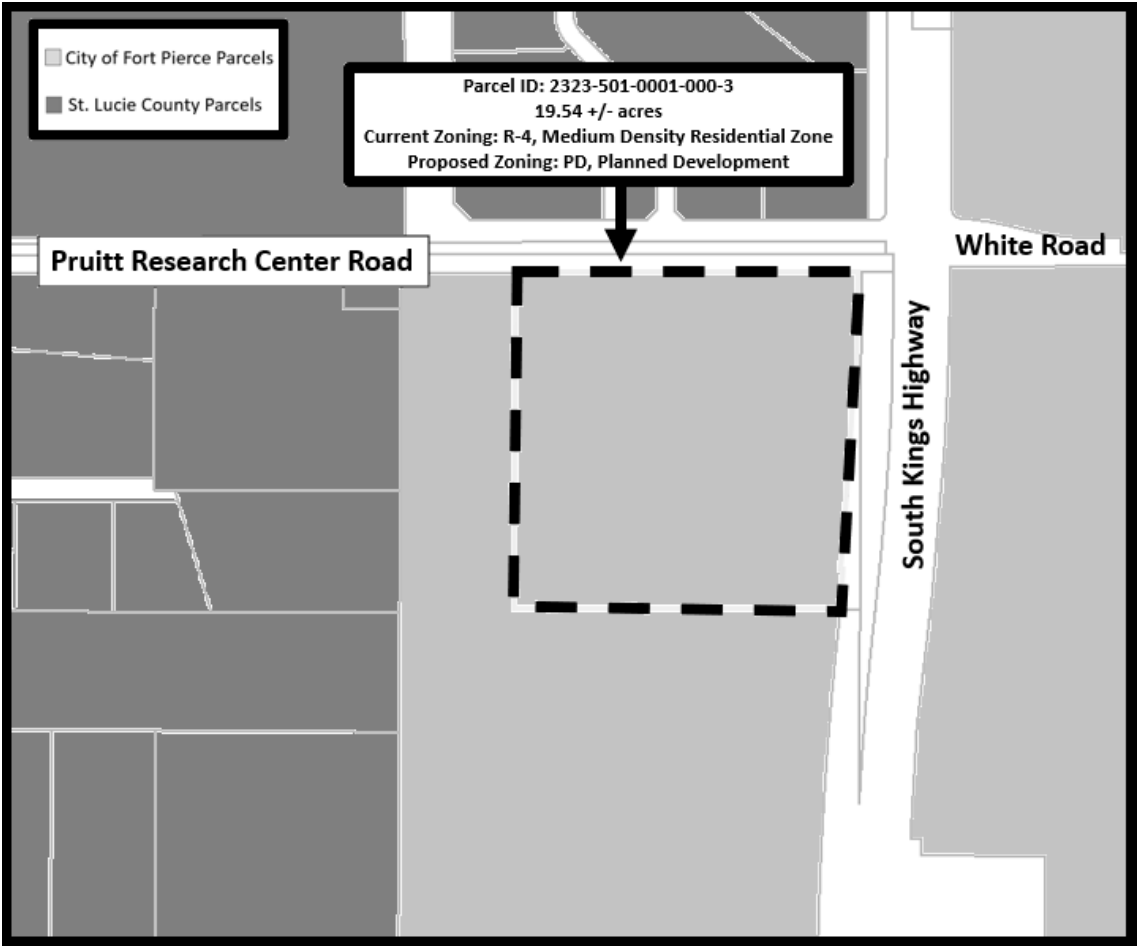
ALL OF LOT 1 AND PORTIONS OF LOTS 2, 7, AND 8, ACCORDING TO THE PLAT OF MODEL LAND COMPANY, AS RECORDED IN PLAT BOOK 2, PAGE 10D, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, ALL LYING IN THE NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 35 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, LESS ROAD AND CANAL RIGHTS-OF-WAY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RAILROAD SPIKE MARKING THE NORTHEAST CORNER OF SAID SECTION 23, THENCE S89°46'47"W, ALONG THE NORTH LINE OF SAID SECTION 23, A DISTANCE OF 113.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF N.S.L.R.W.M.D. CANAL NO. 40; THENCE S00°07'31"E, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 49.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S00°07'31"E, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 922.18 FEET; THENCE S89°46'47"W, A DISTANCE OF 944.72 FEET; THENCE N00°07'31"W, A DISTANCE OF 922.18 FEET TO THE SOUTHERLY LINE OF N.S.L.R.D.D. CANAL NO. 48; THENCE N89°46'47'E, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 944.72 FEET TO THE WEST RIGHT-OF-WAY LINE OF N.S.L.R.W.M.D. CANAL NO. 40 AND THE POINT OF BEGINNING.

LESS AND EXCEPT THAT PORTION CONVEYED TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION IN O.R. BOOK 3844, PAGE 2108, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

SAID PARCEL CONSISTING OF 19.544 ACRES MORE OR LESS.

EXHIBIT C
Zoning Atlas Amendment



Current FP Zoning = Medium Density Residential (R-4)

Proposed FP Zoning = Planned Development (PD)

EXHIBIT D
Conditions of Development (PD Zoning)

1. Prior to the development of Lots 2 and/or 3, future site plan applications for either (or one application for both) shall be submitted as Major Amendment(s) to the PD zoning.
2. Future Site Plan Phases shall conform to the requirements of the City Code of Ordinances and be subject to the general standards for approval of Planned Development Zoning.
3. Future Site Plan Phases 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 be completed.
4. The Final PD site plan shall include a declaration of covenants governing the use, maintenance, and continued protection of the planned development and any of its common open space or other shared areas. The declaration shall bind successors in title to any commitments concerning completion of the project and its maintenance and operation.
5. After completion of the Subdivision, a General Address Request Form for the newly created Parcel ID(s) and for any and each proposed building shall be submitted to the Planning Department.
6. Prior to the issuance of Building Permit approval, the applicant shall provide colored elevations to demonstrate that the proposed building conforms to the specifications of City Code 125-314, Design Review.
7. A completion certification by a landscape architect, cost estimate and landscape bond pursuant to City Code 123-6 shall be required before the Final Certificate of Occupancy is approved for the site.
8. Prior to the issuance of any site clearing permits, the applicant shall provide a Tree Mitigation Survey and coordinate with the City of Ft. Pierce Arborist for the required mitigation of the City regulated trees proposed to be removed as a result of this site's development/construction activity.
9. If a monument sign is proposed, please consider installing a landscaped area

around the proposed monument sign base which extends a minimum distance of three (3) feet in all directions. Such landscaped areas shall be completely covered by ground cover and shrubs, hedges, or similar vegetative materials.

10. The applicant shall meet the requirements set forth in Attachment PD1.

Attachment PD1
Project Hunt Criteria Requirements

General Notes

1. Parking space striping shall conform to Section 125-315(c)(8) of the Fort Pierce City Code.
2. A fence shall be placed around all back flow prevention devices in accordance with Section 125-324(d) of the Fort Pierce City Code.
3. All interior sidewalks to be 5' wide minimum.
4. Parking space bumper rails shall comply with Section 125-315(c)(7) of the Fort Pierce City Code.
5. All signage to comply with Chapter 117 of the City of Fort Pierce Code of Ordinances.
6. All landscaping within platted easements and/or common areas, including within Road Tract, Stormwater Tract, and perimeter landscape buffers, to be maintained by Property Owners Association to provide for the perpetual maintenance of common areas.
7. Development I.D. Sign situated on Lot 2 shall be constructed by master developer and such sign and associated landscaping to be located within a Signage and Landscape Easement which is to be included in the Plat.
8. Street trees and shrubs shall be installed on Lots 2 and 3, within the 10' Landscape Buffers adjacent to the Roadway Tract, commensurate with the development of such Lots. Street trees and shrubs shall be of the same species, and of the same size or larger, as that which is proposed within the 10' Landscape Buffer on Lot 1 adjacent to the Roadway Tract.
9. At such time Lots 2 and 3 are proposed for development, the City's Architectural Guidelines in effect at such time shall govern proposed buildings within such Lots.
10. Allowable uses within the subdivision shall be those uses listed as "Permitted Uses" within the C-3 and I-1 zoning districts; "Conditional Uses" are allowed subject to the standards of review for Conditional Uses contained within the City of Fort Pierce Code of Ordinances.
11. For consistency, landscape buffers on Lots 2 and 3, adjacent to the internal Road Tract, shall be landscaped consistent with the Lot 1 landscape buffer adjacent to the Road Tract.
12. Nothing herein shall preclude the future subdivision of Lots 2 and 3.

Site Data

Total Area:	19.54 ac	
Existing Use:	Vacant	
Existing Zoning:	R4	
Existing Future Land Use:	RM	
Proposed Zoning:	PD	
Proposed Future Land Use	GC	
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Lot 1 (Thermo King):	4.45 ac. (100%)	
Impervious Area:	150,066 sf.	3.45 ac. (77.5%)
Buildings:	16,960 sf.	0.39 ac.
Pavement:	131,219 sf.	3.02 ac.
Sidewalk:	1,887 sf.	0.04 ac.
Pervious Area:	44,459 sf.	1.00 ac. (22.5%)
Landscape Islands:	5,788 sf.	0.13 ac.
Open Space:	38,671 sf.	0.87 ac.
Lot 2 (Vacant):	4.50 ac. (100%)	
Allowable sf:	Max. FAR 0.5 (see attached TIR)	
Lot 3 (Vacant):	6.05 ac. (100%)	
Allowable sf:	Max. FAR 0.5 (see attached TIR)	
Road Tract:	1.54 ac. (100%)	
Impervious Area:	33,151 sf.	0.88 ac. (54%)
Pavement:	23,832 sf.	0.55 ac.
Sidewalk:	8,319 sf.	0.19 ac.
Pervious Area:	28,820 sf.	0.66 ac. (46%)
Open Space:	28,820 sf.	0.66 ac.
Stormwater Tract:	3.00 ac. (100%)	
Pervious Area:	130,778 sf.	3.00 ac. (100%)
Retention Area:	104,784.86 sf.	2.40 ac
Open Space:	25,993.14 sf.	0.60 ac.
Coverage Area Totals:	851,162.4 sf.	19.54 ac. (100%)
Impervious Area:	183,217 sf	4.2 ac. (21%)
Pervious Area:	667,954.4 sf.	15.34 ac. (79%)

Open Space Data:

Open Space Required:	3.90 ac. (100%)
(19.54 ac.)(20%) = 3.90ac.	
*Open Space Provided:	3.90 ac. (100%)
Lot 1:	0.87 ac.
Roadway Tract:	0.66 ac.
Stormwater Tract:	0.60 ac.
Retention Area (water surface):	0.78 ac. (max. 30% of total requirement of 3.90 ac.)
Subtotal:	2.91 ac.

*Minimum Open Space to be provided on Lot 2 & 3 is 0.99 ac. to fulfill minimum Open Space requirement for overall development. Should Lot 2 or 3 be subdivided in the future, such Lot or Lots shall provide a combined total of 0.99 ac. of Open Space, to be determined on a first come first served basis.

Building and Lot Data

Common Open Space Req'd:	20% (3.90 ac.)
Common Open Space Provided:	20% Min. (3.90 ac.)
Maximum Height:	45'
(R-4, abutting Zoning District per Sec. 22-40(b)(2))	
Minimum Lot Size:	1 ac.
Building Setbacks:	
(R-4, abutting Zoning District per Sec. 22-40(b)(2))	
Front:	25' (most restrictive)
Side:	10' (most restrictive)
Side Corner:	15' (most restrictive)
Rear:	20' (most restrictive)

Parking Requirements

Lot 1 - Thermoking:	18 Spaces
<u>Manuf./Warehouse Use:</u>	
1 space per 600 sf. @ 10,693 sf. = 17.8 spaces Req'd / *18 spaces Prov'd	
Accessible Spaces Req'd: 1 Space Req'd / 2 Spaces Prov'd	
Loading provided in service area	
*Open trailer storage/parking areas provided as noted on the Site Plan.	
<u>Bicycle Parking:</u>	
1 space per 10 parking stalls @ 18 stalls = 2 bicycle parking spaces / 5 spaces Prov'd	