

ORDINANCE NO. L-82

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING THE CODE OF ORDINANCES; SECTION 22-3 OF CHAPTER 22, ARTICLE I, DEFINITIONS BY ADDING A DEFINITION FOR STUDENT HOUSING; AMENDING SECTIONS 22-26(c), 22-27(c) AND 22-28(c) OF CHAPTER 22, ARTICLE III, CONDITIONAL USES PERMITTED BY ADDING SECTION 22-26(c)(11), 22-27(c)(13) AND 22-28(c)(14) TO PERMIT **STUDENT HOUSING AS A CONDITIONAL USE IN THE R-3, R-4 AND R-5 ZONING DISTRICTS**; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA:

Section 1. Section 22-3 of Chapter 22, Article I is hereby amended by adding the following definition of Student Housing:

Student Housing: A permanent building consisting of separate sleeping rooms and a common area with a kitchen. A sleeping room is defined as an area with one bed which is intended for one person. The building may contain uses consistent with student housing such as restaurants, cafes, coffee shops, laundry services, and food shops. Tenants occupying the rental units must be students attending colleges, universities, or institutions of higher learning. Parking shall be a minimum of one parking space per two sleeping rooms. Bicycle parking shall be a minimum of one bicycle space per two sleeping rooms. Sleeping rooms in student housing are not subject to density, dwelling unit, or gross floor area definitions of Sec. 22-3. Criteria to be considered in approving a conditional use application for student housing may be found in Resolution No. 09-28. A transit fee shall be paid at the time of issuance of a certificate of occupancy or as directed by the City of Fort Pierce. This fee shall be adopted by resolution.

Section 2. Section 22-26(c) of Chapter 22, Article III is hereby amended as follows:

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

(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

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Section 3. Section 22-27(c) of Chapter 22, Article III is hereby amended as follows:

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

(c) 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

Section 4. Section 22-28(c) of Chapter 22, Article III is hereby amended as follows:

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

(c) 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.

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Section 5. Repeal of Conflicting Ordinance

All ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith are repealed to the extent of such conflict.

Section 6. Severability

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. Effective Date.

The effective date of this Ordinance shall be immediately upon its passage by the City Commission.

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-82 was duly advertised in accordance with F.S. 166.041(3)(c)(2) in the Fort Pierce Tribune on December 29, 2008, and on March 27, 2009, and on April 13, 2009; and was duly advertised by title only on December 26, 2008 and on March 28, 2009; 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, directed to be amended, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on April 6, 2009; and was duly introduced, read by title only, and passed as amended on second and final reading on April 20, 2009, 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 20th day of April 2009.

MAYOR COMMISSIONER

CITY CLERK

(CITY SEAL)

