

ORDINANCE NO. L-11

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING THE CODE OF ORDINANCES; AMENDING SECTION 22-31(c) OF CHAPTER 22, ARTICLE III, CONDITIONAL USES PERMITTED, BY ADDING SECTION 22-31(c)(19) TO PERMIT DAY CARE CENTERS AND SCHOOLS OTHER THAN EDUCATIONAL SERVICE ESTABLISHMENTS IN THE C-3, GENERAL COMMERCIAL ZONING DISTRICT WITH CONDITIONAL USE APPROVAL; 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 22-31(c) of Chapter 22, Article III is hereby amended as follows:

Sec. 22-31. General commercial zone (C-3).

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

- (1) Repair service establishments not allowed as a semi-restricted use in this zone.
- (2) Wholesale trade, warehouse and distribution establishments (including trucking terminals).
- (3) Contract construction service establishments.
- (4) Kennels.
- (5) Bus depots.
- (6) Hospitals, sanitariums, rest homes, convalescent homes, and adult congregate living facilities. The maximum residential density for an adult congregate living facility shall not exceed thirty (30) units per acre.
- (7) Public utility structures and public works maintenance facilities.
- (8) Cemeteries.
- (9) Amusement parks.
- (10) Marinas, including marinas with charter fishing facilities.
- (11) Expansion of a structure with a nonconforming commercial or industrial use if the structure is not enlarged by more than twenty (20) per cent and the structure being enlarged does not violate provisions in section 22-102.
- (12) Multifamily housing developments which satisfy the standards for multifamily housing developments in an R-5 Zone.

- (13) Reserved.
- (14) Flea markets.
- (15) Nonprofit bingo halls.
- (16) Industrial, semi-restricted uses permitted in section 22-34(b) [Light industrial zone (I-1)] except the uses specified in sections 22-34(b)(6) and (7).
- (17) Ship and boat building and repair facilities.
- (18) Recreational vehicle parks.
- (19) Day care centers and schools other than educational service establishments.

Section 2. Repeal of Conflicting Ordinances.

All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

Section 3. Severability.

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

Section 4. Effective Date

This Ordinance shall become effective immediately upon final passage by the City Commission.