

ORDINANCE NO. 12-003

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING LAND DEVELOPMENT CODE SECTION 2.00.00 "DEFINITIONS" TO PROVIDE FOR A DEFINITION OF VEHICULAR USE AREA AND VEHICULAR USE AREA (SMALL BUSINESSES LESS THAN 6,000 SQUARE FEET); SECTION 3.01.02 "ADMINISTRATIVE USE REGULATIONS FOR PERMITTED AND CONDITIONAL USES" TO PROVIDE FOR A COMPATIBILITY DETERMINATION BY THE PLANNING & DEVELOPMENT SERVICES DIRECTOR WHEN A USE IS NOT SPECIFICALLY LISTED; AMENDING SECTION 6.00.05 "CRITERIA GOVERNING APPROVAL OF VEGETATION REMOVAL PERMIT" TO PROVIDE FOR SUBSTITUTIONS FOR PLANTS AND TREES AND LONGER PLANTING SCHEDULES; AMENDING SECTION 7.05.03 "RIGHTS-OF-WAY DEDICATION REQUIREMENTS" TO PROVIDE FOR COUNTY PAYMENT OF COSTS INCIDENT TO ACQUISITION; AMENDING SECTION 7.05.04A "SIDEWALKS" TO REQUIRE SIDEWALKS FOR NONRESIDENTIAL DEVELOPMENT ABOVE 6000 SQUARE FEET; AMENDING SECTION 7.06.01 "OFF STREET PARKING AND LOADING" TO PROVIDE THAT EXPANSIONS MAY BE PERMITTED WITHOUT ADDITIONAL PARKING IF THE INCREASED FLOOR AREA DOES NOT EXCEED 25% OF THE PRIOR FLOOR AREA; PROVIDING THAT PARKING SURFACE, LANDSCAPING, CHANGES IN USE AND ZONING COMPLIANCE ARE SUBJECT TO THE PROVISION OF THE CODE AND TO CLARIFY THE ADMINISTRATIVE RELIEF PROVISIONS; AMENDING SECTION 7.06.01 "OFF-STREET PARKING - GENERALLY"; AMENDING SECTION 7.09.04 "GENERAL LANDSCAPING REQUIREMENTS"; DELETING SECTION 7.10.16Q2e; AMENDING SECTION 11.00.03 "NOTICE" TO PROVIDE FOR A LOCATION DESCRIPTION OF PROPERTIES DIRECTLY AFFECTED RATHER THAN A LEGAL DESCRIPTION; AMENDING SECTION 11.02.02B "DESIGNATION OF MINOR SITE PLAN, MAJOR SITE PLAN, OR PLANNED DEVELOPMENT SITE PLAN" TO PROVIDE FOR MINOR SITE PLAN APPROVAL FOR NONRESIDENTIAL DEVELOPMENT GREATER THAN 6,000 SQUARE FEET BUT LESS THAN 50,000 SQUARE FEET AND FOR MAJOR SITE PLAN APPROVAL FOR NONRESIDENTIAL FLOOR SPACE OF 50,001 OR MORE SQUARE FEET; AMENDING SECTION 11.02.02C TO PROVIDE FURTHER THAT MAJOR SITE PLANS ARE DEFINED AS A DEVELOPMENT WITH 50,001 OR MORE SQUARE FEET OF NONRESIDENTIAL FLOOR SPACE AND TO DELETE 5A1 AND 2; AMENDING SECTION 11.02.03 "REVIEW OF APPLICATIONS FOR MINOR SITE PLANS" TO PROVIDE FOR A CHANGE IN THE DIRECTOR'S TITLE AND TO PROVIDE FOR A DETERMINATION OF COMPLIANCE BY THE DIRECTOR UNDER CONDITIONS AND EXCEPTIONS FOR THE APPROVAL OF MINOR SITE PLANS BASED ON EXISTING SITE CONDITIONS, LOCATION AND POTENTIAL FOR IMPACT ON PUBLIC FACILITIES, NATURAL RESOURCES AND PUBLIC SAFETY; AND PROVIDING FOR THRESHOLDS FOR MINOR ADJUSTMENTS AND PROVIDING FOR CIRCUMSTANCES WHERE A DEVELOPMENT PERMIT

MAY BE ISSUED WITHOUT A FORMAL APPLICATION FOR A MINOR ADJUSTMENT; AMENDING SECTION 11.02.04 "REVIEW OF APPLICATIONS FOR MAJOR SITE PLANS" TO ALLOW FOR THRESHOLDS FOR MINOR ADJUSTMENTS TO MAJOR SITE PLAN AND PROVIDING FOR CIRCUMSTANCES WHERE A DEVELOPMENT PERMIT MAY BE ISSUED WITHOUT A FORMAL APPLICATION FOR A MINOR ADJUSTMENT; AMENDING SECTION 11.02.09 SUBMITTALS FOR MINOR AND MAJOR SITE PLANS TO MODIFY THE REQUIREMENTS FOR AN ENVIRONMENTAL IMPACT REPORT TO ALLOW THE ENVIRONMENTAL RESOURCES DIRECTOR TO AUTHORIZE RELIEF FROM THE REQUIREMENT OF AN ENVIRONMENTAL IMPACT REPORT; AMENDING SECTION 11.05.00 PROCEDURE FOR OBTAINING DEVELOPMENT PERMITS TO PROVIDE FOR A DETERMINATION OF COMPLIANCE BY THE DIRECTOR BASED ON THE IMPOSITION OF CERTAIN CONDITIONS OR EXCEPTIONS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE, ADOPTION AND CODIFICATION

WHEREAS, the Board of County Commissioners of St. Lucie County, Florida, has made the following determinations:

1. On August 1, 1990, the Board of County Commissioners of St. Lucie County, Florida, adopted the St. Lucie County Land Development Code.
2. Due to extraordinary and persistent economic conditions being experienced in St. Lucie County, the Board of County Commissioners hereby enacts into the St. Lucie County Land Development Code, a series of temporary modifications to certain standards to a number of Land Development Code sections.
3. Within two years of adopting this measure, the Board shall evaluate the effectiveness and continued need for this ordinance.
4. No suspension, waiver, or exception is intended to affect any rule or regulation promulgated to protect the health or safety of St. Lucie County residents. Further, any suspensions or waivers are to be fully evaluated by the appropriate department staff to ensure that impacts are considered and appropriate standards implemented as part of normal development permit approvals.
5. This ordinance is intended to streamline, accelerate and reduce the initial cost of the approval process for certain projects that the Board has determined to be integral to improving the ability of businesses to open or expand in St. Lucie County.
6. The Board of County Commissioners has adopted certain amendments to the St. Lucie County Land Development Code, through the following Ordinances:

91-003	March 14, 1991	91-009	May 14, 1991
91-021	November 7, 1991	92-017	June 2, 1992
93-001	February 16, 1993	93-003	February 16, 1993
93-005	May 25, 1993	93-006	May 25, 1993
93-007	May 25, 1993	94-007	June 22, 1994
94-018	August 16, 1994	94-021	August 16, 1994
95-001	January 10, 1995	96-010	August 6, 1996
97-001	March 4, 1997	97-009	October 7, 1997
97-003	September 2, 1997	99-001	February 2, 1999
99-002	April 6, 1999	99-003	August 17, 1999
99-004	August 17, 1999	99-005	July 20, 1999
99-005	July 20, 1999	99-015	July 02, 1999
99-016	September 7, 1999	99-017	September 7, 1999
99-018	November 2, 1999	00-010	June 13, 2000
00-011	June 13, 2000	00-012	June 13, 2000
00-013	June 13, 2000	01-003	December 18, 2001
02-005	June 24, 2002	02-009	March 5, 2002
02-020	October 15, 2002	02-029	October 15, 2002
03-005	October 7, 2003	04-002	January 20, 2004
04-007	April 20, 2004	04-033	December 7, 2005
05-01	March 15, 2005	05-003	August 2, 2005
05-004	August 2, 2005	05-007	January 18, 2005
05-013	November 8, 2005	05-016	August 16, 2005
05-023	September 20, 2005	06-005	April 18, 2006
06-013	June 6, 2006	06-022	July 18, 2006
06-017	May 30, 2006	06-018	May 30, 2006
06-030	September 12, 2006	06-047	December 5, 2006
07-011	February 6, 2007	07-015	May 1, 2007
07-018	December 18, 2007	07-032	November 6, 2007
07-041	September 4, 2007	08-004	March 11, 2008
08-008	June 17, 2008	08-012	September 12, 2008
08-025	September 14, 2008	09-003	January 20, 2009
09-007	September 1, 2009	09-012	May 19, 2009
09-013	May 5, 2009	09-025	October 6, 2009
10-003	February 2, 2010	10-026	September 7, 2010
10-034	November 9, 2010	10-036	December 21, 2010
11-005	February 1, 2011	11-012	August 2, 2011
11-015	April 19, 2011	11-017	June 21, 2011
11-021	August 2, 2011		

7. On April 19, 2012, the Local Planning Agency/Planning and Zoning Commission held a public hearing on the proposed ordinance after publishing notice in the Tribune at least 10 days prior to the hearing and recommended that the proposed ordinance be approved. On April 19, 2012, the Local Planning Agency/Planning and Zoning Commission voted to recommend that the Board of County Commissioners approve the proposed ordinance.

8. On May 1, 2012, this Board held its first public hearing on the proposed ordinance, after publishing a notice of such hearing in the Tribune on April 20, 2012.

9. On May 15, 2012, this Board held its second public hearing on the proposed ordinance after publishing a notice of such hearing in the Tribune on May 4, 2012.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of St. Lucie County, Florida:

PART A. Chapter II "DEFINITIONS" is hereby amended to read as follows:

Vehicular Use Area: Any area intended to support tracked or tired vehicles capable of self-propulsion. Vehicular Use Areas are engineered and constructed to support repeated loadings of these vehicles. The incidental use of an area by a tracked or tired vehicle to park non-self-propelled vehicles, for example, trailers, does not make the area used for the parking of such vehicles a vehicle use area. The Vehicle Use Area construction of an all-weather impervious surface is not required but shall include measures in conformance to St. Lucie County Engineering design standards to direct and store all stormwater run-off so it is treated prior to any off-site discharge. This requirement is not intended to supersede or otherwise contradict any regulatory requirements by any other agency.

PART B. Chapter III "ZONING DISTRICTS" is hereby amended to read as follows:

Sections 3.00.00 through 3.01.01 remain unchanged.

3.01.02 ADMINISTRATIVE USE REGULATIONS FOR PERMITTED AND CONDITIONAL USES.

Section 3.01.02 ADMINISTRATIVE USE REGULATIONS FOR PERMITTED AND CONDITIONAL USES is amended to read as follows:

3.01.02. Administrative Use Regulations for Permitted and Conditional Uses.

A. For the purposes of clarifying and detailing the intent and purpose of the uses of the Zoning Districts in §§ 3.01.03(A) through 3.01.03(HH), the ~~Growth Management~~ Planning & Development Services Director shall utilize the Standard Industrial Classification (SIC) Manual (1987 ed.), prepared by the Executive Office of the President, Office of Management and Budget.

B. Whenever a use is not specifically listed in Sections 3.01.03(A) through 3.01.03(HH) the ~~Growth Management~~ Planning & Development Services Director shall make a determination as to whether the proposed use is of the same general type as identified in the Standard Industrial Classification Manual (1987 ed.), prepared by the Executive Office of the President, Office of Management and Budget. ~~However, this Section does not authorize including a use in a zoning district in which such use is not listed when such use is specifically listed in another zoning district.~~ When a proposed use is listed in another Section, the Director may make a determination whether the use may also be appropriate in another district based upon an analysis of compatibility. The analysis of compatibility shall include, but not necessarily be limited to: traffic circulation, parking, noise, odor, hours of operation, buffers, stormwater run-off, or other

determinations of impacts on nearby residences, uses or districts. Should the Director determine a proposed use is compatible in another district, future similar use proposals in the same district will have a presumption of compatibility.

The remainder of Chapter 3 remains unchanged.

PART C. Chapter VI “RESOURCE PROTECTION STANDARDS” is hereby amended to read as follows:

Sections 6.00.00 through 6.00.05 A “*Removal of Native Vegetation*” through 6.00.05 C “*Vegetation Protection Standards During the Duration of an Approved Notice of Vegetation Removal*” remain unchanged.

6.00.05 CRITERIA GOVERNING APPROVAL OF VEGETATION REMOVAL PERMIT.

Section 6.00.05 D CRITERIA GOVERNING APPROVAL OF VEGETATION REMOVAL PERMIT is amended to read as follows:

6.00.05. Criteria Governing Approval of Vegetation Removal Permit.

D. *Mitigation.* When native vegetation meeting the mitigation size thresholds in Table 1 below has been approved for removal based on meeting one (1) or more of the above standards, the Vegetation Removal Permit shall only be used after an acceptable mitigation plan has been reviewed and approved by the ~~Public Works~~ Environmental Resources Director, or his/her designee. Prior to the issuance of any zoning compliance, certificate of capacity or other recognized authorization for the commencement of the permitted development activity, the replacement vegetation shall be preserved, relocated, or planted, or the appropriate mitigation fees shall be paid to the County. Only native vegetation shall be allowed to meet any required mitigation. The replacement vegetation shall be the same species as that which was removed, unless proven to be impractical, in which case, an alternative native species, approved by the ~~Public Works~~ Environmental Resources Director, or his/her designee, shall be used. The quality and size of the replacement trees shall meet the minimum landscape requirements set forth in Section 7.09.03(E). The Environmental Resources Director may authorize substitutions and phased or longer planting schedules that meet the environmental and aesthetic intent of the Land Development Code as long as the total diameter-at-breast-height requirement is still met, allowing trees to be mitigated with native shrubs and herbaceous plant materials at a ratio of one (1) inch to twenty-four (24) one-gallon plants. A waiver of all mitigation requirements shall require the approval of the Board of County Commissioners.

The remainder of Chapter 6 remains unchanged.

PART D. Chapter VII “DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS” is amended to read as follows:

Sections 7.00.00 through 7.05.03 H remain unchanged.

Section 7.05.03 I is amended to read as follows:

I. *Right-of-Way Dedication Requirements.*

1. *General Requirements.*

a. Any applicant for a Development Order for property abutting a roadway designated on the Thoroughfare Network Right-of-Way Protection Plan shall dedicate sufficient land to account for the applicant's proportionate share of the right-of-way deficiency identified in the Thoroughfare Network Right-of-Way Protection Plan for the proposed development. The County Engineer shall determine the applicant's proportionate share by utilizing the Thoroughfare Network Right-of-Way Protection Plan, the Transportation Element of the St. Lucie County Comprehensive Plan, any traffic information available in the County records, and any traffic analysis submitted by the applicant as part of the development order approval process or otherwise.

2. The County Engineer shall only require the applicant to account for the applicant's proportionate share of the right-of-way deficiency identified in the Thoroughfare Network Right-of-Way Protection Plan, if the County Engineer determines, based on the transportation information available to him, that there is a reasonable connection between the required dedication and the anticipated need for right-of-way created by the new development. Subject to the County Engineer's determination of the applicant's proportionate share, any right-of-way deficiency shall be made up by dedication of equal amounts of land from each side of the centerline of the right-of-way, except where:

a. A drainage canal right-of-way or a railroad right-of-way abuts one (1) side of the existing road right-of-way; or

b. More than one-half of the required right-of-way has been provided by the property owner on the opposite site of the right-of-way.

3. *Compensation for Dedication.*

a. The applicant shall be entitled to receive compensation for the value of any land dedicated for right-of-way for roads on the Thoroughfare Network Right-of-Way Protection Plan that is not site related, and consistent with the provisions of Article III, Chapter 1-17, St. Lucie County Code and Compiled Laws.

b. Compensation shall be given by either granting credits against road impact fees or by payment of cash as determined by the County. Compensation for the dedication of right-of-way shall be valued at one hundred twenty percent (120%) of the most recent assessed value as determined by the county Property Appraiser. In the event that the county cannot provide total compensation by the granting of credits against road impact fees, and in the event the county determines not to pay cash, the applicant shall dedicate an amount of land comparable in value to the percent of compensation provided.

4. *Method of Dedication.* Once the extent of dedication has been determined by the County Engineer, the applicant shall as a requirement of obtaining and prior to receiving a Development Order

approval agree to convey the dedicated right-of-way to St. Lucie County free and clear of all liens and encumbrances. To the extent that the County determines that the County needs to obtain a title insurance commitment, a sketch and legal description and a Phase I environmental audit as part of the dedication, the County will pay those reasonable costs or otherwise reimburse or credit the applicant for these costs.

Any right-of-way required in conjunction with the Site Plan approval shall be conveyed to St. Lucie County within ninety (90) days of the site plan approval or prior to the issuance of the first building permit, whichever comes first.

5. *Appeals.* Any decision made by the county Engineer pursuant to the provisions of this Section may be appealed to the County Administrator in accordance with Section 11.11.00.

J. *Clearing and Grading.*

1. Unless otherwise addressed through the site plan review process, a developer shall be required to clear all rights-of-way to their full width and to grade all streets and alleys to an approved grade. Minimum width of shoulders shall be six (6) feet.

2. In lieu of clearing and grading as specified a developer may, with approval of the Board of County Commissioners, limit clearing to the width of paved surface and shoulders only and may install said improvements at any location within the right-of-way provided that:

a. Area and right-of-way drainage can be accomplished to the satisfaction of the county engineer.

b. The edge of pavement is located no closer than six (6) feet to the right-of-way line except that where a utility easement is located parallel with and adjacent to the right-of-way line, the pavement edge may abut right-of-way line.

c. The improvements serve a limited number of properties only.

d. Notation is made on plat and restrictive covenants are recorded stating that the County assumes no responsibility for maintenance of unpaved portion of said right-of-way.

K. *Private Roads - Maintenance.* For private roads, a developer shall submit documents for review and approval which establish a homeowners association to maintain the private roads. The association documents shall be submitted concurrently with all final record plats. The dedication contained on the plat shall clearly dedicate the roads and maintenance to the association without recourse to St. Lucie county or any other public agency. The rights-of-way and related facilities shall be identified as tracts for road purposes under specific ownership.

PART E. Chapter VII "DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS" is amended to read as follows:

Section 7.05.04 is amended to read as follows:

A. *Sidewalks.*

1. All ~~new~~ residential developments required to obtain site plan approval located within the Urban Service Boundary and all ~~new~~ non-residential development ~~above 6,000 square feet~~ located within the unincorporated area of St. Lucie County and within the Urban Service Boundary are required to design and construct sidewalks within the right-of-way of all streets and roadways that abut or lie within the perimeter of the property. Non-residential developments under 6,000 square feet and inside the Urban Service Boundary are generally presumed to be exempt from this sidewalk requirement particularly in areas not expected to generate pedestrian traffic. Exceptions to the presumed exemption include but are not necessarily limited to locations where connections can be made to existing sidewalks, or in locations on primary routes to schools or public transit. In any case, the design of proposed development should accommodate future sidewalk connection and future pedestrian traffic to and within the proposed development.

2. New sidewalks must be a minimum of six (6) feet wide along streets classified as collectors and arterials.

3. Local street requirements are based upon local needs and existing conditions. Local streets shall have sidewalks five (5) feet wide along one (1) or both sides of the street as deemed necessary during the County's development review process.

4. All new sidewalks shall be constructed of concrete, brick pavers or other materials acceptable to St. Lucie county. All construction must conform to Florida Department of Transportation and/or St. Lucie County standards.

a. All sidewalks on internal private roads shall connect with the sidewalks in the abutting public right-of-way.

b. The County Engineer may authorize a modification in sidewalk width to protect existing trees or to accommodate existing utilities. In no case shall sidewalks be less than four (4) feet.

c. The Development Review Committee (DRC) as part of the site plan review process shall document any exemption of a development project from constructing specific sidewalk segments based on physical constraints such as proximity to drainage canals or structures where the construction of the particular sidewalk segment would result in a disproportionate burden on the development.

d. Sidewalks shall be constructed around the perimeter of a cul-de-sac.

e. All sidewalks and ramps shall conform to the latest requirements published in the most recent edition of the Americans With Disabilities Act (ADA) Accessibility Guidelines.

f. The developer will bear the cost for design and construction of the sidewalk. Sidewalks on private property must be maintained by the developer, property owner's association or other entity as approved by St. Lucie County through the operation and maintenance covenants of the community, subdivision association or other recognized management entity. St. Lucie County shall maintain all sidewalks

located within County maintained public rights-of-way unless otherwise agreed to through specific maintenance agreements.

g. Multi-Use Paths (ten (10) to twelve (12) feet wide) may be required by the County in place of sidewalks when the multi-use path would be part of the adopted area-wide bicycle/pedestrian system or Greenways and Trails plan.

h. The Board of County Commissioners shall authorize total or partial relief from the requirements of sidewalk construction if it finds, after receiving the recommendation of the Development Review Committee and based on conditions peculiar to the proposed development, that the proposed sidewalk construction is not in the best interest of the County, the applicant shall pay a fee-in-lieu to the County for sidewalk and/or greenways and trails construction. If the fees are not used to design, acquire needed right-of-way or construct sidewalks within ten (10) years from the date of payment, the developer may request a refund.

Sections 7.05.04 B through Section 7.05.10 remain unchanged.

PART F. Chapter VII "DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS" is amended to read as follows:

7.06.00. OFF-STREET PARKING AND LOADING

7.06.01. Generally.

A. *Purpose.* The requirements of this Section are intended to insure that every building, structure, or use erected or instituted, except for bona-fide agricultural uses and buildings, shall be provided with adequate off-street parking facilities for the use of occupants, employees, visitors, and patrons, and that certain uses be provided with adequate off-street loading facilities, thereby reducing congestion to the public streets and promoting the safety and welfare of the public.

B. *Existing Uses/Changes in Use.* Buildings or structures existing as of the effective date of this Code may be modernized, altered, or repaired without providing additional off-street parking or loading facilities, provided there is no increase in floor area or capacity and no change of use. Except that when building alterations consist of an expanded entry or vestibule, or increased storage area not occupied by employees, customers, or other persons, the expansions may be permitted without additional parking so long as the total increased floor area does not exceed ~~ten percent (10%)~~ twenty-five percent (25%) of the gross floor area of the building prior to the alterations.

Effective March 1, 1999, any change in use to an existing building or structure, will require that all on-site parking and loading facilities be brought into full compliance with the provisions of this Code, except as otherwise provided here in Section 7.06.00, as it may be amended from time to time. ~~If it is determined by the Growth Management Director that it is not possible to meet the numeric or parking stall width parking requirements of this Code due to the size or configuration of the existing parcel, the Growth Management Director may grant administrative relief, subject to determining consistency with the Standards of Review~~

~~set out in Section 10.01.02, to the number of parking stall width of parking spaces to be required. Any such administrative relief shall be specific to the parcel or property in question and shall be the minimum necessary to address the particular problem. Any such administrative relief shall include specific findings of fact and shall be issued in a manner and form that is acceptable to the County Attorney. Any determination for relief that is made by the Growth Management Director shall be recorded in the public records of St. Lucie County. The Growth Management Director's authority to grant administrative relief as provided in the subsection shall be limited to a maximum reduction of ten percent (10%) of the minimum additional relief from the parking standards due to environmental considerations, such as micrositing for large trees, for mass transit considerations, such as providing transit stops in an area to be served with mass transit services, and superior design considerations determined exceeding the minimum requirements of the Land Development Code. All other requirements of this Code relating to parking surfaces, perimeter and interior landscaping and stormwater management shall be met, unless varied in accordance with the provisions of Section 10.00.00 of this Code. For the purposes of this Section, "change in use" shall mean any change in use or activity that requires the issuance of a new zoning compliance. The provisions of this paragraph shall not apply for those changes in use interior to a common shopping center or similar multi-user building or structure provided that no additional parking is required by the proposed change in use. Parking surface, landscaping, changes in use and zoning compliance are subject to the provisions of this Code as amended by Ordinance No. 12-003.~~

C. *Expansion of Structure.* The proposed expansion in floor area, volume, capacity, or space occupied of any structure existing on or before July 1, 1984, shall require compliance with all off-street parking and loading requirements contained in this Code to be met for both existing and new or expanded structures, except as otherwise provided here in Section 7.06.00.

D. *Requirement for all Weather Surface for all Required Off-Street Parking and Vehicular Use Areas.* Subject to the Administrative Relief provisions below, all required off-street parking spaces, access aisles, vehicular use and off-street loading areas constructed, expanded or altered after March 1, 1999, shall be constructed with an all weather surface meeting the requirements of the St. Lucie County Public Works Department. The permitted impervious surface materials shall be concrete, asphalt, brick pavers, stamped concrete, or paving block. Pervious paving systems and grass paving systems shall be permitted when the paving systems and materials are approved by the County Engineer. Stabilized unpaved parking areas may be permitted at locations outside the urban service area upon approval of the County Engineer, so long as parking spaces, accessways, and driveways are clearly marked and the vehicular/pedestrian circulation system is safe. The County Engineer shall publish a list of commercially available paving systems of pervious and impervious paving materials that are approved for use. The County Engineer shall approve design material and specifications on each site.

E. *Nonconforming Uses.* When repairs and alterations are to be made in a building occupied by a nonconforming use, all off-street parking requirements contained in this Code shall be met if the cost of repairs and alterations exceed fifty percent (50%) of the assessed value of the building and structures.

F. *Administrative Relief.* ~~The Growth Management~~ Planning & Development Services Director's authority to may grant administrative relief ~~as provided in this subsection shall be limited to a maximum reduction of ten percent (10%) of the minimum required standard. In addition, the Board of County Commissioners may grant specific additional relief from the parking standards or the required amount of~~

all weather surface for off street parking and vehicle use areas including vehicular use areas (Small Business <6000 square feet) based upon due to a written request for such administrative relief and an analysis submitted by the applicant. The analysis must demonstrate that the numeric amount of required parking or the required amount of all weather surface for off street parking and vehicle use areas is unnecessary or not practical to construct because of conditions that are unique and peculiar to the site or conditions that would result in unnecessary hardship for the owner, lessee or occupant as opposed to mere inconvenience and that the conditions are created by the regulations of this Code and not by the actions of the property owner or applicant, environmental considerations, such as micrositings for large trees, for mass transit considerations, such as providing transit stops in an area to be served with mass transit services, and superior design considerations determined by exceeding the minimum requirements of the Land Development Code. The County Engineer shall review the request for administrative relief from the all-weather parking surface requirements and provide the Planning & Development Services Director with a written recommendation based on the standards set out in this section. The County Engineer may require the applicant to provide an engineered solution to any adverse impacts that the request for a waiver may create. If it is determined by the ~~Growth Management~~ Planning & Development Services Director that it is not possible to meet the numeric or parking stall width parking requirements of this Code due to the size or configuration of the existing parcel, the ~~Growth Management~~ Planning & Development Services Director may grant administrative relief, subject to determining consistency with the Standards of Review set out in Section 10.01.02, to the ~~number of~~ parking stall width or the number of parking spaces to be required. Any such administrative relief shall be specific to the parcel or property in question and shall be the minimum necessary to address the particular problem. Any such administrative relief shall include specific findings of fact and shall be issued in a manner and form that is acceptable to the County Attorney. Any determination for relief that is made by the ~~Growth Management~~ Planning & Development Services Director shall be recorded in the public records of St. Lucie County.

Sections 7.06.02 through 7.09.04 D remain unchanged.

PART G. Chapter VII “DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS” is amended to read as follows:

Section 7.09.04 E is amended to read as follows:

E. *Landscaped Buffer Areas Between Non-Residential or Residential Structure(s) Housing Three (3) or More Dwelling Units and Single-Family or Two-Family Residential Uses.* All side and rear yard perimeter buffer areas between non-residential or residential structure(s) housing three (3) or more dwelling units and single family or two family residential uses shall be landscaped with a masonry wall or opaque wood fence of at least eight (8) feet in height that forms a continuous screen between the uses. All masonry walls or opaque wood fences shall be landscaped with a continuous hedge along both the inside and outside base of the wall or fence. One (1) tree shall be planted along the wall or fence for each thirty (30) linear feet or major fraction thereof of the length of the wall or fence. Tree plantings shall be alternated so that at least sixty percent (60%) of the required number of trees is located on the outside of the wall or fence. The remaining forty percent (40%) of the required perimeter tree plantings shall be located on the inside face of the wall or fence. Existing native vegetation may be used to satisfy all or part of the landscape planting requirements of this paragraph upon the approval of the ~~Public Works~~ Environmental Resources Director.

All fences or walls shall be treated with an anti-graffiti surface treatment. It shall be the responsibility of the property owner to removal any graffiti that may be applied to the wall or fence. In addition, the owner shall be responsible for the maintenance of all landscaping along both the inside and outside edge of any wall or fence. This landscaping shall be maintained in a good condition so as to present a healthy, neat, and orderly appearance free from refuse and debris. Maintenance shall include the replacement of all unhealthy and dead material within sixty (60) days in conformance with the approved site plan/ or landscape plan. Violations of this section, or failure to maintain all required landscaping shall be grounds for referral to the Code Enforcement Board for appropriate enforcement actions. The sixty-day rule for compliance may be extended, when necessary, by the ~~County Administrator~~ Environmental Resources Director or his/her designee to permit recovery from acts of nature such as a hurricane or a freeze.

Masonry walls or opaque wood fences may be located within any required yard, consistent with the provisions of Section 8.00.00 of this Code. The requirement for this perimeter masonry wall or opaque wood fence may be waived by the ~~County Commission~~ Environmental Resources Director if it is shown to the satisfaction of the ~~County Commission~~ Environmental Resources Director either that the adjoining properties owners have signed a consent that indicates their desire not to have the required masonry wall or opaque wood fence constructed along their property line, or that the ~~Board~~ Environmental Resources Director determines that a waiver is necessary to preserve any significant, protected or historic native vegetation. ~~Any such consent shall be recorded in the lands records of St. Lucie County.~~ In the event that any such consent is issued, the owner of the property on which the nonresidential development is taking place shall ~~only~~ need to comply with the standards of Section 7.09.04(B) of this Code as those standards relate to perimeter screening. All other landscaping provisions of this Code shall apply as applicable.

Pedestrian access through any wall or fence may be permitted, however, the wall or fence shall be placed so that adequate sight distance at the pedestrian access is maintained. Any wall or fence constructed adjacent to a public or private street right-of-way shall be designed and constructed so that the wall face facing the street or road is articulated in such manner as not to result in a continuous flat wall surface facing the street or road right-of-way. Figure 7-31 generally depicts the placement of a fence or wall along a public or private street right-of-way.

For the purpose of this section, non-residential uses shall not include any permitted or accessory use located in the institutional (I) or Religious Facilities (RF) Zoning District, except that a perimeter buffer area between any residential zoning district and a permitted or accessory use in the Institutional (I) or Religious Facilities (RF) Zoning District, shall consist of a landscaped masonry wall, opaque wood fence, hedge or other durable landscaped barrier of at least six (6) feet in height that forms a continuous screen between the uses. If a masonry wall or other non-living material screen is used to provide this required buffer, the masonry wall or other non-living material screen shall be landscaped with a continuous hedge along the base of the wall and with one (1) tree for each thirty (30) linear feet or major fraction thereof of wall length. All required perimeter landscaping shall be located along the outside of the wall. It shall be the responsibility of the property owner to maintain all landscaping along the outside edge of any wall consistent with the requirements of this Code. If vegetative landscape screens are installed, they shall be required to form a solid visual screen at time of planting. When existing vegetation is inadequate to function as a visual screen, it shall be augmented by two (2) staggered rows of shrub material at least six (6) feet in height.

To the extent permitted under Section 7.09.03(E)(7) of this Code, the ~~Public Works~~ Environmental Resources Director shall encourage the use of preserved native vegetation as meeting the intent and requirements of this Section. when making such a determination, the ~~Public Works~~ Environmental Resources Director shall attach a report to the building plans or development permits, with supporting photographs or other acceptable documentation, that indicates how the existing native vegetation meets the intent of this Section. The ~~Public Works~~ Environmental Resources Director may require a conservation easement or similar restrictive covenant, if the easement or covenant is necessary to ensure compliance with the terms of this section. Any developer seeking to utilize the provisions of Section 7.09.03(E)(7) to meet the requirements of this Section shall be required to maintain this native preserve area in perpetuity. If this preserve area is ever substantially altered or removed so that it no longer meets the intent of this Section, the developer shall be required to meet in the screening requirements of this Section.

The provisions of this Section, excluding the maintenance requirements may be ~~waived or~~ varied by the ~~Board of County Commissioners~~ Environmental Resources Director for ~~any minor or major site plan~~, Planned Development Project (PUD, PNRD, or PMUD) if it shown through the Preliminary and Final Development Plan review process that the intent of this Section is being complied with and that all other applicable provisions of this Code are being met. A waiver of the provisions of this section shall require the approval of the Board of County Commissioners.

Section 7.09.04 F through Section 7.09.04 N remain unchanged.

O. Administrative Relief from the Provisions of this Section. The Environmental Resources Director may allow alternative landscaping where it is the Public Works Director determines determined based upon a showing by the applicant for any Final Development Order, that a literal application of these regulations will not meet the general spirit and intent of this Code as a result of use, traffic patterns, drainage or other issues of configuration, he shall permit an The alternate landscape proposal scheme in accordance with the provisions of this Section: may include changes to species, plant sizes, landscape area dimensions, quantities, planting schedules, and surety requirements; as long as the overall project meets the environmental enhancement and aesthetic intent of the Land Development Code and the alternatives provide comparable visual and/or noise screening. Any area landscape plan submitted as an alternative shall be designed in such a manner that the alternate landscape area and the amount of material provided equal ~~at least one and one-half (1 1/2) times~~ the amount that was originally required, unless it is determined by the Environmental Resources Director that additional landscaping is required for that alternative to meet the minimum visual and noise screening requirements and environmental and aesthetic intent of the Land Development Code. The Environmental Resources Director may solicit comments from adjoining property owners for alternative screening proposals.

Section 7.09.05 thru Section 7.10.16 Q 2 d remains unchanged.

PART H. Chapter VII “ DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS” is amended to read as follows:

Section 7.10.16 Q 2 e is deleted as follows:

~~e. The construction of any detached single family residence or any addition to any detached single family residence, recreational vehicles, travel trailer, or Class A Mobile Home shall have a one (1) hour fire resistive rating, in accordance with ASTM E119 for all exterior walls, and side lot walls shall not exceed ten percent (10%) wall openings.~~

The remainder of Section 7 remains unchanged.

PART I. Chapter XI "ADMINISTRATION AND ENFORCEMENT" is amended to read as follows:

Sections 11.00.00 through 11.00.02 remain unchanged.

Section 11.00.03 Notice.

Notice of all public hearings which are required by a provision of this Code shall be given as follows, unless expressly stated otherwise:

A. **Content of Notice.** Every required notice shall include: the date, time, and place of the hearing or appeal; a description of the substance of the subject matter that will be discussed at the hearing or appeal; a legal location description of the properties directly affected including the street address when available; a statement of the body conducting the hearing; the title of the proposed ordinance or resolution to be considered (if applicable) and the place or places in the County where such ordinance or resolution may be inspected by the public; a brief statement of what action the body conducting the hearing is authorized to take; a statement that interested parties may appear at the public hearing and be heard with respect to the proposed action; and a statement that the hearing may be continued from time to time as may be necessary.

Sections 11.00.04 through 11.02-01 remain unchanged.

Section 11.02.02 Designation of Minor Site Plan, Major Site Plan, or Planned Development Site Plan

A. *Generally.* For purposes of these review procedures, all site plans shall be designated as either a Minor Site Plan, a Major Site Plan, or a Planned Development Site Plan according to the criteria below.

B. *Minor Site Plan.* A proposed development shall be designated as a Minor Site Plan if it is:

1. Any division of land into less than ten (10) parcels but more than two (2) parcels in accordance with the provisions of Section 11.03.00.
2. Any multi-family residential development of less than fifty (50) units, that does not involve platting.

3. Any nonresidential use, including additions to existing structures of 6,000 to ~~24,999~~ 50,000 square feet.

4. Any nonresidential use, less than ~~24,999~~ 50,000 square feet, that provides drive-through or walk-up services.

5. Any nonresidential use, less than ~~24,999~~ 50,000 square feet, that provides for the retail sales of motor or heating fuels.

6. Any commercial lodging establishment having less than six (6) units.

C. *Major Site Plan.* A proposed development shall be designated as a Major Development Site Plan if it is:

1. Any division of land into ten (10) or more parcels, in accordance with the provisions of Section 11.03.00.

2. Any multi-family residential development of fifty (50) or more dwelling units.

3. ~~Twenty-five thousand (25,000)~~ Fifty thousand and one (50,001) or more square feet of non-residential floor space.

4. All commercial lodging establishments have six (6) or more units available for rent or lease.

5. Any development of land:

a. ~~Where a portion of a parcel under unified control requests site plan approval and:~~

1. ~~At least one (1) acre of the parcel would remain vacant and undeveloped after approval of the proposed site plan;~~

2. ~~The applicable zoning district designation of the remaining vacant land would allow development at a density or intensity that would require approval as a Major Site Plan; or,~~

b. ~~Where~~ where the proposed development should be more thoroughly considered and reviewed because of its location or potential for impact on public facilities, natural resources and public safety.

Section 11.02.03 – Review of Applications for Minor Site Plans

A. General Procedures.

1. An application for a Minor Site Plan shall be submitted to the ~~Growth Management~~ Planning and Development Services Director in a form established by the Director along with an applicable fee as established in Section 11.12.00.

2. Within twenty (20) working days of receipt of the Site Plan, the Director shall:

a. Determine that the application is complete and forward the application to the Development Review Committee for further review; or

b. Determine that the application is incomplete and inform the applicant in writing of the missing components. The developer may submit a revised application within thirty (30) working days without payment of any additional processing fee. If more than thirty (30) days have elapsed before the applicant resubmits the application, the applicant shall be required to re-initiate the review process and pay an additional fee, as identified in Section 11.12.00 of this Code. An application shall be determined to be complete only if the required submittals of Section 11.02.09 are provided.

3. The Development Review Committee shall review the application for Site Plan and shall determine whether the application complies with the requirements of this Code within twenty (20) working days. In reviewing the application and making a determination of compliance, the Development Review Committee shall use the standards in Section 11.02.07.

4. After the completion of the review by the Development Review Committee, the Chairman of the Development Review Committee shall:

a. Recommend that the ~~Growth Management~~ Planning and Development Services Director determine that the application complies with the standards of Section 11.02.07; or

b. Inform the applicant and the ~~Growth Management~~ Planning and Development Services Director in writing of the deficiencies of the application. The applicant shall notify the ~~Growth Management~~ Planning and Development Services Director within thirty (30) working days of this notice of deficiency of his/her intent to address the cited deficiencies. The applicant shall have a maximum of 120 days to respond to the cited deficiencies without payment of any additional processing fee. Upon the applicant's response to the cited deficiencies, the revised applicant shall be reviewed by the Development Review Committee pursuant to Section 11.02.03(A)(3) and (4). If the applicant fails to respond to the cited deficiencies within 120 days, the applicant must thereafter reinitiate the review process and pay an additional fee, as identified in Section 11.12.00 of this Code.

5. Approval Procedure for all Minor Site Plans:

a. The ~~Growth Management~~ Planning and Development Services Director shall, within five working days following the receipt of the recommendation of the Development Review Committee, issue a decision approving, approving with conditions, or denying the application based upon the requirements of this Code.

b. Proposed development may be determined to be in compliance with the provisions of this Code and the St. Lucie County Comprehensive Plan by the Planning and Development Services Director under certain conditions or exceptions in consideration of existing site conditions, location and potential for impact on public facilities, natural resources, health and public safety. In such case, the Director or designee shall provide a written statement recorded in the public records of St. Lucie County setting forth the conditions or exceptions that may include landscaping, parking, architectural standards or other site specific issues.

B. Appeals. Any final action by the ~~Growth Management~~ Planning and Development Services Director in accordance with this Section may be appealed to the Board of Adjustment in accordance with the provisions of Section 11.11.01(B)(3).

C. Minor Adjustments to Minor Development Site Plans. The ~~Growth Management~~ Planning and Development Services Director may authorize minor adjustments to the approved Minor Site Plan. Such minor adjustments shall be consistent with the intent and purpose of the St. Lucie County Comprehensive Plan, the standards and requirements of this Code, and the development as approved, and shall be the minimum necessary to overcome the particular difficulty. Such minor adjustments shall be limited to the following:

1. Increasing any dimension of any one (1) structure by not more than twenty-five percent (25%); or
2. Altering the location of any one (1) primary structure or group of primary structures by not more than fifty (50) feet; or
3. Altering the net density of any one (1) stage or phase by not more than ten percent (10%); or
4. Altering the location of any circulation element by not more than fifty (50) feet. The relocation of any circulation element by more than fifty (50) feet will be considered a major adjustment unless the relocation results in a reduction of impervious surface area; or
5. Altering the location of any open space by not more than fifty (50) feet; or
6. Reducing the total amount of open space by not more than five percent (5%) or reducing the yard area or open space associated with any single structure by not more than five percent (5%); or
7. Altering the location, type, or quality of landscaping elements.
8. The addition or relocation of any accessory structure or use so long as the proposed addition or relocation does not conflict with any portion of any required open space, building separation requirements or other provisions of this Code.

9. The Planning and Development Services Director may approve other proposed alterations that do not exceed any of the thresholds listed above as a Minor Adjustment.

D. A Development Permit may be issued for the following without submitting a formal application for Minor Adjustment to a Minor Development Site Plan issued pursuant to this Code:

1. The alteration of or addition to an existing structure or impervious surface area less than 200 square feet that is otherwise in compliance with the applicable provisions of this Code.

2. The erection of a sign on a previously developed site independent of any other development activity on the site.

3. The re-surfacing of a vehicular use area that conforms to all requirements of this Code.

~~DE.~~ Major Adjustments to Minor Site Plans, any other adjustment, including the cumulative effects of separate minor adjustments made since July 1, 1984, to an approved minor site plan shall require approval by the ~~Growth Management~~ Planning and Development Services Director of a new Minor Site Plan subject to the standards of this Code.

Section 11.02.04 – Review of Applications for Major Site Plans.

Section 11.02.04.A, *General Procedures* and 11.02.04.B, *Appeals*, remain unchanged.

Section 11.02.04.C is amended to read as follows:

C. Minor Adjustment to Major Site Plans:

1. ~~Growth Management~~ Planning and Development Services Director may authorize minor adjustments to the approved Major Site Plan. Such minor adjustments shall be consistent with the intent and purpose of the St. Lucie County Comprehensive Plan, the standards and requirements of this Code, and the development as approved, and shall be the minimum necessary to overcome the particular difficulty. Such minor adjustments shall be limited to the following:

a. Increasing any dimension of any one (1) structure by not more than twenty-five percent (25%); or,

b. Altering the location of any one (1) structure or group of structures by not more than one hundred (100) feet; or,

c. Altering the net density of any one (1) stage or phase by not more than ten percent (10%); or,

d. Altering the location of any circulation element by not more than fifty (50) feet. Relocation of any circulation element by more than fifty (50) feet will be considered a major adjustment unless the relocation results in a reduction in impervious surface area; or,

e. Altering the location of any open space by not more than fifty (50) feet; or,

f. Reducing the total amount of open space by not more than five percent (5%) or reducing the yard area or open space associated with any single structure by not more than five percent (5%); or,

g. Altering the location, type, or quality of landscaping elements.

h. The addition or relocation of any accessory structure or use so long as the proposed addition or relocation does not conflict with any portion of any required open space, building separation requirements or other provisions of this Code.

i. The Growth Management Planning and Development Services Director may approve other proposed alterations that do not exceed any of the thresholds listed above as a Minor Adjustment.

2. A Development Permit may be issued for the following without submitting a formal application for Minor Adjustment to a Major Development Site Plan issued pursuant to this Code:

a. The alteration of or addition to an existing structure or impervious surface area less than 200 square feet that is otherwise in compliance with the applicable provisions of this Code.

b. The erection of a sign on a previously developed site independent of any other development activity on the site.

c. The re-surfacing of a vehicular use area that conforms to all requirements of this Code.

23. Notice of the authorization of such minor adjustments shall be provided to the Board of County Commissioners.

D. Major Adjustments to Major Development Site Plans. Any other adjustment to the approved site plan shall be considered a Major Adjustment and shall be granted only upon application to and approval by the Board of County Commissioners. The review and processing procedures for the major adjustment review shall be consistent with Section 11.02.04(A).

Sections 11.02.05 through Section 11.02.08 remain unchanged.

PART J. Chapter XI "ADMINISTRATION AND ENFORCEMENT" is amended to read as follows:

Section 11.02.09 A. 1. through 4. remain unchanged.

Section 11.02.09 A. 5. is amended to read as follows:

5. Environmental Impact Report:

a. Applicability:

1. Whenever a submission of a site plan is required, an environmental impact report shall be provided if the proposed development meets any of the following:

- a. the property is ten (10) acres or over;
- b. the property, regardless of size, contains any wetland or;
- c. the property is identified on the "Inventory of Native Ecosystems for St. Lucie County," or;
- d. the proposed development is located in whole or part within the One Hundred (100) Year Flood Plain, or;
- e. the property is located anywhere on North or South Hutchinson Island.

2. The ~~Board of County Commissioners~~ Environmental Resources Director ~~shall~~ may authorize total or partial relief from the requirement of an ~~environmental impact report~~ Environmental Impact Report (EIR) ~~if it finds, after receiving the recommendation of the Development Review Committee and based on conditions peculiar to the proposed development, that the information foregone by such relief is not needed to determine the environmental impact of the proposed development.~~ Documentation shall be provided by the applicant requesting relief from the EIR. The applicant shall demonstrate that based on conditions unique to the proposed development all of the information foregone by such relief is not needed to determine environmental impact of the proposed development.

The remainder of Section 11.02.09 remains unchanged.

PART K. Chapter XI "ADMINISTRATION AND ENFORCEMENT" is amended to read as follows:

Section 11.05.00 is amended to read as follows:

A. *General.* No erection, alteration, construction, reconstruction or any type of development within the unincorporated areas of St. Lucie County involving a building, structure, paved parking area, driveway connection, or impact upon a protected natural habitat, is authorized without first obtaining all necessary Development Permits in accordance with the provisions of this Section.

B. *Certificates of Zoning Compliance.*

1. General. A Certificate of Zoning Compliance shall be required prior to the issuance of any occupational license or Development Permit required by this Section.

2. Purpose. The purpose for issuing a Certificate of Zoning Compliance is to ensure that all proposed development and use activities within the unincorporated area of St. Lucie County comply with the provisions of this Code.

3. Procedure.

a. Upon application for a Development Permit or use authorization, the ~~Growth Management Director~~ Planning and Development Services Director shall determine whether such application complies with the provisions of this Code and the St. Lucie County Comprehensive Plan.

b. If the ~~Public Works Director~~ Planning and Development Services Director determines the proposed development activity or use complies with the provisions of this Code and the St. Lucie County Comprehensive Plan, he shall issue a Certificate of Zoning Compliance.

c. If the Planning and Development Services Director determines that the proposed development activity or use would be in compliance with the provision of this Code and the St. Lucie County Comprehensive Plan if certain conditions or exceptions were imposed, the Director or his designee shall include in the Certificate of Zoning Compliance the conditions or exceptions that may include landscaping, parking, architectural standards and other site specific issues.

~~d~~ c. If the ~~Public Works Director~~ Planning and Development Services Director determines that the proposed development activity or use does not comply with the provisions of this Code or the Comprehensive Plan, the application shall be returned to the applicant accompanied by a written statement setting forth the provisions of this Code or the Comprehensive Plan with which the application does not comply.

PART L. CONFLICTING PROVISIONS.

Special acts of the Florida legislature applicable only to unincorporated areas of St. Lucie County, County ordinances and County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict.

PART M. APPLICABILITY OF ORDINANCE.

This ordinance shall be applicable in the unincorporated area of St. Lucie County.

PART N. SEVERABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative, or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provision thereof shall be held to be inapplicable to any person, property, or circumstance, such holding shall not affect its applicability to any other person, property, or circumstance.

PART O. FILING WITH THE DEPARTMENT OF STATE.

The Clerk be and is hereby directed forthwith to send a certified copy of this ordinance to the Bureau of Administrative Code and Laws, Department of State, The Capitol, Tallahassee, Florida 32304.

PART P. EFFECTIVE DATE.

This ordinance shall take effect upon filing with the Department of State.

PART Q. ADOPTION.

After motion and second, the vote on this ordinance was as follows:

Chairman Tod Mowery	AYE
Vice Chair Paula A. Lewis	AYE
Commissioner Frannie Hutchinson	AYE
Commissioner Chris Craft	AYE

PART R. CODIFICATION.

Provisions of this ordinance shall be incorporated in the St. Lucie County Land Development Code, and the word ordinance may be changed to section, article, or other appropriate word, and the sections of this ordinance may be renumbered or relettered to accomplish such intention; provided, however, that parts K through Q shall not be codified.

PASSED AND DULY ADOPTED this 15th day of May 2012.

ATTEST:

Deputy Clerk

**BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA**

BY: _____
Chairman

**APPROVED AS TO FORM AND
CORRECTNESS:**

BY: _____
County Attorney