

ORDINANCE NO. 12-013

AN ORDINANCE AMENDING THE ST. LUCIE COUNTY LAND DEVELOPMENT CODE BY AMENDING SECTION 3.01.03 Q COMMERCIAL NEIGHBORHOOD ZONING DISTRICTS TO PROVIDE FOR MEMBERSHIP ORGANIZATIONS INCLUDING RELIGIOUS ORGANIZATIONS AS A PERMITTED USE IN THE COMMERCIAL NEIGHBORHOOD ZONING DISTRICT SUBJECT TO THE PROVISIONS OF SECTION 7.10.31; AMENDING SECTION 3.01.03 R COMMERCIAL OFFICE ZONING DISTRICT TO DELETE LANGUAGE IN SUBSECTION K THAT EXCEPTS RELIGIOUS ORGANIZATIONS AS A PERMITTED USE SUBJECT TO THE PROVISIONS OF SECTION 7.10.31; AMENDING SECTION 3.01.03 S COMMERCIAL GENERAL ZONING DISTRICT TO DELETE LANGUAGE IN SUBSECTION R THAT EXCEPTS SCHOOLS AS A PERMITTED USE AND SUBSECTION FF THAT EXCEPTS RELIGIOUS ORGANIZATIONS AS A PERMITTED USE SUBJECT TO THE PROVISIONS OF SECTION 7.10.31; AMENDING SECTION 7.10.11 DISTANCE REQUIREMENTS FOR ALCOHOLIC BEVERAGES TO DELETE LANGUAGE REFERRING TO RELIGIOUS FACILITIES AS A TEMPORARY USE IN COMMERCIAL GENERAL ZONING AND CHANGING THE TITLE OF THE DIRECTOR TO PLANNING AND DEVELOPMENT SERVICES DIRECTOR; ADDING 7.10.31 MEMBERSHIP ORGANIZATIONS ENCLOSED ASSEMBLY AREAS TO PROVIDE SUPPLEMENTAL STANDARDS FOR THOSE ORGANIZATIONS AND PLACES OF ASSEMBLY; AMENDING SECTION 8.02.02 PARTICULAR TEMPORARY USES PERMITTED TO DELETE RELIGIOUS FACILITIES IN EXISTING STRUCTURES IN COMMERCIAL, GENERAL ZONING DISTRICTS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR ADOPTION; AND PROVIDING FOR 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. 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	9-005	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
05-001	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		

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

4. On October 2, 2012, this Board held its first public hearing on the proposed ordinance, after publishing a notice of such hearing in St. Lucie News Tribune on September 22, 2012.

5. On October 23, 2012, this Board continued its second public hearing on the proposed ordinance to December 4, 2012, after publishing a notice of such hearing in St. Lucie News Tribune on October 10, 2012.

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

PART A. THE SPECIFIC AMENDMENTS TO THE ST. LUCIE COUNTY LAND DEVELOPMENT CODE TO READ AS FOLLOWS, INCLUDE:

3.01.03. ZONING DISTRICTS

Sections 3.01.03 A through 3.01.03 P remain unchanged.

Q. CN COMMERCIAL, NEIGHBORHOOD

1. *Purpose.* The purpose of this district is to provide and protect an environment suitable for limited retail trade and service activities covering a relatively small area and that is intended to serve the population living in surrounding neighborhoods. The number in “()” following each identified use corresponds to the SIC code reference described in Section 3.01.02(B). The number 999 applies to a use not defined under the SIC code but may be further defined in Section 2.00.00 of this code.

2. Permitted Uses

- a. Beauty and barber services. (723/724)
- b. ~~Civic, social and fraternal associations. (8641)~~ Membership Organizations subject to the provisions of Section 7.10.31 (86)
- c. Depository institutions. (60)
- d. Laundering and dry cleaning (self service). (7215)
- e. Real estate. (65)
- f. Repair services:
 - (1) Electrical repair. (762)
 - (2) Shoe repairs. (725)
 - (3) Watch, clock, jewelry, and musical instrument repair. (7631)
- g. Retail trade (each building shall be less than 6,000 square feet gross floor area, all uses inclusive):
 - (1) Antiques. (5932)
 - (2) Apparel and accessories. (56)
 - (3) Books and stationery. (5942/5943)
 - (4) Cameras and photographic supplies. (5946)

- (5) Drugs and proprietary. (5912)
- (6) Eating places. (5812)
- (7) Florists. (5992)
- (8) Food stores. (54)
- (9) Gifts, novelties, and souvenirs. (5947)
- (10) Hobby, toy and game shops. (5945)
- (11) Household appliances. (572)
- Jewelry. (5944)
- (13) Newspapers and magazines. (5994)
- (14) Optical goods. (5995)
- (15) Nurseries, lawn and garden supplies. (526)
- (16) Radios, TV's, consumer electronics and music supplies. (573)
- (17) Sporting goods and bicycles. (5941)
- (18) Tobacco products. (5993)
- h. Video tape rental. (784)

3. *Lot Size Requirements.* Lot size requirements shall be in accordance with Section 7.04.00.

4. *Dimensional Regulations.* Dimensional requirements shall be in accordance with Section 7.04.00.

5. *Off-street Parking and Loading Requirements.* Off-street parking and loading requirements are subject to Section 7.06.00.

6. *Landscaping Requirements.* Landscaping requirements are subject to Section 7.09.00.

7. *Conditional Uses.*
- a. Car Washes (Self Service Only)-subject to the provisions of Section 7.10.22. (999)
 - b. Day care - adult. (8322)
- child. (8351)
 - c. Postal services. (4311)
 - d. Retail trade:
 - (1) Gasoline services - accessory to retail food stores under SIC-5411. (999)
 - (2) Undistilled alcoholic beverages accessory to retail sale of food. (5921-Except for liquor)
 - e. Telecommunication towers - subject to the standards of Section 7.10.23. (999)

8. *Accessory Uses.* Accessory uses are subject to the requirements of Section 8.00.00 and include the following:

- a. Drinking places (undistilled alcoholic beverages) accessory to an eating place. (999)
- b. One dwelling unit contained within the commercial building, for on-site security purposes (999)

R. CO COMMERCIAL, OFFICE.

1. *Purpose.* The purpose of this district is to provide and protect an environment suitable for selected office and commercial uses, together with such other uses as may be necessary to and compatible with commercial office surroundings. The number in “()” following each identified use corresponds to the SIC Code reference described in Section 3.01.02(B). The number 999 applies to a use not defined under the SIC Code but may be further defined in Section 2.00.00 of this Code.

2. *Permitted Uses:*
- a. Adjustment/collection and credit reporting services. (732)
 - b. Advertising. (731)
 - c. Communications - except towers. (48)
 - d. Computer programming, data processing and other computer related services. (737)
 - e. Contract construction services - office only. (15, 16, 17)
 - f. Duplicating, mailing, commercial art/photography and stenographic services. (733)
 - g. Engineering, accounting, research, management and related services. (87)
 - h. Executive, legislative, and judicial functions. (91, 92, 93, 94, 95, 96, 97)
 - i. Finance, insurance, and real estate services. (60, 61, 62, 63, 64, 65, 67)
 - j. Health services - except nursing homes and hospitals. (80)
 - k. Membership organizations, ~~except religious organizations~~ subject to the provisions of Section 7.10.31. (86)
 - l. Miscellaneous business services:
 - (1) Detective, guard and armored car services (7381)
 - (2) Security system services (7382)
 - (3) News syndicate (7383)
 - (4) Photofinishing laboratories (7364)
 - (5) Business Services - misc. (7389)
 - m. Personnel supply services. (736)
 - n. Social Services:
 - (1) Individual & family social services. (832/839)
 - o. Travel agencies. (4724)

3. *Lot Size Requirements.* Lot size requirements shall be in accordance with Section 7.04.00.

4. *Dimensional Regulations.* Dimensional requirements shall be in accordance with Section 7.04.00.

5. *Off-street Parking and Loading Requirements.* Off-street parking and loading requirements are subject to Section 7.06.00.

6. *Landscaping Requirements.* Landscaping requirements are subject to Section 7.09.00.

7. *Conditional Uses.*

- a. Child care services. (835)
- b. Television and radio transmitting towers (999)
- c. Telecommunication towers - subject to the standards of Section 7.10.23. (999)

8. *Accessory Uses.* Accessory uses are subject to the requirements of Section 8.00.00 and include the following:

- a. Eating and drinking places (undistilled alcoholic beverages as an accessory to a restaurant).
- b. Postal services. (43)
- c. Solar energy systems, subject to the requirements of Section 7.10.28.

S. CG COMMERCIAL, GENERAL.

1. *Purpose.* The purpose of this district is to provide and protect an environment suitable for a wide variety of commercial uses intended to serve a population over a large market area, which do not impose undesirable noise, vibration, odor, dust, or offensive effects on the surrounding area, together with such other uses as may be necessary to and compatible with general commercial surroundings. The number in "()" following each identified use corresponds to the SIC Code reference described in Section 3.01.02(B). The number 999 applies to a use not defined under the SIC Code but may be further defined in Section 2.00.00 of this Code.

2. *Permitted Uses:*

- a. Adjustment/collection and credit reporting services. (732)
- b. Advertising. (731)
- c. Amphitheaters. (999)
- d. Amusements and recreation services - except stadiums, arenas, race tracks, amusement parks and bingo parlors. (79)
- e. Apparel and accessory stores. (56)
- f. Automobile dealers. (55)
- g. Automotive rental, repairs and serv. (except body repairs). (751, 753, 754)
- h. Beauty and barber services. (723/724)
- i. Building materials, hardware and garden supply. (52)
- j. Cleaning services. (7349)
- k. Commercial printing. (999)
- l. Communications - except towers. (48)
- m. Computer programming, data processing and other computer serv. (737)
- n. Contract construction serv. (office and interior storage only). (15/16/17)
- o. Cultural activities and nature exhibitions. (999)
- p. Duplicating, mailing, commercial art/photo. and stenog. serv. (733)
- q. Eating places. (581)
- r. Educational services - except public schools. (82)
- s. Engineering, accounting, research, management and related services. (87)
- t. Equipment rental and leasing services. (735)
- u. Executive, legislative, and judicial functions. (91/92/93/94/95/96/97)
- v. Farm labor and management services. (076)
- w. Financial, insurance, and real estate. (60/61/62/63/64/65/67)

- x. Food stores. (54)
- y. Funeral and crematory services. (726)
- z. Gasoline service stations. (5541)
- aa. General merchandise stores. (53)
- bb. Health services. (80)
- cc. Home furniture and furnishings. (57)
- dd. Landscape and horticultural services. (078)
- ee. Laundry, cleaning and garment services. (721)
- ff. Membership organizations ~~—except for religious organizations as provided in Section 8.02.01(H) of this Code~~ subject to the provisions of Section 7.10.31. (86)
- gg. Miscellaneous retail (see SIC Code Major Group 59):
 - (1) Drug stores. (591)
 - (2) Used merchandise stores. (593)
 - (3) Sporting goods. (5941)
 - (4) Book and stationary. (5942/5943)
 - (5) Jewelry. (5944)
 - (6) Hobby, toy and games. (5945)
 - (7) Camera and photographic supplies. (5946)
 - (8) Gifts, novelty and souvenir. (5947)
 - (9) Luggage and leather goods. (5948)
 - (10) Fabric and mill products. (5949)
 - (11) Catalog, mail order and direct selling. (5961/5963)
 - (12) Liquefied petroleum gas. (propane). (5984)
 - (13) Florists. (5992)
 - (14) Tobacco. (5993)
 - (15) News dealers/newsstands. (5994)
 - (16) Optical goods. (5995)
 - (17) Misc. retail (See SIC Code for specific uses). (5999)
- hh. Miscellaneous personal services (see SIC Code Major Group 72):
 - (1) Tax return services. (7291)
 - (2) Misc. retail (See SIC Code for specific uses). (7299)
- ii. Miscellaneous business services (see SIC Code Major Group 73):
 - (1) Detective, guard and armored car services. (7381)
 - (2) Security system services. (7382)
 - (3) News syndicate. (7383)
 - (4) Photofinishing laboratories. (7384)
 - (5) Business services - misc. (7389)
- jj. Mobile home dealers. (527)
- kk. Mobile food vendors (eating places, fruits and vegetables-retail). (999)
- ll. Motion pictures. (78)
- mm. Motor vehicle parking-commercial parking and vehicle storage. (752)
- nn. Museums, galleries and gardens. (84)
- oo. Personnel supply services. (736)
- pp. Photo finishing services. (7384)
- qq. Photographic services. (722)
- rr. Postal services. (43)

- ss. Recreation facilities. (999)
- tt. Repair services. (76)
- uu. Retail trade-indoor display and sales only, except as provided in Section 7.00.00. (999)
- vv. Social Services:
 - (1) Individual and family social services (832/839)
 - (2) Child care services (835)
 - (3) Job training and vocational rehabilitation services. (833)
- ww. Travel agencies. (4724)
- xx. Veterinary services. (074)

3. *Lot Size Requirements.* Lot size requirements shall be in accordance with Section 7.04.00.

4. *Dimensional Regulations.* Dimensional requirements shall be in accordance with Section 7.04.00.

5. *Off-Street Parking and Loading Requirements.* Off-street parking and loading requirements are subject to Section 7.06.00.

6. *Landscaping Requirements.* Landscaping requirements are subject to Section 7.09.00.

7. *Conditional Uses:*

- a. Adult establishments subject to requirements of Section 7.10.10. (999)
- b. Drinking places (alcoholic beverages) - free-standing. (5813)
- c. Disinfecting and pest control services. (7342)
- d. Amusement parks. (7996)
- e. Go-cart tracks. (7999)
- f. Hotels and motels. (701)
- g. Household goods warehousing and storage-mini-warehouses. (999)
- h. Marina - recreational boats only. (4493)
- i. Motor vehicle repair services - body repair. (753)
- j. Sporting and recreational camps. (7032)
- k. Retail trade:
 - (1) Liquor stores. (592)
- l. Stadiums, arenas, and race tracks. (794)
- m. Telecommunication towers - subject to the standards of Section 7.10.23. (999)

8. *Accessory Uses.* Accessory uses are subject to the requirements of Section 8.00.00, and include the following:

- a. Drinking places (alcoholic beverages as an accessory use to a restaurant and/or civic, social, and fraternal organizations).
- b. One (1) single-family dwelling unit contained within the commercial building, or a detached single-family dwelling or mobile home, (for on-site security purposes).
- c. Retail trade:

- (1) Undistilled alcoholic beverages (accessory to retail sale of food).
- d. Solar energy systems, subject to the requirements of Section 7.10.28.

The remainder of Section 3.01.03 remains unchanged

**PART B. Chapter VII Development Design and Improvement Standards is amended as follows:
Section 7.10.11 is amended to read as follows:**

7.10.11. Distance Requirements for Alcoholic Beverages.

A. Distance Restrictions for Persons Selling or Transferring Alcoholic Beverages. No sales or transfers of alcoholic beverages for on-premises consumption shall be permitted except as noted below, within one thousand six hundred (1,600) feet of a religious facility, school, public park, or public playground. This section shall not be applicable to sales or transfers by any license holder whose use of his premises for such sale existed before the establishment of the use of the religious facility, school, public park, or public playground, or when the religious facility is located in a CG (Commercial General) zoning district as a temporary use pursuant to Section 8.02.02(H).

B. Measurement. The manner of measurement of the distance referred to in Section 7.10.11(A) above shall be as follows:

Begin at the main entrance of the church or school building or a public park or playground, regardless of which zoning they are in, thence run to the centerline of the street right-of-way in front of such entrance, thence along the centerline of such street right-of-way to a point immediately opposite the main entrance of the proposed licensed premises, thence to the center of the main entrance of the building of the proposed licensed premises.

If there is more than one public entrance to an establishment, the main entrance shall be construed to mean the principal or leading entrance to the premises involved and to which the traffic route, whether vehicular or pedestrian, of those going to and from said premises chiefly directs itself.

However, in no case shall the distance between a licensed establishment and a religious facility, school, public park, or public playground be less than one thousand feet (1,000) measured by a straight line between the nearest corners of the establishment and a religious facility building, or in the case of a school, public park, or public playground, measured by a straight line between the licensed establishment and the park, playground, school building, or school playground area.

C. Waiver Provision for Business Selling or Transferring Alcoholic Beverages as an Accessory to an Eating Place. Any person whose location or place of business does not meet the distance restrictions in Section 7.10.11(A) and who is proposing to sell or transfer alcoholic beverages for on-premises consumption as an accessory to an eating place may have this distance waived in the following manner:

1. A request for waiver may be initiated by filing an application in writing for such waiver with the ~~Growth Management~~ Planning and Development Services Director.

2. The ~~Community Development~~ Planning and Development Services Director shall schedule a public hearing before the Board of County Commissioners in accordance with the requirements of Section 11.00.00 of this Code.

3. An applicant operating a drinking place accessory to an eating place for which such waiver is sought must:

a. Dispense sales of beer, wine or liquor only to persons patronizing the establishment for the main purpose of ordering and consuming food.

b. Have permanent kitchen facilities located within the premises in which meals are regularly prepared for service to patrons of the establishment.

4. A waiver of distance requirements under this section shall be granted only in the event it does not adversely affect community health, safety or general welfare and in connection therewith there shall be considered the following:

a. The actual location and distance of the proposed establishment with respect to other places of business licensed to sell intoxicating beverages, whether on or off the premises, as well as churches, schools, public park or public playground.

b. The type and size of the establishment, including bar floor space and seating capacity, capable of seating not fewer than thirty-five (35) persons simultaneously for the purpose of consuming food, and whether, in view of such type or size, the proposed establishment is likely to create a public nuisance or traffic impediment by drawing crowds or persons milling about outside the building.

c. Whether adequate parking and landscaping for the facility is provided so as to meet the requirements set forth in Sections 7.06.00 and 7.09.00 of this Code.

d. Whether the facility is physically separated or sufficiently well buffered from all adjacent residentially zoned areas; schools, churches, public parks and public playgrounds.

e. Whether, if the facility is located within sixteen hundred (1,600) feet of a church, school, public park or public playground, it will generate traffic which may adversely affect the safety of persons attending or using such church, school, public park or public playground.

5. Before any action is taken upon any application as provided in this section, the applicant shall deposit with the ~~Community Development~~ Planning and Development Services Director, the sum of three hundred dollars (\$300.00) to cover the approximate cost of the procedure and such sum is not refundable in any event.

D. **Exception.** Provided, however, the distance restrictions set out in Sections A, B. C shall not apply to licenses when located within a hotel or motel of one hundred (100) rooms or more

with restaurants with a minimum seating capacity of two hundred (200) containing a minimum of four thousand (4,000) square feet.

Section 7.10.31 is added as follows:

7.10.31. Membership Organizations – Enclosed Assembly Areas.

- A. Within the Commercial Office (CO), Commercial Neighborhood (CN) and Commercial General (CG) Zoning Districts Membership Organizations that contain Enclosed Assembly Areas greater than 750 square feet in size shall only be authorized upon a determination of compliance with this section, and all other applicable requirements of this code. In the CG Zoning District the supplemental standards shall only apply to existing nonresidential developments with more than one use, such as shopping centers and other multiple use developments.
- B. For the purposes of this section an Enclosed Assembly Area is defined as any enclosed area, building or structure where people assemble for a common purpose, such as social, civic, cultural or religious purposes, whether owned and/or maintained by a for-profit or not-for-profit entity, and includes, but is not limited to, public assembly buildings such as auditoriums, halls, private clubs and fraternal lodges, assembly halls, exhibition halls, convention centers, and places of worship or other areas, buildings or structures that are used for assembly by persons.
- C. Prior to issuance of any Development Order or Certificate of Zoning Compliance the applicant shall provide sufficient information to allow a determination that adequate private and public facilities and services can be provided to meet the demands of the proposed use and that the proposed use would be compatible with the surrounding uses, both existing and proposed.

At a minimum the supplemental documentation shall include:

- 1. Description of the proposed assembly use; ~~and the proposed hours of operation~~
 - 2. The size and capacity of the proposed Enclosed Assembly Area;
 - 3. An evaluation of the existing or proposed off-street parking area, and its compliance with the County's off-street parking requirements. Within existing shopping centers and other multiple-use nonresidential developments, documentation shall include a parking analysis of the pre- and post-assembly area demands based upon existing and proposed uses in the development.
 - 4. Any other information deemed necessary by the Planning and Development Services Director for review of the proposed Enclosed Assembly Area.
- D.** Upon a determination of compatibility with the surrounding uses and the availability of adequate public and private facilities the proposed Enclosed Assembly Area shall be authorized. Any required conditions of approval shall be incorporated into the associated Development Order or Zoning Compliance document. Conditions of approval may include limitations on hours of operations, capacity, activities or other limitations as determined necessary to meet the provisions of this section.

PART C. **Chapter VIII Accessory and Temporary Structures and Uses is amended to delete subsection H as follows:**

8.02.02. PARTICULAR TEMPORARY USES PERMITTED.

~~H. Religious facilities in existing structures in CG (Commercial, General) zoning districts. Such use shall be limited to the worship activities of the named applicant for the temporary use permit including educational programs conducted in conjunction with the worship service, but shall not include child-care programs conducted independently from the worship service or the establishment of schools. The temporary use shall be valid for a period of five (5) years. Extensions to the five (5) year period shall be granted only if the Board determines that the religious facility has made a good faith effort to relocate to a permanent facility.~~

The remainder of Section 8.02.02 remains unchanged.

PART D. CONFLICTING PROVISION.

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 E. APPLICABILITY OF ORDINANCE.

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

PART F. 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 G FILING WITH THE DEPARTMENT OF STATE.

The Clerk 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 I. EFFECTIVE DATE.

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

PART J. ADOPTION.

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

Chairman Tod Mowery	AYE
Vice Chairman Frannie Hutchinson	AYE
Commissioner Chris Dzadoovsky	AYE
Commissioner Paula A. Lewis	AYE
Commissioner Kim Johnson	AYE

PART K. 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 C through I shall not be codified.

PASSED AND DULY ADOPTED this 4th day of December 2012.

ATTEST:

Deputy Clerk

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

BY: _____
Chairman

**APPROVED AS TO FORM AND
CORRECTNESS:**

BY: _____
County Attorney