ORDINANCE 96-3

AN ORDINANCE OF THE TOWN OF ST. LUCIE VILLAGE, FLORIDA, AMENDING THE 1995 ZONING ORDINANCE TO CLARIFY HEADINGS AND THE TABLE OF CONTENTS AND TO CORRECT TYPOGRAPHICAL, EDITING AND CROSS-REFERENCE ERRORS CONTAINED WITHIN THE BODY OF THE 1995 ZONING ORDINANCE AND FURTHER AUTHORIZING SUCH ADDITIONAL EDITORIAL CHANGES AS MAY BE APPROPRIATE IN THE REPRODUCTION OF THE 1995 ZONING ORDINANCE AS AMENDED HEREBY.

WHEREAS, on April 18, 1994, the Board of Aldermen of the Town of St. Lucie Village, Florida, adopted Ordinance 95-3; and,

WHEREAS, Ordinance 95-3 was an Ordinance of the Town of St. Lucie Village, Florida, adopting a new Zoning Ordinance for the Town of St. Lucie Village; and

WHEREAS, the Board of Aldermen of the Town of St. Lucie Village, Florida is desirous of making certain clarifications in the table of contents and corrections of typographical and cross-referencing errors within the text of the 1995 Zoning Ordinance adopted thereby; and,

WHEREAS, this Ordinance was passed on first reading as Ordinance 95-5 but has been renumbered as Ordinance 96-3 to reflect the actual year of adoption; and,

WHEREAS, hearings have been conducted with due notice, as required both by the 1995 Zoning Ordinance and Chapter 166, Fla. Stat.

NOW, THEREFORE, the Board of Aldermen of the Town of St. Lucie Village, Florida, hereby ordains:

1. The 1995 Zoning Ordinance is hereby amended in accordance with the corrections shown on attached Exhibit 1.

2. The town attorney is directed to produce a version of the 1995 Zoning Ordinance incorporating these amendments.

3. The town attorney is further authorized to incorporate such additional purely editorial changes as made be appropriate in the production of the new version of the 1995 Zoning Ordinance, including further changes as to pagination and highlighting.

4. The town attorney is further authorized to change the official zoning atlas into a black and white format, rather than color, in order to ease and lessen the expense of reproduction.

5. Upon the completion of the foregoing revision to the 1995 Zoning Ordinance, an original copy of the same shall be signed and sealed by the Clerk and also signed by the Mayor. The signatures and seal shall be placed on the cover sheet of the Ordinance which shall reflect that it was amended pursuant to this Ordinance.

PASSED AND APPROVED by the Board of Aldermen of the Town of St. Lucie Village on this 20 day of February, 1996.

APPROVED:
BOARD OF ALDERMEN OF THE TOWN OF
ST. LUCIE VILLAGE, FLORIDA

By: _____
Steve Hoskins Vice mayor } for William Thiess, Mayor

ATTESTED:

By: Diane C. Robertson
Diane C. Robertson, Clerk

I, DIANE C. ROBERTSON, Clerk of the TOWN OF ST. LUCIE VILLAGE, FLORIDA, do hereby certify that this is a true and accurate copy of Ordinance 96-3 which was duly introduced, read and adopted at the regular meeting of the Board of Aldermen of the TOWN OF ST. LUCIE VILLAGE, FLORIDA, held this 20 day of February, 1996.

Diane C. Robertson
DIANE C. ROBERTSON, CLERK

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Prohibition of

in Commercial Zoning Districts

for Building and Sign Permits

Persons Entitled to

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ANIMAL HOSPITAL An enclosed facility for the diagnosis, treatment, and convalescence of animal patients which may be boarded on the premises for such purposes.

ANIMAL KENNEL An establishment offering to the general public lodging and boarding facilities for dogs, cats, and other domestic pets.

ANIMATED SIGN See "Sign" definitions.

APARTMENT A room or suite of rooms intended or designed for use as a residence by a single family, including bath and culinary accommodations.

APARTMENT HOUSE See "Dwelling, Multiple Family."

ARCADE An open or enclosed pedestrian-oriented passageway located on the ground floor of a building and connecting two (2) or more public rights-of-way, including streets, alleys, and sidewalks, generally accessible to the public during specific hours.

ARCHITECT A person registered by the State of Florida as an architect.

AREA, BUILDABLE The space remaining upon a lot after deduction of minimum required setbacks, open spaces and yards, and upon which a building may be located.

ARTERIAL STREET A route providing service that is relatively continuous and of relatively high traffic volume, long average trip length, and high operating speed. U.S. Highway One is the only arterial street within or adjacent to the Town of St. Lucie Village.

AUTOMATED TELLER MACHINE An electronic banking facility that is open to the general public and allows customers to perform financial transactions without the assistance of any bank employees.

ATTRACTION BOARD See "Sign" definitions. (Day)

BABY SITTING AGENCY See "Child Care Facility".

BACKGROUND AREA OF SIGN See "Sign" definitions.

BANK A financial institution that is open to the general public and engaged in deposit banking, and that performs closely related functions such as making loans, investments, and fiduciary activities.

BANNER SIGN See "Sign" definitions.

and engaged by the developer of the subdivision to plan and certify construction of the work.

DEVELOPMENT The carrying out of any building or making of any material change in the use or appearance of any structure or land.

DEVELOPMENT SIGN See "Sign" definitions.

DIAMETER AT BREAST HEIGHT (DBH) The standard measurement of a single-stemmed tree at four and one-half (4-1/2) feet above grade.

DIRECTIONAL SIGN Any sign permanently or temporarily installed on public property by or with approval of the City or any authorized governmental agency providing directions to a vehicular use area which shall include only the words "enter", "exit", "parking", directional arrows, and business logos.

DIRECTIONAL SIGN, PUBLIC A sign erected by a governmental agency, to denote the name of any thorofare; to point out the route to any city, educational institution, public building, public place, historic place, hospital, or park; to direct and regulate traffic; or to denote any railroad crossing, bridge, or other transportation facility.

DISTRICT Any section of the City for which the zoning regulations are uniform.

DOUBLE-FACED SIGN See "Sign" definitions.

DOCK Any type of constructed device, structure pilings, or pier built in or around navigable waters (see Section ~~3.7.0~~ 3.8.0).

DRIPLINE An artificial line along the ground which conforms to the perimeter of the crown of a tree as projected vertically to the ground.

DRIVE-IN BUSINESS Any place of business or premises which serves, sells, or otherwise makes its services to customers situated in motor vehicles.

DRIVE-THROUGH OR DRIVE-IN WINDOW A window or other opening in the wall of a principal or accessory building through which goods or services are provided directly to customers in motor vehicles.

DRY CLEANER/LAUNDRY, COMMERCIAL A professional dry cleaning/laundry establishment serving individual or commercial customers.

DRY CLEANER/LAUNDRY, SELF-SERVICE An establishment open to the public that provides coin-operated laundry and dry cleaning machines, including clothes washers and dryers.

EQUIPMENT SHED A structure erected on a construction site to helter equipment and tools used in construction activities on that specific construction site.

FAMILY One or more persons occupying a single housekeeping unit and using common facilities, provided that unless all members are related by blood or marriage, no such family shall contain over five persons. This term shall not include a fraternity or sorority, club, rooming house, or similar uses.

FARM An area used for the growing of agricultural products, such as vegetables, fruits and grain, and their storage, as well as for raising poultry and animals, and grazing, pasture, or running areas.

FENCE A free-standing structure of any material or combination of materials erected for confinement, screening, or partition purposes.

FILLING STATION See ~~"Motor Vehicle Fuel Sales and Service"~~ "Vehicular Service and Maintenance Establishments."

FIXED PROJECTING SIGN See "Sign" definitions.

FLAG, COMMERCIAL A cloth emblem or banner that is a recognized representation or symbol of any non-public agency or establishment, including not-for-profit organizations, political parties, commercial or business establishments, and similar organizations; including emblems, banners, and similar devices with or without letters or symbols that are placed for the purpose of advertising or attracting attention.

FLAG, OFFICIAL A cloth emblem or banner that is the officially recognized representation or symbol of the United States, or any state, county or municipal government or agency thereof, including special districts created by the State of Florida.

FLASHING SIGN See "Sign" definitions.

FLAT OR WALL SIGN See "Sign" definitions.

FLEA MARKET An enclosed or unenclosed business where individual booths or other designated areas are rented to individuals for the purpose of selling goods or services by the individual.

FLOOR AREA RATIO A regulatory technique, generally expressed in numeric fashion, which relates total developable site area and the size (square feet) of development permitted on a specific site.

FLORIDA DEPARTMENT OF TRANSPORTATION SPECIFICATIONS The term "Florida Department of Transportation (FDOT) Specifications" as used herein refers to the latest current road and bridge specifications adopted as standard by the FDOT.

HEDGE A solid, unbroken row of shrubs or certain tree species maintained at a desired or required height and width, including plant material of a type commonly grown in St. Lucie County.

HEIGHT OF STRUCTURE The vertical distance from the average elevation of the finished grade of the structure to the highest portion of the structure, subject to specified height requirements of this Code.

HISTORIC TREE A tree determined to be of notable historic interest to the City, due to its age, type, size, or historic association with the community, and designated as such by the Board of Aldermen.

HOME NAMEPLATE A nameplate indicating only the name of the occupant.

HOME OCCUPATION Any occupation or activity carried on as an accessory use by a member of the immediate family residing within a dwelling unit. See section ~~3.13.1.~~ 3.12.1

HOSPITAL An institution licensed by the Florida Department of Health and Rehabilitative Services which have facilities for one or more overnight patients, which provide services for in-patient medical or surgical care of sick or injured humans, and which may include related facilities such as laboratories, out-patient departments, training facilities, state offices, utilities, and support facilities.

HOTEL A public lodging establishment licensed by the State of Florida which offers transient or permanent lodging accommodations to the general public, and may provide additional services, such as restaurants, meeting rooms, and recreation facilities.

HOTEL UNIT A room or suite of rooms in which lodging or boarding is provided.

IDENTIFICATION SIGN See "Sign" definitions.

ILLUMINATED SIGN See "Sign" definitions.

IMPERVIOUS SURFACE Any surface incapable of being penetrated by water under normal circumstances, including such surfaces as roofs, areas paved or covered with concrete, asphalt, or similar materials, etc.

INANIMATE MATERIALS Rocks, gravel, pebbles, driftwood, garden ornaments, statuary, sculptures, artificial grass, or similar non-living objects.

feet above the top floor level, and in which space not more than sixty (60) percent of the floor area is finished for use. A half story may be used for occupancy only in conjunction with, and by the occupants of, the floor immediately below.

STREET A public right-of-way which affords the principal means of access to abutting property.

STREET LINE The right-of-way line abutting the frontage of a lot.

STREETSCAPE That part of the urban environment which is within the normal field of vision of a person walking at ground level and which can generally be considered to include everything within public view extending upward from ground level to a height no greater than the width of the street that the pedestrian is standing or moving along. The elements of a streetscape include but are not limited to building facades, landscaping, paving, street furnishings, and graphics.

STRUCTURAL ALTERATIONS Any change in the supporting of a structure, such as bearing walls, columns, beams, and girders or in the dimensions or configuration of the roof or exterior walls.

STRUCTURE Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, including but not limited to buildings, mobile homes, towers, walls, fences, billboards, poster panels, recreational facilities, and swimming pools.

STRUCTURE, TEMPORARY A structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

SUBDIVISION The term "Subdivision" as used herein means the division of a parcel of land whether improved or unimproved, into three (3) or more contiguous lots or parcels of land, designated by reference to the number or symbol of the lot or parcel contained in the plat of such subdivision, for the purpose, whether immediate or future, of transfer of ownership or, if the establishment of a new street is involved, any division of such parcel. The term includes a resubdivision, and any resubdivision of a parcel of land that was subdivided in any manner subsequent to the adoption of this ordinance into two (2) or more parcels shall be subject to the provisions of ~~this ordinance~~. The following shall be exempt and not subject to the provisions prescribed by the St. Lucie Village Subdivision Ordinance:

a. The combination or recombination of portions of previously platted lots where no new parcels, or residual

the St. Lucie Village Subdivision Ordinance (currently Ordinance 62-8)

the St. Lucie Village Subdivision Ordinance

parcels result in lots of less area, width or depth than the original lots of record.

b. The sale or exchange of parcels of land to or between adjoining property owners where such sale or exchange does not create additional lots and does not reduce any lot to an area less than the zoning district in which the property is located permits, and no dedications or improvements are required under ~~this chapter~~.

c. The financing or leasing of apartments, offices, stores or similar spaces within an apartment building, industrial building, commercial building or office building.

d. The conveyance of land to a federal, state, county, or municipal governmental agency, entity, political subdivision, or a public utility.

SUBDIVISION SIGN See "Sign" definitions.

SURVEYOR The term "Surveyor" as used herein refers to a land surveyor registered in Florida and engaged by the developer to survey and plat the land proposed for subdivision.

SWIMMING POOL A portable pool or permanent structure that contains a body of water eighteen (18) inches or more in depth or two hundred fifty (250) square feet or more of water surface area and intended for recreational purposes, including a wading pool. Excluded is an ornamental reflecting pool, fish pond, or other type of pool regardless of size, unless located and designated so as to create a hazard or be used for swimming or wading.

SWINGING SIGN See "Sign" definitions.

SYNTHETIC PLANTS Synthetic or artificial material in the form of trees, shrubs, ground covers, or vines.

TEMPORARY LABOR OFFICE An office which provides on a fee basis the services of generally unskilled or semi-skilled laborers on a daily or short-term basis.

TEMPORARY USE BUILDING A building, consisting of one or more modules not intended for residential use and not attached to a permanent or semi-permanent foundation.

TIME AND TEMPERATURE SIGN See "Sign" definitions.

TIME SHARE UNIT A room or suite of rooms with or without kitchen or cooking facilities in which the right of use or occupancy circulated on an annual basis among various persons for specific periods of time in accordance with a fixed time schedule.

SECTION 3 LAND USE REGULATIONS

Section 3.1.0 ZONING DISTRICTS ESTABLISHED

In order to carry out the goals and policies of the St. Lucie Village Comprehensive Plan and the purposes of this Ordinance, the following Zoning Districts are hereby created:

(A) R-1 Residential, Low Density
(B) R-2 Residential, Medium Density
(C) C General Community Commercial
(D) MC Marine Commercial
(E) RPF Recreation/Public Facilities
(F) CSV Conservation

Section 3.2.0 ZONING DISTRICT PURPOSES AND USE REGULATIONS

Section 3.2.1 Residential, Low Density (R-1) District

(A) Intent.

The intent of the R-1 district is to provide and protect an environment suitable for single family dwellings at a maximum density of two (2) dwelling units per gross acre, together with low density residential surroundings.

(B) Development Standards.

(1) Minimum Lot Dimensions.
(a) Lot Area: 21,780 square feet (one-half [1/2] acre)
(b) Lot Width: 75 feet

(2) Minimum Setbacks for Principal Structures. - See Section 3.5.6. Bold Bold
Additional setback requirements for canal front lots are described in Section 3.5.6. Bold

(3) Maximum Lot Coverage by Structures: 30%

(4) Maximum Impervious Surface Area: 50%

(5) Maximum Building Height: 35 feet

(C) Permitted Uses.

Uses permitted within this district are identified in Section 3.5.0.

(D) Accessory Uses.

Accessory uses and accessory use regulations are identified in **Section 3.5.0.**

(E) Reversion to R-1 District

Because the MC District is established to acknowledge an existing use and because the existence of this district is inconsistent with the overall zoning plan of having all property east of the Florida East Coast Railway zoned residential, the MC district will revert to an R-1 district in the event that its use as a marina is discontinued for a period of 12 months.

Section 3.2.5 Recreation/Public Facilities(R/PF) District

(A) Intent.

The intent of the R/PF district is to promote the development of public and private, active and passive recreation uses of all types in addition to a variety of public and semi-public facilities necessary for the maintenance of a high quality of life within the Village.

(B) District Regulations.

Regulations governing the height, bulk, mass, and placement of structures in the Recreation/Open Space district are provided in **Section 3.5.6.**

(C) Use Restrictions.

Use restrictions in the Public Facilities District are set forth in **Section 3.5.0.**

(D) Nonconformities.

Nonconformities shall be regulated pursuant to **Section** ~~**3.13.2.**~~ 3.12.2

(E) Parking and Loading.

Parking and loading facilities shall be provided pursuant to **Section** ~~**3.10.0.**~~ 3.9.0

(F) Landscaping.

Landscaping shall be provided pursuant to **Sections 3.6.0.** ~~**and**~~ ~~**3.7.0.**~~ 3.5.0 and

(G) Signs.

Signs shall be regulated pursuant to **Section** ~~3.8.0.~~ 3.7.0

(H) Fences and Walls.

Fences and walls shall be constructed pursuant to **Section** 3.5.4.

(I) Installation of Public Utilities.

All public utility service connections, including telephone, cable and electric distribution service, shall be installed underground on all sites of 30,000 square feet or more.

(J) Development Standards.

(1) Minimum Lot Dimensions.
(a) Lot area: 10,890 square feet
(b) Lot Width: 75 feet

(2) Minimum Setbacks for Principal Structures - See Section 3.5.6. Bold Bold

(3) Maximum Lot Coverage by Structures: 50%

(4) Maximum Impervious Surface Area: 75%

(5) Maximum Building Height: 35 feet

(6) Minimum Building Separation: 25 feet

(7) Maximum Floor Area Ratio: 0.20

(K) Permitted Uses.

Uses permitted within this district are identified in **Section** 3.5.0.

(L) Accessory Uses.

Accessory uses and accessory use regulations are identified in **Section** 3.5.0.

Section 3.2.6 Conservation (CSV) District

(A) Intent.

The intent of the CSV district is to provide an identifiable designation for the Indian River Lagoon in order to promote its protection in a manner consistent with federal, state and local goals and objectives for the resource.

(B) District Regulations.

Regulations governing the height, bulk, mass, and placement of structures in the Conservation District shall be governed pursuant to all applicable state and federal regulations.

(C) Signs.

Signs shall be regulated pursuant to **Section** ~~3.8.0~~ 3.7.0 and all applicable state and federal regulations.

(D) Docks, Seawalls and Bulkheads.

Docks, seawalls and bulkheads shall be constructed in accordance with Section ~~3.9.0~~ 3.8.0 of this ordinance.
Bold

Section 3.3.0 OFFICIAL ZONING ATLAS

(A) The Official Zoning Atlas is included in this ordinance as Appendix A.

(B) The Board of Aldermen shall have authority to interpret any uncertainties that may exist in the Official Zoning Atlas in determining the intended boundaries of any zoning district.

(C) The Official Zoning Atlas shall be amended in accordance with the provisions of this Ordinance.

Section 3.4.0 REGULATIONS OF GENERAL APPLICABILITY

Regulations governing the height, bulk, mass and placement of structures within all districts are discussed in Section 3.5.6 of this Ordinance.
Bold

(ii) A group home facility shall be located a minimum of one thousand (1,000) feet from another such facility.

(iii) No signs denoting the name and/or purpose of a special residential use shall be allowed in any residential district.

(iv) Facilities located in nonresidential areas shall be maintained in the general character of the surrounding area. This standard applies to design, lot size, landscaping, and other factors affecting the character of the area.

(v) The total occupancy of a structure designed for a group home use shall not exceed that allowed in **Section 16.1.7.1 of the Life Safety Code** of (200 square feet per occupant). For homes in a residential zoning district, occupancy shall not exceed two (2) clients per total number of bedrooms minus one, or two (2) clients per bathroom, whichever is less.

(vi) The standards in the chapter which is entitled "Lodging or Rooming Houses," in the Life Safety Code shall be the minimum standards for group homes.

(vii) Licensed nursing homes in residential districts may have 2.5 times as many beds as dwelling units permitted in that district.

(viii) Parking shall be provided pursuant to **Section** 3.9.0 ~~3.10.0~~ of this Code. Dwelling units in group homes shall have a minimum living area of four hundred fifty (450) square feet.

(11) **Home Occupations, Accessory to Residential Uses**
See Section 3.13.1.

(12) **Hotels and Motels**

(a) Additional Application Requirements: A detailed market study shall be prepared utilizing commonly accepted analysis techniques to demonstrate the economic feasibility of the proposed lodging facility.

(b) Additional Standards:

(i) Ingress and egress shall be provided only from U.S. Highway 1.

a. All sites: 200 feet from any existing hotel or motel, place of worship, or public or private school as measured from property line to property line without regard to intervening structures or objects.

(ii) Minimum site area:

a. Minimum site size: 21,780 square feet

(ii) All service facilities and activities shall be located within an enclosed structure.

(iii) All outdoor sales and vehicular circulation areas shall be paved.

(18) **Parking Garages as Principal Uses**

(a) Additional Application Requirement.

(i) A detailed traffic impact analysis study will be required.

(ii) Landscaping will be provided pursuant to **Sections 3.~~6~~5.0 and 3.~~7~~6.0,** of this Code.

(b) Additional Standards

(i) Curb cuts providing access to no more than twenty-five (25) parking spaces shall be located a minimum of fifty (50) feet from any intersection of two (2) or more public rights-of-way.

(ii) Curb cuts providing access to more than twenty-five (25) parking spaces shall be located a minimum of seventy-five (75) feet from any intersection of two (2) or more public rights-of-way.

(19) **Parking Lots as Principal or Off-Site Accessory Uses**

(a) Additional Application Requirements: A landscape plan prepared pursuant to **Sections 3.~~6~~5.0 and 3.~~7~~6.0,** of this Code.

(b) Additional Standards:

(i) Storage of vehicles is prohibited.

(ii) All principal and accessory structures, unless specifically approved by the review authority, are prohibited.

(iii) Off-site parking lots shall be allowed only as an accessory to a permitted use.

(iv) Entrances and curb cuts shall be located at least fifty (50) feet from any intersections of public rights-of-way.

(v) The parking area shall be paved.

(vi) All plans for parking lots shall be inspected by the Town's Engineer and must comply with all the above regulations in addition to sidewalks and concrete driveway approaches and in a manner as prescribed by the **Building Code.** When necessary, walls, swales, and/or planting areas shall be installed to protect adjoining property owners from flooding, glaring lights, and noise.

(vii) A landscape buffer at least five (5) feet wide, shall be provided along all property lines, however, the Board of Aldermen may waive this requirement for property lines abutting a dedicated alley. All plants, shrubs, and trees shall be

3.6.0

planted and maintained pursuant to **Section** ~~3.7.0~~, of this Code.

(viii) If the parking lot area is used for customer parking it shall be operated and open for use only during the customary business hours of the use of parking patrons passenger vehicles. No fee shall be charged for the use of such off street parking facility.

(ix) Lighting facilities, if provided, shall be so arranged as to reflect away from any adjacent residential zoning district so as not to cause any annoying glare to the adjacent property.

(x) An accessory parking lot to be located in any nonresidential zoning district shall be located within three hundred (300) feet of the principal use, measured along a direct line between the two (2) closest points of the separate uses.

(xi) Accessory parking lots shall be used strictly for the vehicles of clients, residents, employees, customers, and visitors of the principal uses.

(xii) Ownership provisions of off-site parking spaces shall be made pursuant to **Section** ~~3.10.0~~ 3.9.0 of this Code.

(20) **Recreation: Outdoor Amusements, Temporary**

(a) Additional Application Requirements:

(i) Date(s) and time(s) of operation.

(ii) Description of activities and amusements to be provided.

(b) Additional Standards: None.

(21) **Restaurants Serving a Limited Clientele**

(a) Additional Application Requirements: Proof of any licenses required by local, state and other applicable authorities.

(22) **Restaurants Serving the General Public, Drive-in or Drive-Through Facilities**

(a) Additional Application Requirements: Proof of any licenses required by local, state or other applicable authorities.

(b) Additional Standards:

(i) Ingress and egress shall be provided only from U.S. Highway One.

(ii) No more than two (2) curb cuts shall be permitted on any single street's frontage. Curb cuts shall be limited to a maximum width of twenty-five (25)

feet, shall be located no closer than thirty-five (35) feet to any intersection, and shall be at least ten (10) feet perpendicular removed from property lines.

(23) **Retail Business/Sales/Services and Professional Offices (not otherwise specified)**

(a) Additional Application Requirements: Proof of any licenses required by local, state and other applicable authorities.

(b) Additional Standards

(i) All principal and accessory structures shall be located at least 15 feet from any residential zoning district.

(ii) Ingress and egress shall not be provided across or through any residential district.

(iii) No more than 1 curb cut shall be permitted on any single street, other than U.S. #1. Curb cuts shall be limited to a maximum width of 25 feet and shall not be located any closer than 35 feet to any intersection and shall be at least 10 feet perpendicular removed from property lines.

(iv) All parking, loading and vehicular circulation areas shall be at least 15 feet from all residential zoning districts.

(v) All parking lots and vehicle circulation areas shall be surfaced with asphalt or concrete and shall be properly drained.

(vi) All commercial uses abutting residential zoning districts shall incorporate a landscaped buffer as described in **Section** ~~3.7.5~~ 3.6.4 between the commercial use and the residential ~~zoning~~ district.

(24) **Satellite Reception Dishes, Accessory in Residential Districts**

(a) Additional Application Standards: None.

(b) Additional Standards:

(i) A satellite reception dish shall not be placed in a required or unrequired front setback or in a required side or rear setback and shall not be placed on the rooftop of a principal or accessory residential structure.

(ii) A satellite reception dish located in an unrequired side or rear setback or yard shall be screened from any off-premise view through the use of landscaping, opaque walls, or similar techniques.

(29) **Special Noncommercial Events of Public Interest**

(a) Additional Application Requirements:
(i) Date(s) and time(s) of operation.
(ii) Description of activities and amusements to be provided.

(b) Additional Standards: Proof of any licenses required by local, state, and other applicable authorities.

(30) **Swimming Pools, Accessory to Residential Uses**

(a) Additional Application Requirements:

(b) Additional Standards:
(i) Swimming pools, appurtenances and screen enclosures shall be permitted in any rear setback yard, provided they are at ~~lest~~ least five (5) feet from any property line. At least ninety percent (90%) of the surface area of screen enclosure shall be screening material
(ii) Every swimming pool shall be enclosed by a natural barrier, fence or similar structure installed to obstruct access by persons other than the owners or occupants of the residence within which a swimming pool is located. Barriers or fences shall be at least four (4) feet in height above grade.
(iii) Access to an accessory swimming pool must be through a building or through a self- closing and self-latching gate or screen enclosure door with latches placed at least four (4) feet above finished grade.
(iv) If a patio or paved area is provided adjacent to or surrounding pool, it shall be designed to drain away from the pool.

(31) **Temporary Model Dwellings and Sales Offices**

(a) Additional Application Requirements: None.

(b) Additional Standards:
(i) Temporary model dwelling units and sales offices shall meet all district requirements.
(ii) Sales offices not located in model homes are permitted but shall be used only by firms and their agents constructing or marketing dwelling units within a development or project.
(iii) Model dwelling units with or without a temporary sales office shall not be used for a period longer than two (2) years. However, the Board of Aldermen may grant an extension for a period not to exceed an additional two (2) years from the date the

Section 3.5.7 Outdoor Storage

(A) Residential Districts

Outdoor storage in residential districts for residential purposes shall be limited to domestic equipment and normal supplies necessary for residents.

Domestic equipment shall include, but not be limited to the following:

1. Boats on trailers or supported in a safe, stable manner.
2. Recreational vehicles, including travel trailers, motor homes, accessory trailers, off-road vehicles and motorcycles.

Domestic equipment shall exclude the following:

1. Commercial truck in excess of one-ton capacity.
2. Boats stored in an unsafe manner.
3. Heavy construction equipment including backhoes, bulldozers, tracked vehicles, etc.

Storage shall not be permitted in any required or unrequired front setback, nor in any required side setback. Storage shall be permitted in unrequired side setbacks when completely screened by a fence or landscaping.

(B) All Zoning Districts

Recreational vehicles or travel trailers shall not be used as temporary or permanent residences in any zoning district within St. Lucie Village.

Section 3.5.8 Lots of Record

Lots within each residential zoning district must contain the minimum area and width requirements; however, in the event a lot of record, existing prior to the adoption of this Ordinance, does not meet the area or width requirements of the district within which it is located, one (1) single family home shall be allowed as a permitted use.

Section 3.5.9 Nonconformities

Nonconformities shall be regulated pursuant to Section ~~3.13.2~~. 3.12.2 PAGE BREAK

Section 3.6.0 LANDSCAPING AND SCREENING REGULATIONS

Section 3.6.1 Purpose

(6) Xeric Landscaping

Xeric landscaping practices shall be required of all new development and redevelopment within the Village.

(7) Replacement Requirements

Vegetation that is required to be planted or preserved by this code shall be replaced by equivalent vegetation if it is not living within one year of issuance of a certificate of occupancy. Preserved trees which subsequently die shall be replaced by the requisite number of living trees according to the standard established in subsection E above.

(B) General Landscaping Requirements

(1) Required Landscaping Adjacent to Public Rights-of-Way

When any offstreet parking area or other vehicular use area will not be entirely screened by an intervening building or structure from an abutting right-of-way, the area shall be designed and landscaped as follows:

(a) A strip of land at least ten (10) feet along a right-of-way of less than 100 feet or 15 feet along a right-of-way of 100 feet or greater in depth shall be located between the abutting right-of-way and the offstreet parking area which shall be landscaped to include one (1) tree for each thirty (30) linear feet of abutting right-of-way or major fraction thereof. Such trees shall be located between the abutting right-of-way and offstreet parking area. In addition, a hedge, wall, or other durable landscaping barrier shall be placed along the interior perimeter of the landscaped strip. If such a barrier is of non-living materials, for each ten (10) feet or major fraction thereof, one (1) shrub or vine shall be planted abutting such barrier. Such shrubs or vines shall be planted along the street side of such barrier, unless they are of sufficient height at the time of planting to be readily visible over the top of such barrier.

(b) All property lying between the right-of-way and offstreet parking area other than the required landscaped strip shall be landscaped with at least grass or other natural ground cover.

(c) Necessary accessways from the public right-of-way through all such landscaping shall be permitted to service the parking or other vehicular use areas.

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(2) Perimeter Landscaping Relating to Abutting Properties

square feet in residential districts and thirty two (32) square feet in commercial districts.

(C) Subdivision and Development Signs:

(1) Shall be limited to one (1) sign per vehicular entrance to the site as shown on the approved site plan. Such signs shall not exceed thirty two (32) square feet in size.

3.7.4 General Provisions

In addition to the requirements set forth in Section 3.~~8~~.2 and 3.7.3 ~~3.8.3~~, the following general provisions shall apply to specific types of signs:

(A) On-premises signs:
- (1) Wall Signs:
  - (a) Shall not extend more than eighteen (18) inches from the wall or facade of the building to which they are attached.
  - (b) Shall not extend more than twenty-four (24) inches above the roof or parapet of a building, whichever is greater.
  - (c) Shall be adequately constructed and securely anchored in accordance with the Standard Building Code.
- (2) Mansard and Marquee Signs:
  - (a) Shall conform to Section 3.~~8~~.4(~~A~~)(1).
- (3) Projecting Signs:
  - (a) Shall provide a vertical clearance of not less than nine (9) feet over any pedestrian walkway or fourteen (14) feet over any vehicle driveway.
  - (b) Shall not extend any closer (leading edge measured horizontally) than eighteen (18) inches to the curbface, or where no curb is installed, to the curbline as established by a certified engineer.
  - (c) Shall not extend more than twenty-four (24) inches above the roof or parapet of a building, whichever is greater.
  - (d) Shall be adequately constructed and securely anchored in accordance with the Standard Building Code.
- (4) Ground Signs:
  - (a) Shall not exceed a total height above natural ground level of thirty-five (35) feet, except as may be further restricted in this ordinance.
  - (b) Shall not extend any closer (leading edge measured horizontally) than eighteen (18) inches to the

required shall be the sum of spaces calculated for each individual use.

(3) Reserve Parking.

(a) Reductions of required parking spaces of up to fifty to seventy-five (50%-75%) percent may be permitted as a Conditional Use for intermittently used facilities such as churches, cultural facilities, recreation facilities, private clubs and lodges, and civic centers. Applications shall include a site plan which delineates all required spaces pursuant to **Table 5** and identify those to be held in reserve. Approved reserve spaces shall be provided with a stabilized base and sodded. Sodded areas shall be maintained in accordance with Section ~~3.7.0~~ 3.6.0 of this ordinance. The Board of Aldermen, or their designee, shall review annually all sites with permitted reserve parking areas for erosion, production of nuisance dust, illegal access to public rights-of-way, and improper landscape maintenance. The presence of any of these factors, a change in use of the site, or a change in ownership shall void the reserve parking approval and require the paving of all spaces in accordance with **Table 5** or the approval of a new Conditional Use.

(4) Uses not Listed.

(a) For uses not specifically listed, requirements shall be the same as for the most similar use identified.

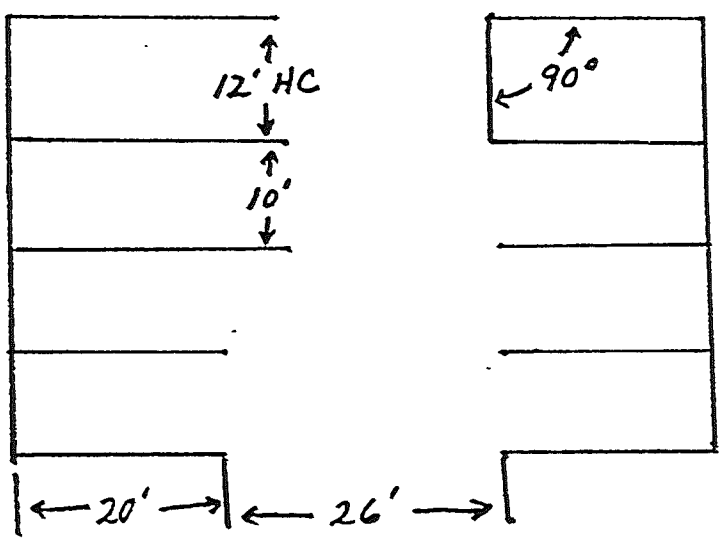
Section 3.9.2 Offstreet Parking Regulations

(1) Design Standards

(a) An offstreet parking space shall consist of a minimum net area of ten (10) feet by twenty (20) feet, exclusive of access drives or aisles. A handicapped offstreet parking space shall be a minimum of twelve (12) feet by twenty (20) feet. Two (2) feet of the required twenty (20) feet may be in grass instead of pavement if that two (2) feet is not included in any other required area. (See Figure 1).

FIGURE 1

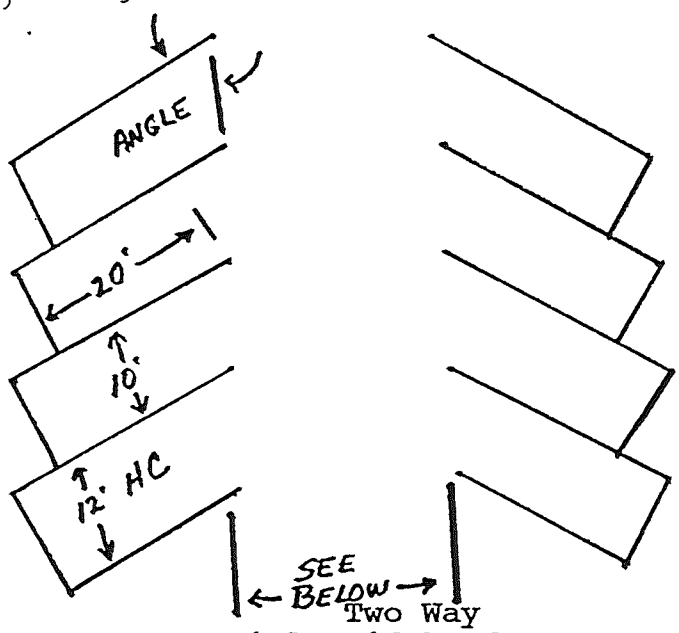
Parking design std. - Two-way Isles



(b) Any offstreet parking may be designed with access aisles with one way traffic. Access aisles with one way traffic may be reduced to sixteen (16) feet in width for 45 degree and 30 degree angle parking (See Figure 2).

FIGURE 2

Parking Design Standards – One-way Isles



Angle (degrees)	Two Way Aisle Width (feet)	One Way Aisle Width (feet)
90	26 (see Fig.3)	26
75	22 (see Fig.3)	22
60	20 (see Fig.3)	20
45	20 (see Fig.3)	16 (see Fig.4)
30	20 (see Fig.3)	16 (see Fig.4)

(c) Offstreet parking facilities, including access drives and aisles for all uses requiring site plan approval, shall be paved and shall be marked either by painted lines, precast curbs, or in a similar fashion to indicate parking spaces, except for single-family, two- family, and three-family dwellings.

(d) All required offstreet parking facilities shall be drained so as not to cause any nuisance to adjacent private or public property.

symbol and the caption "Parking by Disabled Permit Only."

Section 3.9.3 Offstreet Loading ~~and Delivery~~ Spaces

All commercial structures shall have adequate offstreet loading space.

(A) Off-Street Loading Requirements

Off-street loading space shall be provided and maintained as follows:

(1) For all commercial and industrial development:

Size of Building	Number of Spaces
0 to 5,999 Square Feet	0*
6,000 to 24,999 SF	1
25,000 or more SF	Determined on site Plan Review

*: For those buildings less than 5,999 square feet, one delivery space shall be required. This space shall have a minimum dimension of 12 feet x 30 feet and shall be placed in such a manner as to comply with the intent of this Section. (See Figure 3).

(2) For any use not specifically mentioned, the requirements for off-street loading facilities to which the unmentioned use is most similar shall apply. Such determination shall be made by the Community Development Administrator.

(3) A studio or laboratory of a photographer, craftsman, writer, or similar person;

(4) Office facilities for accountants, architects, brokers, engineers, lawyers, insurance agents, realtors, and members of similar professions.

(C) Use Limitations

In addition to the requirements of the Zoning District in which it is located, every home occupation shall comply with the following restrictions:

(1) No stock in trade shall be displayed or sold on the premises.

(2) Only sales incidental to the home occupation shall be permitted.

(3) The home occupation shall be conducted entirely within the principal dwelling unit or existing accessory structure, and in no event shall such use be visible from any other residential structure or a public way.

(4) The use of the dwelling unit for the home occupation shall be incidental and subordinate to its use for residential purposes, and no more than twenty-five (25) percent of the building floor area shall be used in the conduct of the home occupation.

(5) There shall be no outdoor storage of equipment or materials used in the home occupation.

(6) No home occupation shall be permitted that is noxious, offensive, or hazardous by reason of vehicular traffic generation or emission of noise, vibration, smoke, dust, or other particulate matter, odorous matter, heat, humidity, glare, refuse, radiation, or other objectionable emissions.

(7) No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.

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Section 3.12.2 Nonconformities

(A) Purpose

The purpose of this section is to regulate and limit the continued existence of uses, lots, signs, and structures established prior to the effective date of the Ordinance that do not conform to the provisions of this Ordinance. Many nonconformities may continue, but the provisions of this section are intended to curtail substantial investment in nonconformities and to bring about their eventual elimination, when appropriate, in order to preserve the integrity of the Zoning District.

(B) Nonconforming Uses

(1) Authority to Continue

Nonconforming uses of land and nonconforming uses of structures may continue in accordance with the provisions of this section.

(2) Ordinary Repair and Maintenance

Normal maintenance and repair of nonconforming uses may be performed.

(3) Expansions

Nonconforming uses shall not be expanded. This prohibition shall be construed so as to prevent the:

(a) Enlargement of nonconforming uses by additions to the structure in which such nonconforming uses are located, including enlargement of a conforming structure in which a nonconforming use is located, or

(b) The occupancy of additional land, unless the provisions of this Ordinance are met.

(4) Relocation

The structure housing a nonconforming use may not be moved unless the use shall thereafter conform to the limitations of the Zoning District into which it is moved.

(5) Change in Use

A nonconforming use shall not be changed to any other use unless such use conforms to the provisions of this Ordinance.

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(6) Termination

5.3.0(D)(8)

(xiv) If wetlands are to be altered, a mitigation plan must be submitted, which shall at a minimum, provide measures to assure normal flows and quality of water will be provided to maintain wetlands after development occurs.

(xv) An environmental impact report (see Section X).

(xvi) Any other information needed for the reasonable review of the proposed development.

(b) For non-residential development this shall include:

(i) Project name.

(ii) Type of project (retail sales, wholesale sales, warehousing, manufacturing, other).

(iii) Parcel size in acres.

(iv) Project size (non-residential floor area and number of non-residential units).

(v) Land Use (Official Zoning atlas classification and St. Lucie Village Comprehensive Zoning Plan classification.

(vi) Impermeable surface area.

(vii) Open space.

(viii) Parking.

(ix) Development schedule for all phases.

(x) A statement describing whether the project will utilize existing water and sewage facilities and, if so, a letter from the relevant authority stating that capacity will be available for the project on completion.

(xi) Conceptual plans for on-site potable water supply systems or wastewater collection and treatment systems, if applicable.

(xii) A description of any transportation improvements.

(xiii) If wetlands are to be altered, a mitigation plan must be submitted, which shall at a minimum, provide measures to assure normal flows and quality

5.3-0 (D)(8)

of water will be provided to maintain wetlands after development occurs.

(xiv) An environmental impact report (see Section 2).

(xv) Any other information needed for the reasonable review of the proposed development.

(2) Site Plan drawings:

All site plan detail sheets shall be submitted on a sheet size of 24" x 36" and at a scale no smaller than 1" = 50'. For large projects a smaller scale generalized plot plan may be submitted as a cover sheet, however, detail sheets will be required. Detail sheets shall include the following information:

(a) Location of the property by lot number, block number, and street address, if any.

(b) The boundary lines of the property, the dimensions of the property, existing subdivisions, easements, roadways, rail lines and public rights-of-way.

(c) Boundaries depicting construction phases, if applicable.

(d) Building identification and dimensions (number of dwelling units if residential; floor area if non-residential).

(e) The location, height, and use of all proposed and existing buildings and structures.

(f) The approximate location and dimension of all proposed lots and all yard requirements.

(g) The location and dimension of parking lots and loading areas.

(h) The location and dimension of all waste disposal and water supply facilities.

(i) The location of all drainage retention areas and major drainage improvements.

(j) The location of all transportation improvements.

(k) The location and configuration of all public and private roadways for a distance of one hundred and fifty (150) feet around the property.

(iii) A detailed description of the existing traffic conditions, including the peak season average daily traffic and the highest average peak season peak hour volume for all collector and arterial roads within the study area. The peak season daily traffic shall be based on twenty-four (24) hour traffic counts conducted over a five (5) weekday (Monday-Friday) period during January, February, or March. If data collection cannot be accomplished during this period, the counts will be adjusted based upon St. Lucie Metropolitan Planning Organization quarterly count data for roadways within or adjacent to the study area. If St. Lucie Metropolitan Planning Organization traffic counts are not available to reflect the seasonal variations, then an average areawide seasonal adjustment factor will be applied. This factor shall be approved by the Site Plan Technical Review Committee. If St. Lucie Metropolitan Planning Organization traffic counts are available for the area under study, the twenty-four (24) hour traffic methodology and assumptions for the seasonal adjustment must be clearly stated. The highest volume hour or peak hour will be defined from the hourly traffic count(s) conducted over one (1) or more twenty- four (24) hour periods as described above. Peak period intersection turning movement counts will be conducted for at least one (1) hour at all intersections of collector and arterial roadways within the study area. Peak hour counts will be adjusted to reflect peak season conditions if the counts are not obtained between January and March. Methodology for these adjustments will be approved by the Site Plan Technical Review Committee.

(iv) Capacity analyses will be conducted at the intersections of all major roadways in the impact area that are signalized or that warrant signalization. These analyses will be performed as specified in Transportation Research Circular No. 212, "Interim Materials on Highway Capacity," Transportation Research Board, January 1980. When the major street network serving the proposed development includes links that may control capacity (e.g., two-lane arterials), additional link capacity analyses will be accomplished in accordance with the 1965 Highway Capacity Manual.

(v) Based on the capacity analyses described in sub-paragraph ~~(d)~~ above, a summary of existing levels of

(7)(c)(iv)

development. This analysis must identify projected average peak season daily traffic and peak hour volumes for all collector and arterial roadways and must identify the development impact separately from the cumulative traffic volume. For the purposes of these analyses, background traffic will be identified as existing plus other approved development traffic. Other development traffic will be identified by using actual traffic analyses for approved projects and historical growth trends on the subject roadways as appropriate. The methodology to be employed in assessing background traffic will be approved by the Site Plan Technical Review Committee prior to conducting the traffic analysis.

(7)(c)(vii)

Capacity analyses will be conducted using the criteria as described in sub-subparagraph ~~4.~~ above for cumulative traffic to identify levels of service resulting from the cumulative traffic demands, including the proposed development. When the combination of back ground traffic and the impact from the subject development will reduce the levels of service below the adopted level of service in the St. Lucie Village Comprehensive Plan, analyses will be conducted to identify those improvements required to maintain the level of service in the Comprehensive Plan or better conditions. These improvements will be identified clearly.

(d) Traffic Study and Traffic Data Inventory and File

(7)(c)(vi)

The Village Clerk shall keep a file of all traffic studies, including the capacity allocated for each approved project. In determining the projected demand in sub-subparagraph ~~4(g)(iii)(a)~~ above, the impact analysis shall include trip already allocated in previous development approvals. The County shall provide information when appropriate data already exists and is available in order to prevent duplication.

(8) Environmental Impact Report

(a) Applicability.
Whenever submission of a site plan is required, an environmental impact report shall be provided if a proposed development would be located in whole or in part in a one hundred (100) year flood plain.

The Board of Aldermen shall authorize total or partial relief from the requirement of an environmental impact

(e) Environmental Impact.
For developments required to provide an environmental impact report under paragraph (D)(8) ~~(4)(h)~~ of this section, the proposed development will not contravene any applicable provision of the St. Lucie Village Comprehensive Plan.

(10) Conditions on Site Plan Approval

The Board of Aldermen shall attach any reasonable condition, limitation, or requirement to a site plan approval as is necessary to effectuate the purposes of this section and to carry out the spirit and purpose of the zoning regulations and the St. Lucie Village Comprehensive Plan. Such conditions shall be set forth expressly in the resolution approving the site plan.

(a) Impact on School System.
For residential developments, a site plan shall not be approved unless the applicant has received from the School Board of St. Lucie County written confirmation of the anticipated financial impact of the development upon the County school system and the applicant agrees to pay to the School Board an amount equal to the anticipated financial impact.

(b) Maintenance of Level of Service D.
Whenever level of service, either existing or as a result of traffic generated by a proposed development, is determined to be below the adopted level of service in the Village's Comprehensive Plan, the site plan shall not be approved except upon the condition that the applicant make the roadway or other improvements necessary to maintain the adopted level of service in the Comprehensive Plan, or make an equitable contribution toward such improvements, or comply with other conditions as set forth in the Village's Concurrency Management System.

(c) Traffic Control Devices.
Whenever, as the result of additional traffic generated by a proposed development, it is determined based on the Manual on Uniform Traffic Control Devices that there is a need for installation of traffic control devices (including traffic signals, signing, and pavement markings), the site plan shall not be approved except upon the condition that the applicant be responsible for installing all said devices and signs, or make an equitable contribution toward such installation.

(d) Access Improvements.
A site plan shall not be approved except upon the condition that the applicant provide the access (ingress

and egress) improvements determined to be necessary as a result of traffic generated by the development.

(e) Timing of Occupancy.
If the proposed development, together with existing and previously approved development, will necessitate roadway or other improvements to maintain Level of Service D during peak season, or will require traffic control devices or access improvements, a site plan shall not be approved except upon the condition that certificates of occupancy not be issued until after such improvements or traffic control devices are installed. The Board of Aldermen shall authorize relief from the requirement of postponed occupancy certification (by phasing issuance of certificates of occupancy over an appropriate time period or otherwise) if it finds, after receiving the recommendation of the Site Plan Technical Review Committee and based on conditions peculiar to the proposed development, that such relief will not adversely affect traffic conditions.

(f) Projects Requiring Other Regulatory Approval.
For developments requiring any permit from the United States Army Corps of Engineers, the Florida Department of Environmental Protection or any other state of federal regulatory authority, the Board of Aldermen shall not approve unconditionally a site plan until it has received from such agency notice of either issuance of or intent to issue the required regulatory permit.

~~The Board of Aldermen may approve a site plan conditioned upon receiving notice of either issuance of or intent to issue any required regulatory permit if it can make, on a tentative basis and subject to confirmation, the findings required in paragraph (5) of this section.~~ A site plan approval conditioned upon receiving notice of either issuance of or intent to issue any required regulatory permit shall not preclude the Board of Aldermen, after reviewing the regulatory permit application and other information, from revoking such conditional site plan approval ~~based solely upon an inability to confirm the findings required in paragraph (5) of this section~~, or from protesting the permit application.

(g) Reduction in Maximum Residential Density.
The Board of Aldermen shall require a reduction from the maximum density permitted in the zoning district in which a proposed development is to be located when such allowable maximum residential density

(b) Review by the Town Attorney

(i) Within thirty (30) days after submission of the application for site plan approval, the Town Attorney shall review the application and determine if it is complete. If the Town Attorney determines that the application is not complete, he shall send a written statement specifying the deficiencies to the applicant by mail.

(ii) When the Town Attorney determines that the application for site plan approval is complete, the Site Plan Technical Review Committee shall review the application, make a report, and notify the Board of Aldermen that the application is ready to review.

(c) Review and Action by the Board of Aldermen

(i) Upon receipt of the report of the Site Plan Technical Review Committee, the Board of Aldermen shall place the application for site plan approval on the agenda of a regular meeting of the board for review and action.

(ii) In reviewing the application for site plan approval, the Board of Aldermen shall consider the report of the Site Plan Technical Review Committee and shall determine whether the proposed development specified in the application meets the provisions of this Ordinance, and in particular the standards and criteria of subsections ~~(5)(a)~~ and (D)(9) (O)(10) ~~(5)(b)~~ of this section; the St. Lucie Village Comprehensive Plan; and any other applicable Town ordinance.

(iii) Within a reasonable time of the conclusion of its review, the Board of Aldermen shall approve, approve with conditions, or deny the application for site plan approval. The decision on the application shall be by resolution.

(iv) Notification of the Board of Aldermen's decision shall be mailed to the applicant.

(13) Time Limit

Except as provided in this subsection, a site plan approval shall be valid for purposes of securing a building permit for twelve (12) months from the date of approval. Unless a building permit is secured within twelve (12) months and construction subsequently undertaken pursuant to such building permit, the site plan approval

Ordinance and the St. Lucie Village Comprehensive Plan, he shall issue a Certificate of Zoning Compliance.

(3) If the Building Official determines that the proposed development does not comply with the provisions of this Ordinance, the application shall be returned to the applicant accompanied by a written statement setting forth the provisions of this Ordinance with which the application does not comply.

(E) Effect of Issuance

A Certificate of Zoning Compliance indicates that the Building Official the proposed development complies with this Ordinance. After issuance of a Certificate of Zoning Compliance, the Building Official shall request that the item be placed on the next agenda of the Board of Aldermen for review of the permit application, including zoning compliance and consideration for building permit issuance.

Section 5.6.0 Sewage Compliance

(A) Effect

A Certificate of Zoning Compliance shall not be issued by the Building Official for a proposed development until either the Florida Department of Health and Rehabilitative Services Environmental Health Unit or the Florida Department of Environmental Protection has approved a method of sewage disposal for that development.

(B) Procedure

All building permit applications shall be accompanied by a scale drawing of the building and a plot plan showing the proposed sewage disposal system and well locations. Copies of these plans shall be submitted to the Florida Department of Health and Rehabilitative Services Environmental Health Unit or the Florida Department of Environmental Protection for the issuance of the appropriate sewage permit.

(C) Any new construction site that has no existing toilet facilities available shall have temporary or portable toilet facilities at the time construction commences until the certificate of occupancy is issued.

Section 5.7.0 Drainage Compliance

All building permit applications shall be accompanied by a scale drawing of the building and a plot plan showing the proposed drainage. The drainage system shall be consistent with the level of service established in the Comprehensive Plan and also with applicable South Florida Water Management District (SFWMD) and FDEP

Rules [illegible]. Copies of these plans and a brief narrative explaining how consistency with the comprehensive plan, SFWMD, FDEP Rules [illegible], and any other applicable federal, state or local drainage requirements are to be met, shall be submitted to the Board of Aldermen for their review prior to issuance of the building permit. If a development shall impact existing or future Mosquito Control District canals, all of the above shall also be submitted to the Mosquito Control District for approval of the drainage system.

Section 5.8.0 Building Permit

The erection, alteration, or reconstruction of any building or structure shall not be commenced without obtaining a building permit from the Board of Aldermen. No building permit shall be issued for development without a Certificate of Zoning Compliance.

All applications for a building permit shall be accompanied with three complete sets of plans. The plans shall be approved and signed by the Board of Aldermen before issuance of a building permit and a complete set of the plans and a copy of the building permit shall be kept on file by the Village.

The Board of Aldermen shall specify a procedure of inspection of any structure or improvement under construction after issuance of the building permit.

Building permits shall be valid for a period of twelve (12) months. If no actual construction begins during the first six (6) month period, the permit shall expire. If construction is begun within six (6) months but not completed during the twelve (12) month period, the permit shall expire unless application is made to the Board of Aldermen to extend the permit. The Board of Aldermen may in their discretion extend a permit provided the development does not constitute a nuisance to the surrounding neighborhood and that the development appears to be in conformity with the codes and ordinances of this municipality.

Section 5.9.0 Sign Permit

The erection, alteration, reconstruction or conversion of any sign shall not be commenced without obtaining a Sign Permit from the Board of Aldermen. No Sign Permit shall be issued for development without a Certificate of Zoning Compliance issued by the Building Official.

Section 5.10.0 Certificate of Occupancy

(A) Upon completion of construction of any structure or improvement, a final inspection shall be conducted to insure that the structure or improvement is in full compliance with all codes and ordinances of this municipality and the plans as

SECTION 8 CONDITIONAL USES

Section 8.1.0

General Provisions

(A) Purpose

The purpose of this section is to provide for uses that are generally compatible with the use characteristics of a zoning district, but which require individual review of their location, design, intensity, configuration, and public facility impact in order to determine the appropriateness of the use on any particular site in the district and their compatibility with adjacent uses. Conditional uses may require the imposition of additional conditions to make the uses compatible in their specific contexts.

(B) Authority

The Board of Aldermen may, in accordance with the procedures, standards and limitations of this Ordinance, grant conditional use permits for those uses enumerated in each of the zoning districts.

Section 8.2.0 Persons Entitled to Initiate Applications

An application for a conditional use may only be submitted by the owner or any other person having a contractual interest in the parcel of land proposed for conditional use.

Section 8.3.0 Standards of Review for Conditional Use Permits

A conditional use permit shall be granted only if the applicant demonstrates the following:

(A) Consistency with Local Ordinances and Comprehensive Plan

The proposed conditional use is in compliance with all requirements, and is consistent with the general purpose, goals, objectives and standards, of this Ordinance, the St. Lucie Village Comprehensive Plan, and the Code of Ordinances of St. Lucie Village; and is in compliance with all additional standards imposed on it by the particular provisions of this Ordinance authorizing such use.

(B) Effect on Adjacent Properties

(1) The proposed conditional use will not have an undue adverse effect upon adjacent or nearby property.

(2) The proposed conditional use is compatible with the existing or planned character of the neighborhood in which it would be located.

(3) All reasonable steps have been taken to minimize any adverse effect of the proposed conditional use on the immediate vicinity through building design, site design, landscaping, and screening.

(4) The proposed conditional use will be constructed, arranged, and operated so as not to interfere with the development and use of neighboring property, in accordance with applicable district regulations.

(C) Adequacy of Public Facilities

The proposed conditional use will be served by adequate public facilities and services, including roads, policy protection, fire protection, refuse disposal, water, sewer, recreation and drainage structures.

(D) Adequacy of Fire Protection

The applicant for the proposed conditional use must obtain from the St. Lucie County-Ft. Pierce Fire Prevention Bureau written confirmation, or otherwise demonstrate by substantial credible evidence, that water supply, evacuation facilities, and emergency access are satisfactory to provide adequate fire protection.

(E) Environments Impact

For developments required to provide an environmental impact report under Section 5.3.0, the proposed conditional use will not contravene any applicable provision of the St. Lucie Village Comprehensive Plan.

Section 8.4.0 Conditions on Conditional Use Permits

The Board of Aldermen shall attach such conditions, limitations, and requirements to a conditional use permit as are necessary to effectuate the purposes of Section 8.~~3.0~~; to carry out the spirit and purpose of this Ordinance and the St. Lucie Village Comprehensive Plan; and to prevent ~~or~~ minimize adverse effects upon other property in the neighborhood, including but not limited to limitations on size, intensity of use, bulk and location, landscaping, lighting, the provision of adequate ingress and egress, duration of the permit, and hours of operation. Such conditions shall be set forth expressly in the resolution granting the conditional use permit.

The Board of Aldermen may grant a conditional use permit contingent upon receiving notice of either issuance of or intent to issue any required regulatory permit if it can make, on a tentative basis and subject to confirmation, the findings required in Section 8.3.0. A conditional use permit granted contingent upon receiving notice of either issuance of or intent to issue any required regulatory permit shall not preclude the Board of Aldermen, after reviewing the regulatory permit application and other information, from revoking such contingent grant of a conditional use permit (based solely upon an inability to confirm the findings required in Section 8.3.0) or from protesting the regulatory permit application.

(F) Reduction in Maximum Residential Density

The Board of Aldermen shall require a reduction from the maximum residential density permitted in the zoning district in which a conditional use is to be located when such allowable maximum residential density:

(1) Would impose an excessive burden, as determined by recognized engineering or other professional standards, on public facilities that would serve the proposed conditional use, or

(2) Would contravene any applicable provision of the St. Lucie Village Comprehensive Plan.

Section 8.5.0 Application Procedures

Filing Application for Conditional Use Permit

(A) An applicant for a conditional use permit shall submit an application to the Building Official accompanied by such non-refundable fee as established from time to time by the Board of Aldermen to defray the actual costs of processing the application. The application shall include a site plan meeting the requirements specified under this Ordinance. Within thirty (30) days of submission of the application, the City Attorney shall determine whether the application is complete. If the City Attorney determines the application is incomplete, he shall send a written statement to the applicants specifying the deficiencies. When the City Attorney determines that an application for conditional use permit is complete, he shall submit the application to the Board of Aldermen for review.

Hearing and Action by the Board of Aldermen

(B) Upon receiving an application for a conditional use permit the Board of Aldermen shall place the application on the agenda of a regularly scheduled meeting and have a public hearing in

procedures established for the approval of a conditional use as set forth in Section 8.3.0.

Section 8.9.0 Revocation of Conditional Use Permits

In addition to any other penalty and remedy for violation of this Ordinance, it shall be a condition of every conditional use approval that such approval may be revoked for violation of any condition imposed upon such approval. The permit may be revoked only after the Board of Aldermen holds a public hearing in accordance with Section 5.2.0.

Section 8.10.0 Expiration of Conditional Use Permits

A conditional use permit shall be valid for the purposes of securing a building permit or zoning compliance certificate for twelve (12) months from the date of approval. Unless a building permit or zoning compliance certificate is secured within twelve (12) months, and construction subsequently undertaken pursuant to such building permit, the conditional use permit shall automatically expire unless the permit is extended upon application to the Board of Aldermen in accordance with Section 8.7.0.

Section 8.11.0 Limitations on Approval for Conditional Uses

A conditional use permit shall be deemed to authorize only the particular use for which it was issued and shall automatically expire and cease to be of any force or effect if such use shall, for any reason, be discontinued for a period of twelve (12) consecutive months.