

ORDINANCE 2018-6

AN ORDINANCE OF THE BOARD OF ALDERMAN OF THE TOWN OF ST. LUCIE VILLAGE, FLORIDA, AMENDING THE TEXT OF THE ZONING ORDINANCE OF THE TOWN OF ST. LUCIE VILLAGE, TO ADD NEW DEFINITIONS FOR ABANDONED PROPERTY, ACCESSORY STRUCTURE, SMALL, ACCESSORY STRUCTURE, LARGE, CODE INSPECTOR, COMMERCIAL TRAILER, GARDEN STRUCTURE, AND UNSERVICEABLE VEHICLE; TO REVISE THE CURRENT DEFINITIONS OF ABANDON, BERM, BUILDING CODE, BUILDING SETBACK LINE, COMMERCIAL VEHICLE, FLOOR AREA RATIO, GARAGE APARTMENT, HEIGHT OF STRUCTURE, HOME OCCUPATION, JUNK VEHICLE, LAND CLEARING, LOT DEFINITIONS, OFFICIAL ZONING MAP, OUTDOOR STORAGE, SHORE LINE, STRUCTURE, STRUCTURE, TEMPORARY, TRAVEL TRAILER, AND UNREQUIRED SETBACK; TO REVISE THE PROVISIONS SECTION 3.5.3(C)(1) ACCESSORY STRUCTURES, RESIDENTIAL (TO CLARIFY/SPECIFY SIZE, NUMBER, LOCATION, AND USES PERMITTED); TO INCORPORATE AND INCLUDE THE ATTACHED FIGURES A, B, AND C (SHOWING PERMITTED LOCATIONS FOR ACCESSORY STRUCTURES AND OUTDOOR STORAGE); TO REVISE THE PROVISIONS OF SECTION 3.5.7 OUTDOOR STORAGE (TO CLARIFY/SPECIFY ITEMS PERMITTED TO BE STORED IN RESIDENTIAL DISTRICTS, ITEMS PROHIBITED, THE NUMBER OF ITEMS PER LOT, AND USES PERMITTED INCLUDING FOR RECREATIONAL VEHICLES); TO REVISE THE TEXT OF SECTION 1.1.0 SHORT TITLE, SECTION 1.3.0 RELATION TO COMPREHENSIVE PLAN, SECTION 1.6.0 EFFECTIVE DATE; ENACTMENT, SECTION 3.2.3(B) GENERAL COMMUNITY COMMERCIAL (C) DISTRICT, TABLE 1, LINE 164 YARD & GARAGE SALES, SECTION 3.5.3(C)(24) SATELLITE RECEPTION DISHES, PRINCIPAL OR ACCESSORY IN RESIDENTIAL DISTRICTS, (THE TITLE OF) 3.5.3(C) 25 SATELLITE RECEPTION DISHES, PRINCIPAL OR ACCESSORY USE IN NON-RESIDENTIAL DISTRICTS, 3.5.3 (C)(30)(a) SWIMMING POOLS, ACCESSORY TO RESIDENTIAL USES, 3.5.3(C)(35) YARD AND GARAGE SALES, TEMPORARY (AND TO MOVE SAID PROVISION TO SECTION 3.5.9, WITH SECTION 3.5.9 NONCONFORMITIES TO BE RENUMBERED AS SECTION 3.5.10), SECTION 3.5.4(A) AND (B) FENCES, WALLS AND HEDGES, SECTION 3.5.5 (A) DIMENSIONAL AND LOCATION REGULATIONS, SECTION 3.5.6(C) DENSITY, AREA, YARD AND HEIGHT REQUIREMENTS, SECTION 3.5.6(D) DENSITY, AREA, YARD AND HEIGHT REQUIREMENTS, SECTION 3.6.4(A)(4) IRRIGATION, THE DESIGNATIONS OF SUBSECTIONS (C), (D), (E), AND (F) OF SECTION 3.6.4 (A)(5), SECTION 3.9.4 REGARDING DRIVEWAYS, AND SECTION 3.12.3 (A) REGARDING MINIMUM FIRST FLOOR; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Zoning Ordinance of the Town of St. Lucie Village, Florida, was adopted pursuant to Ordinance 95-3, and subsequently amended pursuant to Ordinances 96-3, 2005-1 and 2006-11, 2012-3 2012-4, 2013-8

and 2015-1 (and, as amended, will be referred to herein as "the 1995 Zoning Ordinance");

WHEREAS, outdoor storage and accessory structures issues are raised with some frequency within the Town of St. Lucie Village;

WHEREAS, such issues come before the Board of Aldermen and the Board of Adjustment and are also addressed by the Building Official and Marshal, in contexts ranging from nuisance complaints to permit requests to variance applications;

WHEREAS, it appears to the Board of Aldermen of the Town of St. Lucie Village that the existing regulations require clarification and supplementation in order to more clearly address certain issues;

WHEREAS, it further appears that additional issues need to be addressed and that some regulations, such as setbacks applicable to accessory structures, need to be changed;

WHEREAS, the Board of Aldermen of the Town of St. Lucie Village has held workshops to review and discuss possible revisions among Board members, and to elicit input from the public, and has considered community standards as expressed at the workshops and adoption hearings, and as reflected in St. Lucie County and other municipal regulations;

WHEREAS, in addition to identifying changes to the provisions related to outdoor storage and accessory structures, other revisions were identified for inclusion at the same time;

WHEREAS, the amendments to the 1995 Zoning Ordinance which are incorporated herein are consistent with the Town of St. Lucie Village Comprehensive Plan as adopted by Ordinance 2011-8; and

WHEREAS, notice of this Ordinance has been published and the Ordinance adopted upon two public hearings in accordance with the Florida Statutes and the provisions of the 1995 Zoning Ordinance.

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

1. SECTION 2 DEFINITIONS AND INTERPRETATIONS of the 1995 Zoning Ordinance is hereby amended to add the following **New Definitions**:

ABANDONED PROPERTY - Wrecked or derelict property having no value other than nominal salvage value, if any, which has been left abandoned and unprotected from the elements and is visible from the adjacent property and/or public right-of-way adjacent to the property on which the article is located; and shall include wrecked, inoperative, or partially dismantled motor vehicles, trailers, boats, machinery, white goods, building materials, refrigerators, washing machines, plumbing fixtures, furniture, and any similar article which has no value other than nominal salvage value, if any. The presence of a current license plate on a motor vehicle shall raise a rebuttable presumption that the motor vehicle is not abandoned property. The presence of a current registration decal on a boat shall raise a rebuttable presumption that the boat is not abandoned property. Evidence of removed or flat tires; partial or complete dismantling of motor vehicle, boat, or trailer; storage in other than an upright or operable manner; or lack of a current license plate or current registration decal shall raise a rebuttable presumption that the motor vehicle, boat or trailer is abandoned property.

ACCESSORY STRUCTURE, SMALL - An accessory structure with footprint area less than or equal to 150 square feet.

ACCESSORY STRUCTURE, LARGE - An accessory structure with a footprint area greater than 150 square feet.

CODE INSPECTOR: The authorized agent or employee of St. Lucie Village whose duty is to ensure compliance with the provisions of St. Lucie Village's Land Development Code and other ordinances.

COMMERCIAL TRAILER: Any trailer, other than a recreational trailer, that exceeds 30' in overall length, or has business information prominently displayed on its exterior, or regularly contains business equipment visible to public.

GARDEN STRUCTURE - Small structures whose primary purpose is to enhance the landscaping, including arbors, trellises, gazebos, pergolas, ornamental pools, water features, and well houses.

UNSERVICEABLE VEHICLE - A vehicle that is abandoned or not road-worthy due to missing engine or body parts, flat tires, broken lights or windshields, or other issues that render the vehicle unsuitable for service on public roads. As used in this definition, "vehicle" is deemed to include, but is not limited to, cars, trucks, motorcycles, recreational vehicles, trailers, travel trailers, campers or similar equipment that is designed for use on the road.

2. SECTION 2 DEFINITIONS AND INTERPRETATIONS of the 1995 Zoning Ordinance is hereby amended to **Revise Certain Definitions** as follows:

ABANDON ~~To discontinue a use for more than a specified period of time.-~~ To cause to become abandoned".

BERM - Mounding of soil, which is planted with living plant material designed as a natural landscape feature or buffer to screen incompatible land uses or to absorb or otherwise reduce undesirable impacts such as noise, smoke, uncontrolled runoff, or glare, or other similar nuisances.

BUILDING CODE - The ~~Florida Standard~~ Building Code, current edition.

BUILDING SETBACK LINE - That line establishing building setback distances from street or lot lines, established by the Zoning Code of the Town of St. Lucie Village, Florida. Normal roof overhangs shall not be considered in determination of the setback.

COMMERCIAL VEHICLE: ~~Any motor vehicle licensed by the State of Florida as a commercial vehicle.~~ Any vehicle, other than a recreational vehicle, with a gross vehicle weight rating of ten thousand (10,000) pounds or more, or with more than two axles.

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. The total floor area of the building divided by the total area of the lot. The total floor area of the building shall include all floors of the building.~~

GARAGE APARTMENT - A detached, accessory structure ~~of not more than seven hundred fifty (750) square feet~~ that contains a private garage permanently available for the parking or storage of at least one (1) automobile and one (1) dwelling unit.

HEIGHT OF STRUCTURE - The vertical distance from the lowest average elevation of the finished grade ~~of-at~~ the structure to the highest portion of the structure, subject to specified height requirements of this Code. Non-structural architectural treatments, such as widows' walks, parapets, ornamental facades, and solar panel installations are excluded in determining the height of structure.

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 3.12.1. A business, profession, occupation, or trade conducted within a residential building for gain or support by a resident of the dwelling that is incidental and secondary to the residential use of the building and does not change the essential residential character of the use.~~

JUNK VEHICLE - ~~A vehicle which cannot be moved under its own power. Unserviceable Vehicle.~~

LAND CLEARING - ~~The removal from land of any type of vegetation or structure by mechanical, manual, or other means. The uprooting or clearing of vegetation in connection with construction for buildings and rights-of-way, residential or commercial development, or the clearing of vegetation to enhance property value and aesthetics. The removal and destruction of shade trees due to storm or insect damage is not included in the definition of Land Clearing.~~

LOT DEFINITIONS - (add the following):

e. LOT, SMALL RESIDENTIAL - A residential lot, the total area of which is less than one acre.

f. LOT, LARGE RESIDENTIAL - A residential lot, the total area of which is greater than or equal to one acre.

OFFICIAL ZONING ATLAS-MAP - A map depicting the boundaries and identification of the zoning districts established by this Code. (See Appendix A)

OUTDOOR STORAGE - The keeping, in an unroofed area, of any goods, material, merchandise, or vehicles in the same place for more than ~~twenty-four (24) hours~~ seven (7) days.

SHORE LINE - ~~The mean high water level.~~ Line of land-water interface at mean high water level.

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, signs poster panels, recreational facilities, and swimming pools. Structures must meet Florida Building Code requirement and be permanently affixed.

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. All temporary structures shall be secured or anchored to the ground in accordance with requirements of the Florida Building Code and other applicable laws or regulations.

TRAVEL TRAILER - A vehicular portable structure not exceeding ~~thirty-six (36)~~ fifty (50) feet in length designed for travel, recreational, and vacation uses.

UNREQUIRED SETBACK - ~~The actual setback of a structure as measured from the appropriate edge of the structure to the respective property line.~~ Any setback provided in excess of the minimum amount specified in this code. The unrequired setback is measured from the appropriate edge of the structure to the required setback line.

3. **Section 3.5.3(c) (1)** of the 1995 Zoning Ordinance is hereby amended as follows:

(1) **Accessory Structures, Residential**

(a) Additional Application Requirements: None.

(b) General Requirements~~Additional Standards:~~

(i) Residential accessory structures shall be used only for uses which are accessory to residential uses.

- (ii) All accessory structures shall be considered in calculating maximum permissible lot coverage and shall be cumulative. ~~Accessory structures may be built within front and corner set backs and also in side and rear setbacks provided that they are more than three feet from all side and rear lot lines; however, no accessory structure shall be located in front of the front wall of the main building. An accessory structure on a corner lot must meet the 25 foot setback from both streets.~~
- (iii) ~~Accessory storage sheds shall be limited to no more than one per lot and shall not exceed 10% of the size of the main structure. Other accessory structures, which are incorporated into the real property, shall be limited in size to 25% of the main structure.~~
- (v) Accessory structures in the R-1 Zoning District may include a second residence, provided that both residential structures on a lot are occupied by the same "family" as defined by the 1995 Zoning Ordinance, but without regard to the definition's reference to "a single housekeeping unit". Temporary guest use is permitted but an accessory residential structure shall not be used as a rental or to establish a multi-family use on a lot in the R-1 zoning district.

Placement of a second residence on a lot is subject to site plan review and may be permitted only if:

- (a) the lot is at least one acre;
- (b) the lot has not been involved in a lot split since the adoption of the 1995 Zoning Ordinance;
- (c) the lot is capable of being divided into two lots which each comply with the Zoning Ordinance's size, dimensional and other requirements;
- (d) each lot has the required frontage on a public road or access to a public road via private easement.
- (e) any access via private easement must be sufficient to accommodate emergency vehicles;
- (f) each house must be served by its own water and septic system; and

(g) each application for site plan review must be accompanied by a survey showing how the lot will be divided in the event of a sale of one residence to a party outside the family and reflecting compliance with the foregoing. Additionally, the applicant shall provide an agreement, in recordable form acceptable to the Board of Aldermen, which commits the applicant and successors and/or assigns to so divide the property in the event of a sale of one residence to a party outside the family, and which attaches a reduced size copy of that survey.

In the event that such an accessory structure has been permitted and either the primary structure or the accessory structure passes into use by persons other than "family" or temporary guests, whether rented or not, the property shall be divided by the owner via recorded deed consistent with the application, including survey.

- (iv) Except as outlined in subparagraph (iii) above, no accessory structure may be used as a temporary or permanent dwelling unit. Sleeping and bathroom facilities for use only by relatives or gratuitous guests of the residents or owners may be incorporated into accessory structures, subject to approval by the Board of Aldermen and with the understanding that the accessory structure cannot be converted to a dwelling unit, nor can it be rented in the approved configuration.
- (v±) Applications for permits for accessory structures shall include a plot plan that is drawn to scale and dimensioned, showing location of the accessory structure on the lot. If the accessory structure is to be built on site, building plans, including elevations and foundation details, shall be submitted. If the accessory structure is prefabricated and erected on site, manufacturer's specifications for the structure shall be submitted with the permit application.
- (vi±) Accessory structures shall not exceed the maximum structure height permitted in the zoning district where located or the height of the principal structure, whichever is less.
- (vii) Accessory structures, with the two exceptions noted below, shall not be allowed in required or unrequired front yards.

(viii) Garden structures, including arbors, trellises, gazebos, pergolas, ornamental pools, water features, and well houses, shall be allowed in required and unrequired front yards.

(ix) Swimming pools shall be allowed in unrequired front yards with administrative review.

(x) On corner lots, the required minimum setback for all accessory structures (with the exception of Garden Structures) shall be 25 feet.

(c) Additional Standards for Small Residential Lots (less than one acre):

(i) Small accessory structures (less than or equal to 150 square feet) shall only be located in the rear yard, maintaining a minimum 5-foot setback from rear and side property lines, and in unrequired side yards behind the front building line. The allowable area for location of small accessory structures on small lots is shown in Figure A.

(ii) Large accessory structures (greater than 150 square feet) shall only be located in the rear yard or unrequired side yard behind the front building line. The rear setback for large accessory structures shall be at least 10 feet. The allowable area for location of large accessory structures on small lots is shown in Figure B.

(iii) Only one swimming pool, whether enclosed with a screen structure or open, and two other accessory structures shall be permitted on small lots.

(iv) Accessory storage sheds shall not exceed 10% of the size of the main structure. Other accessory structures, which are incorporated into the real property, shall be limited in size to 25% of the main structure.

(d) Additional Standards for Large Residential Lots (one acre or larger):

(i) The number of accessory structures shall not be limited, but the total area of accessory structures shall be limited to the following:

a. The area of each individual structure shall be limited to 100% of the footprint area of the main structure or 10% of the lot area, whichever is less; and

b. The total area of all accessory structures shall be limited to 10% of the total lot area.

(ii) Accessory structures shall be allowed in rear yards and in unrequired side yards.

(iii) All accessory structures shall maintain a minimum 10-foot setback from the rear property line.

(iv) The allowable area for location of all accessory structures on large lots is shown in Figure B.

4. The 1995 Zoning Ordinance is hereby amended to incorporate and include the attached **Figures A, B, and C**.

5. **Section 3.5.7** of the 1995 Zoning Ordinance is hereby amended as follows:

Section 3.5.7 Outdoor Storage

(A) Residential Districts

1) General Requirements

a) Outdoor storage in residential districts shall be for residential purposes only, shall be only permitted as an accessory use, and shall be limited to domestic equipment and normal supplies necessary for residents.

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

(i) Boats on trailers or supported in a safe, stable manner. All boats stored in residential districts shall have current registrations in the name of the homeowner or resident and all boat trailers shall have current registrations.

(ii) Recreational vehicles, including travel trailers, motor homes, accessory trailers, off-road vehicles, and motorcycles. All recreational vehicles and trailers must

be in road-worthy condition and must have current registrations in the homeowner's or resident's name.

c) Domestic equipment shall exclude the following:

- (i) Commercial trucks
- (ii) Commercial trailers
- (iii) Boats stored in an unsafe manner or directly on the ground.
- (iv) Heavy construction equipment including backhoes, bulldozers, tracked vehicles, etc.
- (v) Abandoned property or unserviceable vehicles, boats, or trailers

~~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.~~

d) Storage in enclosed buildings shall be allowed without limitations.

e) Storage of boats, recreational vehicles, or trailers for any commercial purpose shall be prohibited.

f) On corner lots, the minimum setback for outdoor storage shall be 25 feet.

g) One recreational vehicle, travel trailer, or boat on trailer shall be allowed to be stored in the front yard, provided that it:

- (i) Is either stored on pavement, or the yard where it is stored is mowed and maintained consistent with the rest of the yard; and
- (ii) Is as nearly perpendicular to the frontage street as is practical; and
- (iii) Does not block any sidewalk: and
- (iv) Is at least 5 feet from the frontage street pavement; and
- (v) The recreational vehicle or boat does not exceed 35 feet in length or 14 feet in height.

h) Outdoor storage of boats, recreational vehicles, or trailers shall not be allowed in any required side yard or in the front yard between the main building and any projections thereof and the front property line, except that one item may be stored in the front yard in accordance with Item g) above. Outdoor storage of these items shall be allowed in unrequired side yards or in back yards without a requirement for setback from the rear property line.

- i) The allowable area for outdoor storage on small and large residential lots is shown on Figure C.
- 2) The maximum number of recreational vehicles, travel trailers, motor homes, boats, boats on trailers, or accessory trailers allowed to be stored on small residential lots (less than one acre) shall be three.
- 3) The number of ~~items~~ recreational vehicles, travel trailers, motor homes, boats, boats on trailers, or accessory trailers allowed to be stored on large residential lots (one acre or larger) shall be limited to one item for each full quarter acre of lot area up to a maximum of 10 per lot.
- 4) No recreational vehicle shall be used as a residence unless it is located in an approved travel trailer or mobile home park, provided, however that such a unit may be temporarily occupied for a period not to exceed 72 hours in any 30-day period under the following circumstances:
 - a) The owner or operator of the unit is a gratuitous guest of the owner or occupant of the property on which the unit is located, and only one such limited occupation of a recreational vehicle occurs at any time; or
 - b) The owner of the unit is a permanent resident or owner of the property on which the unit is located, the persons occupying the unit are gratuitous guests of the resident or owner of the property, and the recreational vehicle(s) are stored in conformance with other provisions of this section.

~~(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.~~

6. The text of **Section 1.1.0** of the 1995 Zoning Ordinance is revised as follows:

This Ordinance shall be known, referred to and recited as the St. Lucie Village ~~1995 Zoning Ordinance~~Land Development Code.

7. The text of **Section 1.3.0** of the 1995 Zoning Ordinance is revised follows:

The Town of St. Lucie Village ~~1995 Zoning Ordinance~~ 2018 Land Development Code is related to, based on, consistent with, and adopted to effectuate and implement the policies of the most recent version of the Town of St. Lucie Village Comprehensive Plan as last adopted April, 1990, by Ordinance 2011-8, and as may be amended ~~from time to time or restated thereafter.~~ In any case where there is a difference between the Zoning Ordinance and the Comprehensive Plan, the Comprehensive Plan shall prevail.

8. The text of **Section 1.6.0** of the 1995 Zoning Ordinance is revised as follows:

This Ordinance shall become effective on ~~April 18, 1995.~~ "insert date"

9. The text of **Section 3.2.3(B)** of the 1995 Zoning Ordinance is revised as follows:

(B) 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.**
- (3) Maximum Lot Coverage by Structures: 60%
- (4) Maximum Impervious Surface Area: 75%
- (5) Maximum Building Height: 35 feet
- (6) Minimum Building Separation: 25 feet
- (7) Maximum Floor Area Ratio: 0.~~25~~75

10. **Table 1, Line 164** of the 1995 Zoning Ordinance is revised as follows:

164 Yard & Garage Sales	AR	AR						
	P	P						

11. The text of **Section 3.5.3(C) (24)** of the 1995 Zoning Ordinance is revised as follows:

(24) Satellite ~~Reception~~-Dishes Antennas, Principal or Accessory use in Residential Districts

(a) Additional Application Standards: None.

(b) Additional Standards:

(i) A satellite ~~reception~~-dish antennas 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 antennas 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.

12. The text of the title of **Section 3.5.3(C) (25)** of the 1995 Zoning Ordinance is revised as follows:

(25) Satellite ~~Reception~~-Dishes, Antennas, Principal or Accessory Use in Non-residential Districts.

13. The text of **Section 3.5.3(C) (30) (a)** of the 1995 Zoning Ordinance is revised as follows:

(a) Additional Application Requirements: None

14. The text of **Section 3.5.3(C) (35)** is revised as follows, removed from that Section of the 1995 Zoning Ordinance, and restated at **Section 3.5.9:**

Section 3.5.9 Yard and Garage Sales, Temporary

(a) Additional Application Requirements: None.

(b) Additional Standards: A maximum number of two (2) yard ~~and or~~ garage sales, lasting not more than ~~two-three (3)~~ ~~(2)~~ days each, at the same location, shall be permitted during the calendar year.

15. **Section 3.5.9 Nonconformities** of the 1995 Zoning Ordinance is re-numbered as **Section 3.5.10.**

16. The text of **Sections 3.5.4 (A) and (B)** of the 1995 Zoning Ordinance is revised as follows:

Fences, walls, and hedges, as follows:

(A) In residential Zoning Districts, fences, walls, or hedges of four (4) feet height or less may be located within four (4) feet of the property line in the front yard, and fences, walls or hedges of four (4) feet height or less may be located anywhere else in the front yard; fences, walls, or hedges of six (6) feet height or less may be located in the side yard or rear yard. Fences or hedges in residential Zoning Districts shall be of materials or plants of a generally safe nature. Barbed wire and dangerous or poisonous plants are prohibited for these uses in residential Zoning Districts. The height of all fences, walls, or hedges shall be referenced to the natural ground elevation where the fence, hedge, or wall is located; excluding berms, swales, or other elevation anomalies.

(B) In non-residential Zoning Districts, fences, walls or hedges of eight (8) feet height or less may be located anywhere on a lot. The height of all fences, walls, or hedges shall be referenced to the natural ground elevation where the fence, hedge, or wall is located; excluding berms, swales, or other elevation anomalies.

17. The text of **Section 3.5.5 (A)** of the 1995 Zoning Ordinance is revised as follows:

(A) No accessory use or structure except for fences, walls, and hedges as described in **Section 3.5.4, swimming pools, and Garden Structures as defined in Definitions,** shall be located in any required front yard in any residential zoning district.

18. The text of **Section 3.5.6(C)** of the 1995 Zoning Ordinance is revised as follows:

(C) Any structures erected on canal front lots or other lots on which the residence is located between the street and the water shall have at least a 25' setback from the bulkhead line or the shoreline, if no bulkhead exists. Exceptions may be made for tiki bars, gazebos, swimming pools, or other open structures (without solid walls) with administrative review.

19. The text of **Section 3.5.6 (D)** of the 1995 Zoning Ordinance is revised as follows:

~~(D) Any structures erected on any other waterfront property shall have a setback of not less than that of any adjacent properties. If the adjacent properties are unimproved, the setback of neighboring waterfront properties shall be taken into consideration in establishing a setback line. Any structures erected on lots where the street or private road providing access lies in between the~~

residence and the water shall have at least a 35-foot setback from the west edge of the public right-of-way or, if access is by a private road, a 35-foot setback from the west edge of the pavement or other maintained road surface.

20. The text of **Section 3.6.4(A) (4)** of the 1995 Zoning ordinance is revised as follows:

(4) Irrigation

Automatic irrigation systems with separate zones for turf and planter beds shall be required for all landscapes. Installation of rainfall or moisture sensing devices shall be required for use in all new development and redevelopment within the Village. These systems shall conform to guidelines established by the South Florida Water Management District (SFWMD). Irrigation hours and application rates shall be consistent with rules established by SFWMD for St. Lucie County.

~~(a) Water Application~~

~~Since deep watering promotes deep root growth and healthier plant material, water shall not be applied at a precipitation rate of less than 1/2 inch per application.~~

~~(b) Watering Hours~~

~~Unless otherwise restricted, irrigation should occur between the hours of midnight and 6 a.m. in order to reduce fungus growth and loss of water due to evaporation.~~

21. The sub-paragraph designations of the 1995 Zoning Ordinance Subsections (C), (D), (E), and (F) of **Section 3.6.4 (A) (5)** are revised to be (c), (d), (e), and (f) to correct this format/typographical error.

22. The text of the last paragraph of **Section 3.9.4** of the 1995 Zoning Ordinance is revised as follows:

Driveways or accessways shall be finished with an improved surface, which shall include crushed rock, stone, or shell; concrete, or asphalt; with a minimum thickness ~~of one (1) inch.~~ and installation as approved by the Building Official in the permitting process.

23. The text of **Section 3.12.2 (A)** of the 1995 Zoning Ordinance is revised as follows:

(A) "The minimum first floor elevation of all residential buildings shall be in accordance with the Floodplain Management Ordinance of St. Lucie Village, as adopted by Ordinance 2016-1 and as may be amended thereafter. ~~at least eighteen (18) inches above the crown of any street adjacent to the lot, or shall be one foot above the 100-year flood elevation, whichever is higher."~~

24. This ordinance shall become effective immediately upon passage or as soon thereafter as is permissible by law.

25. Except as amended hereby, the 1995 Zoning Ordinance shall remain in full force and effect.

PASSED AND APPROVED by the Board of Aldermen of the Town of St. Lucie Village on this _____ day of _____, 2018.

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

By: _____
William G. Thiess, Mayor

ATTESTED:

By: _____
Diane C. Orme, Clerk

I, DIANE C. ORME, Clerk of the TOWN OF ST. LUCIE VILLAGE, FLORIDA, do hereby certify that this is a true and accurate copy of Ordinance **2018-6** 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 _____ day of _____, 2018.

DIANE C. ORME, CLERK