

ORDINANCE NO. 04-033

AN ORDINANCE AMENDING THE ST. LUCIE COUNTY LAND DEVELOPMENT CODE BY AMENDING SECTION 3.01.03K TO INCLUDE SINGLE FAMILY DETACHED DWELLING IN RESIDENTIAL MOBILE-5; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND APPLICABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE, PROVIDING FOR ADOPTION AND CODIFICATION AND AN EFFECTIVE DATE

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

1. This Board is authorized by Section 125.01(1)(h), Florida Statutes (2004), to establish, coordinate and enforce zoning and such business regulations as are necessary for the protection of the public; and,
2. This Board is authorized by Section 125.01(1)(t) to adopt ordinances and resolutions necessary for the exercise of its powers and to prescribe fines and penalties for the violations of ordinances in accordance with law;
3. On August 1, 1990, the Board of County Commissioners of St. Lucie County, Florida, adopted the St. Lucie County Land Development Code.
4. The Board of County Commissioners has adopted certain amendments to the St. Lucie County Land Development Code, through the following Ordinances:

91-03 -	March 14, 1991	91-09 -	May 14, 1991
91-21 -	November 7, 1991	92-17 -	June 2, 1992
93-01 -	February 16, 1993	93-03 -	February 16, 1993
93-05 -	May 25, 1993	93-06 -	May 25, 1993
93-07 -	May 25, 1993	94-07 -	June 22, 1994
94-18 -	August 16, 1994	94-21 -	August 16, 1994
95-01 -	January 10, 1995	96-10 -	August 6, 1996
97-01 -	March 4, 1997	97-09 -	October 7, 1997
97-23 -	September 2, 1997	99-01 -	February 2, 1999

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99-02 -	April 6, 1999	99-03 -	August 17, 1999
99-04 -	August 17, 1999	99-05 -	July 20, 1999
99-15 -	July 20, 1999	99-16 -	July 20, 1999
99-17 -	September 7, 1999	99-18 -	November 2, 1999
00-10 -	June 13, 2000	00-11 -	June 13, 2000
00-12 -	June 13, 2000	00-13 -	June 13, 2000
01-03 -	December 18, 2001	02-05 -	June 24, 2002
02-09 -	March 5, 2002	02-20 -	October 15, 2002
02-29 -	October 15, 2002	03-05 -	October 7, 2003

5. On October 28, 2004, the Local Planning Agency/Planning and Zoning Commission held a public hearing on the proposed ordinance after publishing notice in the Port St. Lucie News and the Tribune at least 10 days prior to the hearing and recommended that the proposed ordinance be approved.

6. On November 15, 2004, this Board held its first public hearing on the proposed ordinance, after publishing a notice of such hearing in the Port St. Lucie News and the Tribune on November 5, 2004.

7. On December 7, 2004, this Board held its second public hearing on the proposed ordinance, after publishing a notice of such hearing in the Port St. Lucie News and the Tribune on November 22, 2004.

8. The proposed amendments to the St. Lucie County Land Development Code are consistent with the general purpose, goals, objectives and standards of the St. Lucie County Comprehensive Plan and are in the best interest of the health safety and public welfare of the citizens of St. Lucie County, Florida.

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

**PART A.** The specific amendments to the St. Lucie County Land Development Code to read as follows, include:

### **CHAPTER III ZONING DISTRICTS**

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### 3.00.00 ZONING DISTRICTS

#### 3.01.03 ZONING DISTRICTS

##### Paragraphs A-J- No Changes

#### K. RMH-5 RESIDENTIAL, MOBILE HOME - 5

##### 1. Purpose

The purpose of this district is to provide for the permanent location of mobile homes for residential purposes, together with such other non-residential uses as may be necessary for and compatible with mobile homes. The number in "()" following each identified use corresponds to the SIC code reference described in Section 3.01.02(B). The number 999 applies to a use not defined under the SIC code but may be further defined in Section 2.00.00 of this code.

##### 2. Permitted Uses

- a. Family day care homes. (999)
- b. Mobile home parks and courts subject to the requirements of Section 7.10.17. (999)
- c. Single-family detached dwellings on lots conforming to the dimensional requirements of Table 7-10. (999)

##### 3. Density, Area, Yard, and Height Requirements

The density and dimensional requirements shall be in accordance with Section 7.04.00.

##### 4. Parking

Parking shall be in accordance with Section 7.06.00.

##### 5. Landscaping

Landscaping shall be in accordance with Section 7.09.00.

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6. Conditional Uses

- a. Telecommunication towers - subject to the standards of Section 7.10.23. (999)

7. Accessory Uses

Accessory uses are subject to the requirements of Section 8.00.00.

**PART B. CONFLICTING PROVISIONS.**

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

**PART C. SEVERABILITY.**

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

**PART D. APPLICABILITY OF ORDINANCE.**

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

**PART E. FILING WITH THE DEPARTMENT OF STATE.**

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

**PART F. EFFECTIVE DATE.**

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

**PART G. ADOPTION.**

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

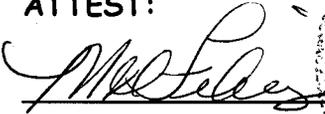
Chairman Frannie Hutchinson	AYE
Vice Chairman Doug Coward	AYE
Commissioner Joseph E. Smith	AYE
Commissioner Paula A. Lewis	AYE
Commissioner Chris Craft	AYE

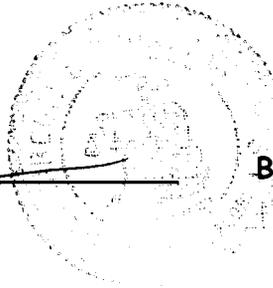
**PART H. CODIFICATION.**

Provisions of this ordinance shall be incorporated in the Code of Ordinances of St. Lucie County, Florida, and the word "ordinance" may be changed to "section", "article", or other appropriate word, and the sections of this ordinance may be renumbered or relettered to accomplish such intention; provided, however, that Parts B through G shall not be codified.

**PASSED AND DULY ADOPTED** this 7 day of December, 2004.

ATTEST:

  
\_\_\_\_\_  
Deputy Clerk

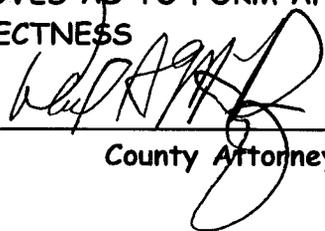


**BOARD OF COUNTY COMMISSIONERS  
ST. LUCIE COUNTY, FLORIDA**

BY:   
\_\_\_\_\_  
Chairman



**APPROVED AS TO FORM AND  
CORRECTNESS**

  
\_\_\_\_\_  
County Attorney

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