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2
3 **ORDINANCE NO. 05-023**

4 AN ORDINANCE AMENDING THE ST. LUCIE COUNTY LAND
5 DEVELOPMENT CODE BY AMENDING SECTION 2.00.00
6 ("DEFINITIONS") TO ADD NEW DEFINITIONS RELATING TO
7 SIDEWALKS AND BIKEWAYS; AMENDING SECTION 7.05.02
8 ("STREETS") BY UPDATING REFERENCES TO ST. LUCIE COUNTY
9 COMPREHENSIVE PLAN, CHANGING REFERENCES TO COMMUNITY
10 DEVELOPMENT DIRECTOR TO GROWTH MANAGEMENT DIRECTOR,
11 PROVIDING FOR APPLICATION TO ARTERIAL OR MAJOR COLLECTOR
12 STREETS OR ROADWAYS WITHIN THE UNINCORPORATED AREAS OR
13 ALONG ANY COUNTY MAINTAINED ROADWAY IN THE
14 UNINCORPORATED AREAS OF THE COUNTY RATHER THAN THE
15 URBAN SERVICE AREA. AND DELETING THE REQUIREMENT FOR
16 SIDEWALK REQUIREMENT BASED UPON LOT FRONTAGE; AMENDING
17 SECTION 7.05.03 ("RIGHTS-OF-WAY DETERMINATIONS AND
18 DEDICATIONS, IMPROVEMENTS") BY UPDATING REFERENCES TO ST.
19 LUCIE COUNTY COMPREHENSIVE PLAN, CHANGING REFERENCES
20 TO COMMUNITY DEVELOPMENT DIRECTOR TO GROWTH
21 MANAGEMENT DIRECTOR, AND AMENDING MINIMUM RIGHT-OF-WAY
22 AND TYPICAL SECTION REQUIREMENTS AS SET FORTH IN TABLE 7-
23 15; CREATING SECTION 7.05.04 ("SIDEWALKS AND BIKEWAY") TO
24 ESTABLISH SIDEWALK AND BIKEWAY CRITERIA AND
25 ESTABLISHMENT OF NEW MINIMUM RIGHT OF WAY WIDTHS;
26 AMENDING SECTION 7.05.05 ("DRIVEWAYS") TO PROVIDE FOR THE
27 PUBLIC WORKS DEPARTMENT RATHER THAN THE COMMUNITY
28 DEVELOPMENT DEPARTMENT TO ISSUE A CERTIFICATE OF
29 OCCUPANCY OR FINAL INSPECTION; AMENDING SECTION 7.05.08
30 ("STREET NAMING AND IDENTIFICATION") TO CHANGE THE
31 REFERENCES TO COMMUNITY DEVELOPMENT DIRECTOR TO
32 GROWTH MANAGEMENT DIRECTOR; AMENDING SECTION 7.05.05
33 ("HOUSE AND BUILDING NUMBERS" TO CHANGE THE REFERENCES
34 TO COMMUNITY DEVELOPMENT DIRECTOR TO GROWTH
35 MANAGEMENT DIRECTOR ; PROVIDING FOR CONFLICTING
36 PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR
37 APPLICABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF
38 STATE; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR
39 ADOPTION AND PROVIDING FOR CODIFICATION

40
41 **WHEREAS**, the Board of County Commissioners of St. Lucie County, Florida, has
42 made the following determination:
43

1 1. On August 1, 1990, the Board of County Commissioners of St. Lucie County,
2 Florida, adopted the St. Lucie County Land Development Code.

3
4 2. The Board of County Commissioners has adopted certain amendments to the St.
5 Lucie County Land Development Code, through the following Ordinances

6				
7	91-03 -	March 14, 1991	91-09 -	May 14, 1991
8	91-21 -	November 7, 1991	92-17 -	June 2, 1992
9	93-01 -	February 16, 1993	93-03 -	February 16, 1993
10	93-05 -	May 25, 1993	93-06 -	May 25, 1993
11	93-07 -	May 25, 1993	94-07 -	June 22, 1994
12	94-18 -	August 16, 1994	94-21 -	August 16, 1994
13	95-01 -	January 10, 1995	96-10 -	August 6, 1996
14	97-01 -	March 4, 1997	97-09 -	October 7, 1997
15	97-03 -	September 2, 1997	99-01 -	February 2, 1999
16	99-02 -	April 6, 1999	99-03 -	August 17, 1999
17	99-04 -	August 17, 1999	99-05 -	July 20, 1999
18	99-15 -	July 20, 1999	99-16 -	July 02, 1999
19	99-17 -	September 7, 1999	99-18 -	November 2, 1999
20	00-10 -	June 13, 2000	00-11 -	June 13, 2000
21	00-12 -	June 13, 2000	00-13 -	June 13, 2000
22	01-03 -	December 18, 2001	02-05 -	June 24, 2002
23	02-09 -	March 5, 2002	02-20 -	October 15, 2002
24	02-29 -	October 15, 2002	03-05 -	October 7, 2003
25	04-02-	January 20, 2004	04-07-	April 20, 2004
26	04-33-	December 7, 2005	05-01-	March 15, 2005
27	05-03-	August 2, 2005	05-04-	August 2, 2005
28	05-07-	January 18, 2005	05-16-	August 16, 2005
29				

30 3. On August 16, 2005, the Local Planning Agency/ Planning and Zoning Commission
31 held a public hearing on the proposed ordinance after publishing notice in the Port St. Lucie
32 News and the Tribune at least 10 days prior to the hearing and recommended that the
33 proposed ordinance be approved.

34
35 4. On September 6, 2005, this Board held its first public hearing on the proposed
36 ordinance, after publishing a notice of such hearing in the Port St. Lucie News and the
37 Tribune on August 28, 2005.

38
39 5. On September 20, 2005, this Board held its second public hearing on the proposed
40 ordinance, after publishing a notice of such hearing in the Port St. Lucie News and the
41 Tribune on September 10, 2005.

42
43 6. The proposed amendments to the St. Lucie County Land Development Code are
44 consistent with the general purpose, goals, objectives and standards of the St. Lucie County

1 Comprehensive Plan and are in the best interest of the health safety and public welfare of
2 the citizens of St. Lucie County, Florida.

3
4 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of
5 St. Lucie County, Florida:

6
7 **PART A.**

8
9 THE SPECIFIC AMENDMENTS TO THE ST. LUCIE COUNTY LAND DEVELOPMENT
10 CODE TO READ AS FOLLOWS, INCLUDE:

11 *****

12
13 **CHAPTER II**
14 **DEFINITIONS**

15
16 *****

17
18 **1.01.01 DEFINITIONS**

19
20 **BIKE LANE:** A portion of roadway (4-5 feet), which has been designated by signing and
21 pavement markings for the preferential or exclusive use by bicyclists.

22
23 **BIKE WAYS:** Any road, path, or way that in some manner is specifically designated as open
24 to bicycle travel, regardless of whether such facility is designated for the exclusive use of
25 bicycles or is to be shared with other transportation modes.

26
27 **MULTI USE PATH:** A bikeway (10-12 foot wide) physically separated from the motorized
28 vehicular traffic by an open space or barrier and either within highway right of way or within
29 an independent alignment. Multi use paths may be used by pedestrians, skaters, and
30 joggers as well as bicyclists.

31
32 **SIDEWALK:** That portion of a roadway designed for preferential or exclusive use by
33 pedestrians and non motorized vehicles.

34
35 **UNDESIGNATED BIKE LANE:** A bike lane, which is not designated by the diamond, bike
36 and arrow pavement markings. It is striped as a regular bike lane on the approaches to
37 intersections.

38
39 **BICYCLE:** A vehicle propelled by human power upon which any person or persons may ride
40 having two tandem wheels, except scooters and similar devices. For the purposes of this
41 code bicycle shall also include unicycles, tricycles and quadracycles.

42
43 *****

1
2 CHAPTER VII
3 DEVELOPMENT DESIGN AND IMPROVEMENT
4 STANDARDS
5

6 *****

7 7.05.02 STREETS

8
9 A. GENERALLY

10
11 1-3 No Changes

12
13 4. All roads and streets shall be planned in conformity with the ~~Traffic Circulation~~
14 Transportation Element of the St. Lucie County Comprehensive Plan.

15
16 5-9 No Changes

17
18 10. All new construction for any arterial or ~~major~~ collector street or roadway within
19 the Urban Service Area shall be provided with sidewalks and bicycle paths along one or both
20 sides, as determined by the County Engineer. The County Engineer shall consult the
21 Bicycle/ Pedestrian Coordinator, the St. Lucie Metropolitan Planning Organization Bicycle
22 and Pedestrian Plan or other adopted Bicycle and Pedestrian Plan (September 1995) in
23 determining the location of any sidewalks and bicycle ~~path~~ facilities.

24
25 ~~11. All local or minor collector streets or roads, constructed within the Urban~~
26 ~~Service Area providing access to residential developments that have a mean lot street~~
27 ~~frontage of 125 feet or less, or nonresidential developments with a mean lot street frontage~~
28 ~~of 225 feet or less, shall be provided with sidewalks along both sides of the street or road~~
29 ~~in accordance with the provisions of Chapter 13 of this code.~~

30
31 12. Except as otherwise may be provided in ~~Chapter 13~~ of this Code, all arterial
32 and major collector street and roadways shall have a minimum travel lane width of 12 feet.
33 In those instances where an open swale drainage system is utilized, ~~a minimum of four~~ five
34 feet of the required shoulder area shall be paved where practical.

35
36 13-15 No Changes

37
38 **7.05.03 RIGHTS-OF-WAY DETERMINATIONS AND DEDICATIONS, IMPROVEMENTS**

39 A. ST. LUCIE COUNTY THOROUGHFARE NETWORK RIGHT-OF-WAY
40 PROTECTION PLAN

41
42 1. No Change

43
44 2. General

1
2 The St. Lucie County Thoroughfare Network Right-of-Way Protection Plan
3 shall identify existing and future transportation corridors and transportation facilities, and
4 shall serve as the implementing Section of the ~~Traffic Circulation~~ Transportation Element of
5 the St. Lucie County Comprehensive Plan.

6
7 3. No Change

8
9 B. REVIEW OF THE THOROUGHFARE NETWORK RIGHT-OF-WAY PROTECTION
10 PLAN

11
12 The Thoroughfare Network Right-of-Way Protection Plan shall be reviewed by each
13 of the following the ~~Community Development~~ Growth Management Director, ~~County~~
14 ~~Engineer~~ Public Works Director, St. Lucie Metropolitan Planning Organization, and the St.
15 Lucie County Board of County Commissioners at least one (1) time every two (2) years to
16 assess the necessity for continuing the protection of the transportation corridors and the
17 necessity for retaining the property acquired for the transportation corridor. If a
18 transportation corridor is determined to be no longer necessary, the transportation corridor
19 shall be removed from the Plan. If a new transportation corridor is determined to be needed,
20 the transportation corridor shall be added to the Plan. Any additions or deletions from this
21 plan shall be accompanied by the appropriate amendments to the Transportation Element
22 of the St. Lucie County Comprehensive Plan.

23
24 C. MINIMUM RIGHT-OF-WAY AND TYPICAL SECTION REQUIREMENTS

25
26 The following minimum right-of-way widths (Table 7-15) and typical roadway sections
27 (Fig. 7-15) are hereby established in the ~~Traffic Circulation~~ Element of the St. Lucie County
28 ~~Comprehensive Plan~~ and shall be used in considering land dedication needs for roadways
29 identified on the Thoroughfare Network Right-of-Way Protection Plan.

30
31 **Table 7-15**

32
33

ROADWAY TYPE	MINIMUM RIGHT OF WAY WIDTH
Arterial (6 lane)	200
Principal Arterial - Rural Arterial/ Collector 4 lane	242 450 160
Principal Arterial - Urban	130
Minor Arterial/ Major Collector	130
Minor Collector Arterial/ Collector (2 lane)	100 80
Subdivision Collector Roads (subdivision feeder roads)	80
Local Road (w/ swale drainage)	60 70
Local Road (w/ closed drainage - curb & gutter)	50 60
All distances expressed in feet. Actual dimensions to be site determined and may be greater or less than expressed minimums given specific site conditions and specific roadway design requirements. Additional right of way will be at the request of the County Engineer or his designee. The Board of County Commissioners may modify standard right-of-way widths for	

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3 D. DETERMINATION OF RIGHT-OF-WAY ALIGNMENT
4

5 1. The Thoroughfare Network Right-of-Way Protection Plan is intended to
6 indicate transportation corridors, not precise alignments, and is to be based upon the Right-
7 of-Way Protection Map of the ~~Traffic Circulation~~ Transportation Element of the St. Lucie
8 County Comprehensive Plan. Precise alignments will be determined at the time of
9 development review and/or as a result of detailed alignment studies and surveys.

10
11 2. No Change
12

13 E. DEDICATIONS TO PUBLIC
14

15 1. No Change
16

17 2. Except as otherwise provided by the Board of County Commissioners, all
18 roads and streets shall be dedicated to the public. Any private roads permitted by the Board
19 of County Commissioners shall be constructed to public road specifications. Construction
20 plan review, construction inspection and required guarantee and surety reviews for private
21 roads shall be as provided by this Code. No arterial or major collector road or street
22 indicated on the future right-of-way maps of the Transportation ~~Traffic Circulation~~ Element
23 of the St. Lucie County Comprehensive Plan shall be permitted to be private.
24

25 3. No Change
26

27 F-H No Change
28

29 I. RIGHT-OF-WAY DEDICATION REQUIREMENTS
30

31 1. General Requirements
32

33 a. Any applicant for a Development Order for property abutting a roadway
34 designated on the Thoroughfare Network Right-of-Way Protection Plan shall dedicate
35 sufficient land to account for the applicant's proportionate share of the right-of-way
36 deficiency identified in the Thoroughfare Network Right-of-Way Protection Plan for the
37 proposed development. The County Engineer shall determine the applicant's proportionate
38 share by utilizing the Thoroughfare Network Right-of-Way Protection Plan, the ~~Traffic~~
39 Circulation Transportation Element of the St. Lucie County Comprehensive Plan, any traffic
40 information available in the County records, and any traffic analysis submitted by the
41 applicant as part of the development order approval process or otherwise.
42

43 2-5 No Change
44

45 J-K No Change

1
2 **7.05.04 SIDEWALKS AND BIKEWAYS**
3

4 A. Sidewalks
5

6 1. All new residential developments required to obtain site plan approval located
7 within the Urban Service Boundary and all new non-residential development located within
8 the unincorporated area of St. Lucie County and within the Urban Service Boundary are
9 required to design and construct sidewalks within the right-of-way of all streets and
10 roadways that abut or lie within the perimeter of the property.
11

12 2. New sidewalks must be a minimum of six (6) feet wide along streets classified
13 as collectors and arterials.
14

15 3. Local street requirements are based upon local needs and existing conditions.
16 Local streets shall have sidewalks five (5) foot wide along one or both sides of the street
17 as deemed necessary during the County's development review process.
18

19 4. All new sidewalks shall be constructed of concrete, brick pavers or other
20 materials acceptable to St. Lucie County. All construction must conform to Florida
21 Department of Transportation and/or St. Lucie County standards.
22

23 a. All sidewalks on internal private roads shall connect with the sidewalks
24 in the abutting public right-of-way.
25

26 b. The County Engineer may authorize a modification in sidewalk width
27 to protect existing trees or to accommodate existing utilities. In no case shall sidewalks be
28 less than four feet.
29

30 c. The Development Review Committee (DRC) as part of the site plan
31 review process shall document any exemption of a development project from constructing
32 specific sidewalk segments based on physical constraints such as proximity to drainage
33 canals or structures where the construction of the particular sidewalk segment would result
34 in a disproportionate burden on the development.
35

36 d. Sidewalks shall be constructed around the perimeter of a cul-de-sac.
37

38 e. All sidewalks and ramps shall conform to the latest requirements
39 published in the most recent edition of the Americans With Disabilities Act (ADA)
40 Accessibility Guidelines.
41

42 f. The developer will bear the cost for design and construction of the
43 sidewalk. Sidewalks on private property must be maintained by the developer, property
44 owner's association or other entity as approved by St. Lucie County through the operation

1 and maintenance covenants of the community, subdivision association or other recognized
2 management entity. St. Lucie County shall maintain all sidewalks located within County
3 maintained public rights-of-way unless otherwise agreed to through specific maintenance
4 agreements.

5
6 g. Multi-Use Paths (10-12 feet wide) may be required by the County in
7 place of sidewalks when the multi-use path would be part of the adopted area-wide bicycle/
8 pedestrian system or Greenways & Trails plan.

9
10 h. The Board of County Commissioners shall authorize total or partial
11 relief from the requirements of sidewalk construction if it finds, after receiving the
12 recommendation of the Development Review Committee and based on conditions peculiar
13 to the proposed development, that the proposed sidewalk construction is not in the best
14 interest of the County, the applicant shall pay a fee-in-lieu to the County for sidewalk and/
15 or greenways & trails construction.

16
17 **B. Bikeways**

18
19 1. All new developments within the unincorporated area of St. Lucie County or
20 within municipalities that access County maintained roads and are constructing or
21 reconstructing roads as part of the development shall be required to design and construct
22 bike lanes. Bike lanes shall be constructed and dedicated to St. Lucie County in
23 accordance with the St. Lucie County Public Works Standards.

24
25 2. Bike lanes shall be provided on all internal project streets and roads that are
26 classified as arterials or collectors. Bike lanes shall be constructed in accordance with the
27 St. Lucie County Public Works Standards.

28
29 3. Pavement markings and signage shall comply with the standards established
30 by the Florida Department of Transportation (FDOT) and the Manual on Uniform Traffic
31 Control Devices (MUTCD).

32
33 4. Roadways constructed with closed drainage (curb and gutter) shall have a
34 four-foot bike lane.

35
36 5. Roadways constructed with open drainage (swale) shall have a five-foot bike
37 lane.

38
39 6. The construction of a multi-use path adjacent to an arterial or collector
40 roadway internal or external to the development project does not relieve or otherwise
41 release the requirement for the provision of bike lanes along said streets or roads.

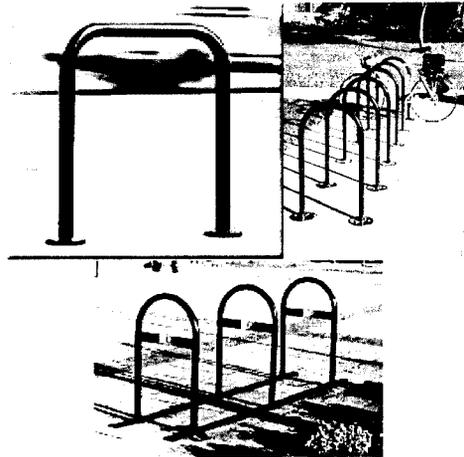
1 **C. Bicycle Racks**

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3 1. Bicycle racks shall be required for all non-residential development unless it
4 can be demonstrated that bicycle traffic would not have access to the property per the St.
5 Lucie County Comprehensive Plan Policy 2.2.1.1. Agricultural and Industrial areas shall be
6 exempt from this requirement. Planned Unit Developments (PUD) may be requested to
7 have bike racks as deemed necessary during the development review process based on
8 the proximity of the development to recreation facilities and school bus stops.

9
10 a. There must be a minimum of six (6) bicycle parking spots.
11
12 b. Bicycle parking should be located in close proximity to the buildings
13 entrance.

14
15 c. Bicycle parking facilities shall be located in highly visible well lighted
16 areas to minimize theft and vandalism.

17
18 d. Bicycle parking facilities shall support bicycles in a stable position
19 without damage to wheels, frame or other components. The standard bicycle rack shall be
20 the Inverted "U" style as pictured below.
21



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23
24
25 e. Additional bicycle parking spots may be necessary and requested
26 during the development review process by the Growth Management Director.

27
28 f. Based on the review of the proposed parking area design, location and
29 security features, the Growth Management Director may reduce the number of required
30 automobile parking spaces by one (1) automobile space for each six (6) bicycle spaces
31 provided.
32
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34

1 **D. Time of Construction**

2
3 1. All required sidewalks and bikeways shall be constructed in conjunction with
4 the infrastructure for that phase of the development. The developer shall post a bond or
5 other guarantee acceptable to the County as assurance of completion of the improvements
6 in accordance with Section 11.04.00.

7
8 **E. Maintenance**

9
10 1. Sidewalks and bikeways on private property must be maintained by the
11 developer, property owner's association or other entity as approved by St. Lucie County
12 through the operation and maintenance covenants of the community, subdivision
13 association or other recognized management entity. St. Lucie County shall maintain all
14 sidewalks and bikeways located within County maintained public rights-of-way unless
15 otherwise agreed to through specific maintenance agreements.

16
17 **6.4.06 DRIVEWAYS**

18
19 A. No Change

20
21 **B. BUILDINGS, BUILDING REGULATIONS**

22
23 No Certificate of Occupancy or final inspection shall be issued by the ~~Community~~
24 ~~Development~~ Public Works Department until the completed curb cut or driveway has been
25 inspected and approved by the County Engineer. The property owner shall notify the
26 County Engineer upon completion of the curb cut or driveway and at least twenty-four (24)
27 hours prior to the requested inspection.

28
29 C-D No Changes

30
31 **7.05.08 STREET NAMING AND IDENTIFICATION**

32
33 A-G No Changes

34
35 **H. AUTHORITY FOR NAMING AND NUMBERING STREETS**

36
37 1. New streets shall be assigned names or numbers in compliance with the
38 provisions of this Code by the Growth Management ~~Community Development~~ Director.
39 The Growth Management ~~Community Development~~ Director is hereby granted the authority
40 to rename duplicate or similar sounding streets or renumber existing streets to comply with
41 the provisions of this Code. In the case of duplicate names or similar sounding names
42 where one (1) or more streets must be renamed and one (1) street shall retain the name,
43 the Growth Management ~~Community Development~~ Director shall consider such factors as

1 the historical significance of the name, the number of years the street has held that name,
2 and the relationship name to the names of adjacent streets.

3 7. Individuals residing on the street or developers of a subdivision may
4 participate in the naming or renaming process by providing suggestions for street names
5 to the Growth Management ~~Community Development~~ Director. Interested individuals
6 should submit three (3) names with the first choice listed first, second choice listed second,
7 and third choice listed last. The Growth Management ~~Community Development~~ Director
8 shall assign the name after considering the choices provided and verifying compliance with
9 the provisions of this section.

10
11 I-J No Changes

12
13 **7.05.09 HOUSE AND BUILDING NUMBERS**

14
15 A1 No Changes

16
17 2. House and building numbers for all residential or commercial uses in the
18 unincorporated areas of St. Lucie County shall only be assigned by the Growth
19 Management ~~Community Development~~ Director, and shall be assigned at the time the
20 building permit is issued.

21
22 A 3 No Changes

23
24 B-D No Changes

25
26 **PART B. CONFLICTING PROVISIONS.**

27
28 Special acts of the Florida legislature applicable only to unincorporated areas of St.
29 Lucie County, County ordinances and County resolutions, or parts thereof, in conflict with
30 this ordinance are hereby superseded by this ordinance to the extent of such conflict.

31
32 **PART C. SEVERABILITY.**

33
34 If any portion of this ordinance is for any reason held or declared to be
35 unconstitutional, inoperative, or void, such holding shall not affect the remaining portions
36 of this ordinance. If this ordinance or any provision thereof shall be held to be inapplicable
37 to any person, property, or circumstance, such holding shall not affect its applicability to
38 any other person, property, or circumstance.

39
40 **PART D. APPLICABILITY OF ORDINANCE.**

41
42 This ordinance shall be applicable in the unincorporated area of St. Lucie County.
43
44
45

1
2 **PART E. FILING WITH THE DEPARTMENT OF STATE.**

3
4 The Clerk be and is hereby directed forthwith to send a certified copy of this
5 ordinance to the Bureau of Administrative Code and Laws, Department of State, The
6 Capitol, Tallahassee, Florida 32304.

7
8 **PART F. EFFECTIVE DATE.**

9
10 This ordinance shall take effect upon filing with the Department of State.

11
12 **PART G. ADOPTION.**

13
14 After motion and second, the vote on this ordinance was as follows:

15
16 Chairman Frannie Hutchinson AYE
17 Vice Chairman Doug Coward AYE
18 Commissioner Joseph E. Smith AYE
19 Commissioner Paula A. Lewis AYE
20 Commissioner Chris Craft AYE

21
22 **PART H. CODIFICATION.**

23
24 Provisions of this ordinance shall be incorporated in the St. Lucie County Code and
25 Compiled Laws, and the word "ordinance" may be changed to "section", "article", or other
26 appropriate word, and the sections of this ordinance may be renumbered or relettered to
27 accomplish such intention; provided, however, that parts B through H shall not be codified.

28
29 **PASSED AND DULY ENACTED this 20th day of September, 2005**

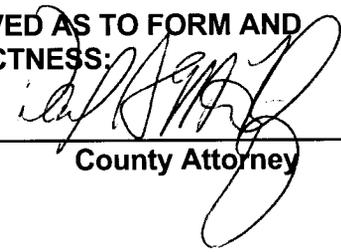
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31
32
33 **ATTEST:**

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36 
37 **Deputy Clerk**

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45
**BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA**

BY: 
Chairman

**APPROVED AS TO FORM AND
CORRECTNESS:**

BY: 
County Attorney