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**ORDINANCE NO. 06-005
(formerly Ordinance No. 05-039)**

**AN ORDINANCE AMENDING THE ST. LUCIE COUNTY
LAND DEVELOPMENT CODE BY AMENDING SECTION
7.01.02 TO INCLUDE SINGLE FAMILY DETACHED
DWELLINGS IN RESIDENTIAL PLANNED UNIT
DEVELOPMENTS AS REPLACEMENT FOR MOBILE
HOMES; 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
97-03 -	September 2, 1997	99-01 -	February 2, 1999
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 02, 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

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01-03 - December 18, 2001
 02-09 - March 5, 2002
 02-29 - October 15, 2002
 04-02- January 20, 2004
 04-33- December 7, 2005
 05-03- August 2, 2005
 05-07- January 18, 2005

02-05 - June 24, 2002
 02-20 - October 15, 2002
 03-05 - October 7, 2003
 04-07- April 20, 2004
 05-01- March 15, 2005
 05-04- August 2, 2005
 05-16- August 16, 2005

5. On January 19, 2006, 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 April 4, 2006, 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 March 25, 2006.

7. On April 18, 2006, 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 April 7, 2006.

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 VII
 DEVELOPMENT DESIGN AND
 IMPROVEMENT STANDARDS**

7.00.00 PLANNED UNIT DEVELOPMENT

7.01.02 AUTHORIZED USES

A. PERMITTED USES

1. Any permitted, conditional or accessory use in the Agricultural-1 (AG-1); Agricultural-2.5 (AG-2.5); Agricultural-5 (AG-5); Residential/Conservation

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in the Agricultural-1 (AG-1); Agricultural-2.5 (AG-2.5); Agricultural-5 (AG-5); Residential/Conservation (RC); Residential, Estate-1 (RE-1); Residential, Estate-2 (RE-2); Residential, Single-Family-2 (RS-2); Residential, Single-Family-3 (RS-3); Residential, Single-Family-4 (RS-4); Residential, Multiple-Family-5 (RM-5); Residential, Mobile Home-5 (RMH-5); Residential, Multiple-Family-7 (RM-7); Residential, Multiple-Family-9 (RM-9); Residential, Multiple-Family-11 (RM-11); and Residential, Multiple-Family-15 (RM-15) zoning districts of this Code may be permitted in a Planned Unit Development District subject to complying with the residential densities described in Section 7.01.03(B).

2. Any Planned Unit Development including any development that has been granted final Planned Unit Development approval may place on empty lots, a single story, conventionally built single family detached dwelling that complies with the building code, meets all setbacks and does not exceed the maximum size of the mobile home that would have been allowed.

B. NONRESIDENTIAL DEVELOPMENT USES

Uses of the types permitted in the Commercial, Neighborhood (CN) District are also permitted up to an amount not to exceed three (3) percent of the gross area of the Planned Unit Development or ten (10) acres, whichever is less. In addition, playgrounds, public and non-public parks, golf courses, country clubs, bicycle paths, racquet sports facilities, riding stables, marinas, clubhouses, and lodges may be permitted in a Planned Unit Development District.

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.

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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 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.

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

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

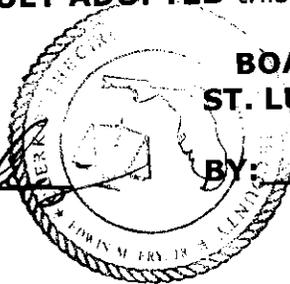
PART H. CODIFICATION.

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 H shall not be codified.

PASSED AND DULY ADOPTED this 18TH day of April, 2006.

ATTEST:

Michael Felber
Deputy Clerk



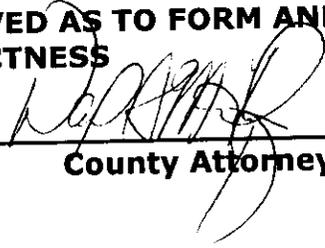
**BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA**

BY:

Doug Coward
Chairman

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**APPROVED AS TO FORM AND
CORRECTNESS**



County Attorney

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