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**ORDINANCE NO. 07-011**  
**Formerly No. 06-048**

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**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING CHAPTER IV OF THE ST. LUCIE COUNTY LAND DEVELOPMENT CODE, "SPECIAL DISTRICTS", BY ADDING A NEW SECTION 4.12.00, JENKINS ROAD AREA PLAN, ADOPTING MAP OF THE PROPOSED ROAD SYSTEM AND PERMITTED LAND USE CHANGES; ESTABLISHING DEVELOPMENT DENSITIES, INTENSITIES, AND STANDARDS; PROVIDING STANDARDS FOR LIGHTING; ESTABLISHING REQUIREMENTS FOR A MULTIMODAL TRANSPORTATION SYSTEM; PROVIDING LANDSCAPE BUFFER STANDARDS; REQUIRING PROTECTION OF ENVIRONMENTAL RESOURCES AND LISTED SPECIES; CREATING REQUIRED ROAD CROSS SECTIONS; PROHIBITING GATED COMMUNITIES; ESTABLISHING MINIMUM REQUIREMENTS FOR OPEN SPACE AND RECREATIONAL FACILITIES; PROVIDING FOR CONFLICTS; PROVIDING SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS, THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA HAS DETERMINED THAT IT IS IN THE BEST INTEREST OF THE PUBLIC HEALTH, SAFETY AND WELFARE TO LIMIT URBAN SPRAWL, CREATE A PATTERN OF COMPATIBLE LAND USES IN A COMPACT URBAN FORM, TO LIMIT DEVELOPMENT SO IT IS CONSISTENT WITH THE ABILITY OF THE PUBLIC TO PROVIDE SUPPORTING FACILITIES AND SERVICES, AND TO CREATE INNOVATIVE DEVELOPMENTS THAT PROMOTE PUBLIC HEALTH BY PROVIDING WALKABLE SCALE, USEABLE PEDESTRIAN AND BICYCLE FACILITIES, A MIX OF LAND USES AND BUILDING TYPES, OPEN SPACES, RECREATIONAL FACILITIES, AND PRESERVATION OF IMPORTANT NATURAL RESOURCES; AND**

**WHEREAS, THE BOARD OF COUNTY COMMISSIONERS HAS BECOME AWARE THAT NUMEROUS LAND DEVELOPMENT APPLICATIONS HAVE BEEN FILED WITH THE COUNTY FOR DEVELOPMENT IN THE NORTH JENKINS ROAD AREA THAT ARE NOT CONSISTENT WITH THE OBJECTIVES OF THE BOARD REGARDING URBAN DESIGN, RESOURCE PROTECTION, ROAD SYSTEM DEVELOPMENT, THE PROVISION OF PARKS, RESOURCE PROTECTION,**

EDWIN M. FRY, JR., CLERK OF THE CIRCUIT COURT  
SAINT LUCIE COUNTY  
FILE # 3127778 10/31/2007 at 04:10 PM  
OR BOOK 2899 PAGE 1668 - 1718 Doc Type: ORDN  
RECORDING: \$435.00

1 MIXED USES, BICYCLE AND PEDESTRIAN CIRCULATION,  
2 AVAILABILITY OF PUBLIC FACILITIES TO SERVICE THE  
3 PROPOSED DENSITY AND INTENSITY OF DEVELOPMENT,  
4 AND URBAN DESIGN; AND

5  
6 WHEREAS, THE BOARD OF COUNTY COMMISSIONERS  
7 IS DESIROUS OF PROMOTING INNOVATIVE URBAN DESIGN,  
8 A SOUND MULTIMODAL TRANSPORTATION SYSTEM, A  
9 HEALTHY COMMUNITY DESIGN, ADEQUATE PUBLIC  
10 FACILITIES, PROTECTION OF NATURAL RESOURCES, AND A  
11 MIX OF COMPATIBLE LAND USES CONSISTENT WITH THE  
12 ADOPTED COMPREHENSIVE PLAN;

13  
14 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD  
15 OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY,  
16 FLORIDA, THAT A NEW SECTION 4.12.00, NORTH JENKINS  
17 ROAD AREA SPECIAL DISTRICT, SHALL BE ADDED TO  
18 CHAPTER IV OF THE ST. LUCIE COUNTY ZONING AND LAND  
19 DEVELOPMENT CODE:

20  
21 SECTION 1. Chapter IV of the St. Lucie County Land Development Code, Ordinance  
22 90-036, amended through September, 2005, is hereby amended by adding a new section  
23 4.12.00, et. seq., to read as follows:

24  
25 **4.12.00 JENKINS ROAD AREA PLAN SPECIAL DISTRICT**

26  
27 **4.12.01 PURPOSE AND INTENT**

28  
29 A. The purpose of these regulations is to protect the public health, safety, welfare,  
30 and good order by providing development requirements that promote sound urban  
31 design for the dense development that has been proposed in the area; to provide  
32 for the creation of a multi-modal transportation system suitable for motorized  
33 vehicles, mass transit, bicycles, and pedestrians; to provide adequate open space,  
34 park and recreational facilities for the significant neighborhoods proposed in the  
35 area; to provide and maintain functional road system in an area where key  
36 intersections and a major road are already failing; to create development that is  
37 compatible with existing land uses in the area; to provide a mix of land uses that  
38 increases the internal capture of trips and to include walkable scale and bicycle  
39 facilities that increase the variety of modes of transportation used to make internal  
40 trips; to provide protection for listed species, wetlands, and other significant  
41 environmental resources on the site; and to provide for innovative forms of land  
42 development.

43  
44 The intent of these regulations is to create a viable road system and supporting  
45 multi-modal facilities, and to create an innovative, walkable, mixed use

neighborhood built within the constraints of existing development, with adequate open space and recreational resources, and to protect natural resources.

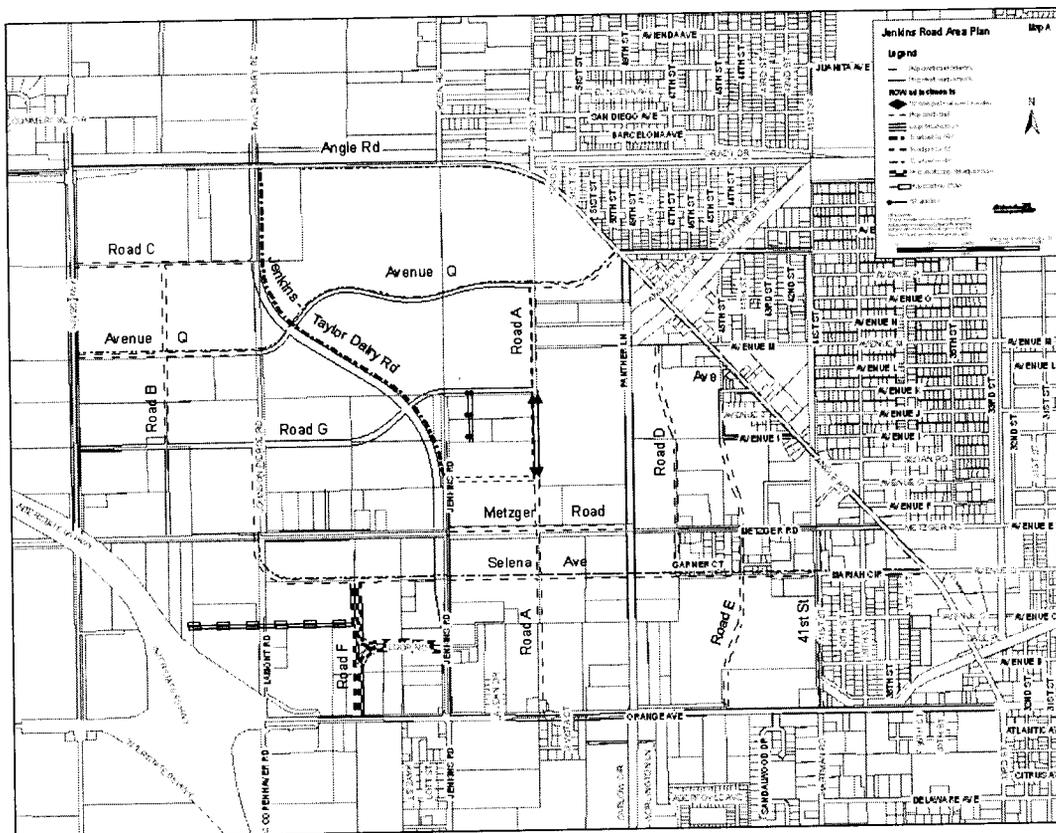
**4.12.02. AREA AFFECTED**

The regulations adopted herein shall affect all land development in the unincorporated area of St. Lucie County which is proposed in the area lying south and west of Angle Road, North of Orange Avenue, and east of King's Highway, near the western boundary of the City of Ft. Pierce, Florida. The boundaries of this area are shown on Map A, which is incorporated herein by reference.

**4.12.03 ROAD AND TRAIL SYSTEM**

A. The required internal road system for the Jenkins Road Area Plan is shown on Map A, with its connections to external roads:

**MAP A  
Jenkins Road Plan Road System**

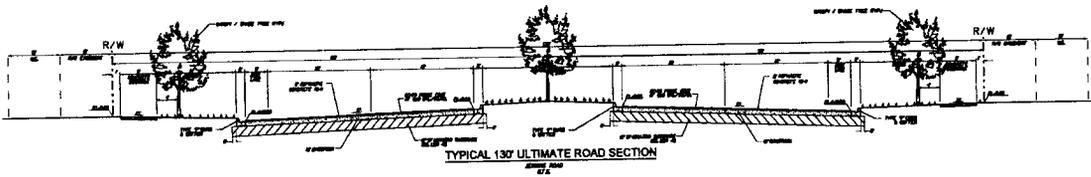


B. Required road design cross sections:

The required minimum standard cross sections for use in designing a road within the Jenkins Road Area Plan Special District are as follows:

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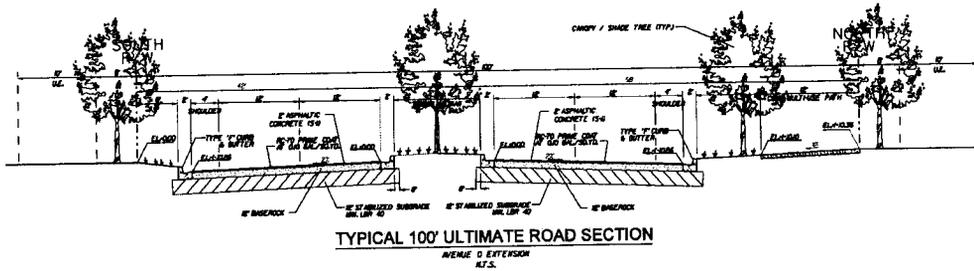
1. **Jenkins/Taylor Dairy Road** between the existing Jenkins Road at its intersection with Orange Avenue through the Jenkins Road Area Plan Special District to its intersection with Orange Avenue at Taylor Dairy Road:



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Note that trees shall be staggered on each side of the sidewalk, and will not be placed in a utilities easement or a utilities right of way.

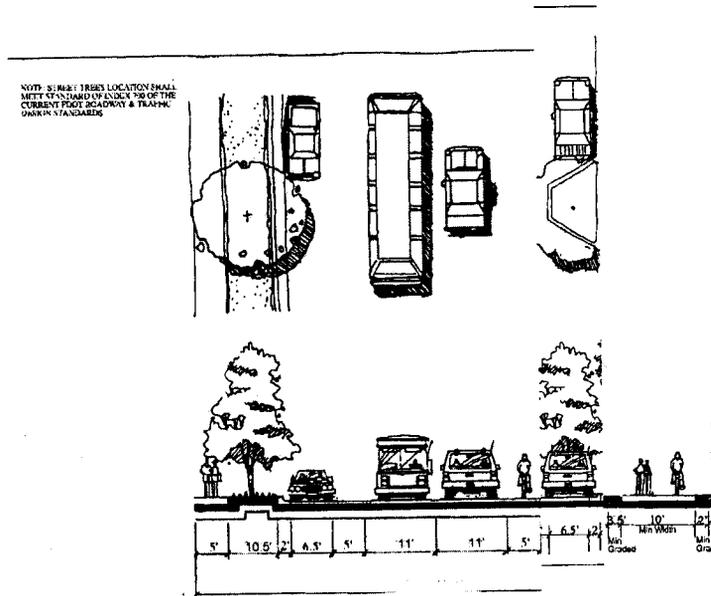
- 1 2. **Avenue Q extension** from Angle Road west to Jenkins-Taylor Dairy Road, and from  
 2 Jenkins-Taylor Dairy Road west to Kings Highway:  
 3



- 4  
 5 Street trees shall be placed on each side of the multiuse path, shall not be installed in a  
 6 utilities right of way or a utilities easement or in a manner that their root systems may be  
 7 adversely affected by work in a utilities easement so as to threaten the health of the trees.  
 8 Street trees shall be placed so their canopies shall not interfere with any power line, and  
 9 shall be placed so that a maximum shading effect is achieved along the entire length of  
 10 the multiuse path. Utilities easements shall be placed in relation to the street trees in a  
 11 manner that achieves these design standards and avoids damage to trees as a result of the  
 12 installation and maintenance of permitted utilities.

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3. **Road G** from Kings Highway to Jenkins-Taylor Dairy Road and from Jenkins-Taylor Dairy Road to Road A, 80' Right-of-Way, with bicycle/pedestrian path:

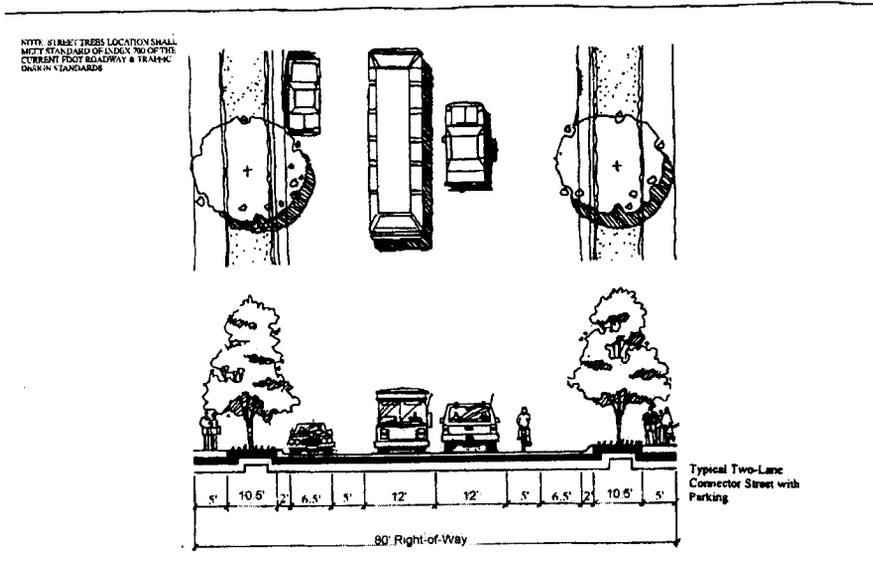


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4. **Roads D and E** where Road D is between Garner Court and Avenue M, and Road E is between Orange Avenue and Angle Road:

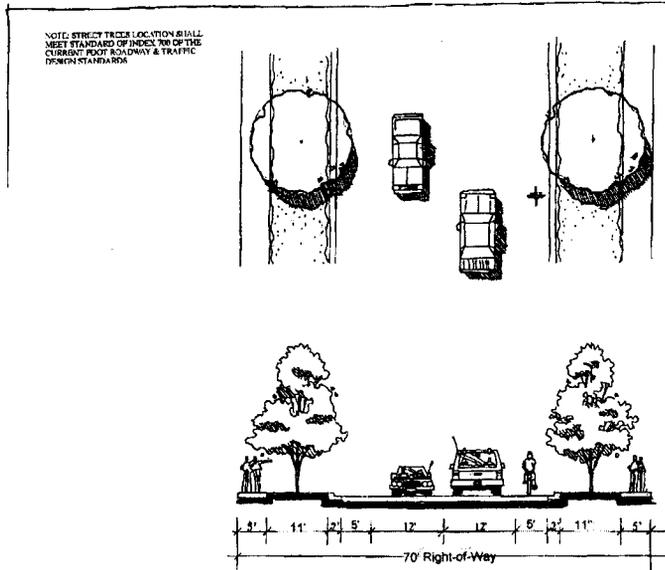
See the road designs for the Mill Creek and The Preserve planned developments.

- 1 5. **Road A and Selena Avenue/Mariah Circle** extending Avenue D from Angle Road  
 2 to Lamont Road/Johnson Pierce Road, and Johnson Pierce Road north to Road G:  
 3



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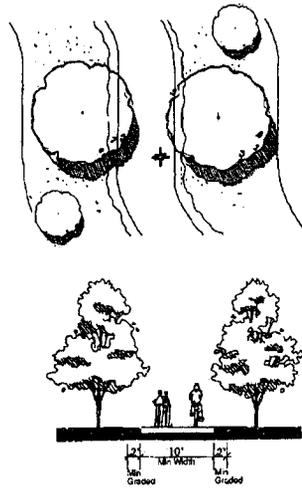
1 6. Roads B, C, F, Metzger Road, Loop Road and any extension of Loop Road or  
2 other backage road, and 41<sup>st</sup> Street  
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C. Bicycle/Pedestrian multi-user trails shall be designed in accordance with the following minimum required cross sections and FDOT standards:



**Multi-Use Trails**  
 Consult the State of Florida  
 Department of Transportation's  
 Bicycle Facilities Planning and Design  
 Manual

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D. On-street parking on public streets shall not be used to satisfy minimum required parking for residential development, except that on-street parking may be used to satisfy guest parking requirements for multi-family development when the pedestrian route distance from parking spaces used for guest parking and entrances to buildings served does not exceed 600 feet, if approved by the Board of County Commissioners as part of a Planned Development, and when on street parking is on a public road a right-of-way use permit is obtained from the Department of Public Works.

On-street parking may be used to satisfy minimum parking requirements for commercial villages and mixed-use villages, but for no other form of nonresidential development. On-street parking permitted to satisfy minimum parking requirements for commercial and mixed-use villages shall be no more than 600 feet by pedestrian route from the building or buildings served. Such on-street parking is required to be approved by the Board of County Commissioners as part of a Planned Development, and must be permitted by issuance of a right-of-way use permit from the Department of Public Works.

1 E. Minimum Design and Construction Standards for Roads and Trails

2  
3 1) Standards incorporated by reference:

4  
5 The following standards are incorporated herein by reference, all other  
6 standards herein and in the St. Lucie County Land Development Code are  
7 supplementary to, and not in lieu of the referenced standards:

8  
9 a. The latest edition of the Manual of Uniform Traffic Control Devices;

10 b. The latest edition of the Manual of Uniform Minimum Standards for  
11 Design, Construction and Maintenance for Streets and Highways, Florida  
12 Department of Transportation (hereafter also referred to as the “green book”;

13 c. Transportation and Land Development, 2<sup>nd</sup> edition, Vergil G. Stover  
14 and Frank A.J. Koepke, Institute of Transportation Engineers, ISBN 0-935403-68-  
15 X; and

16 d. The latest edition of the Site Impact Handbook, Florida Department of  
17 Transportation.

18  
19 2) Traffic Impact Analysis and allocation of costs

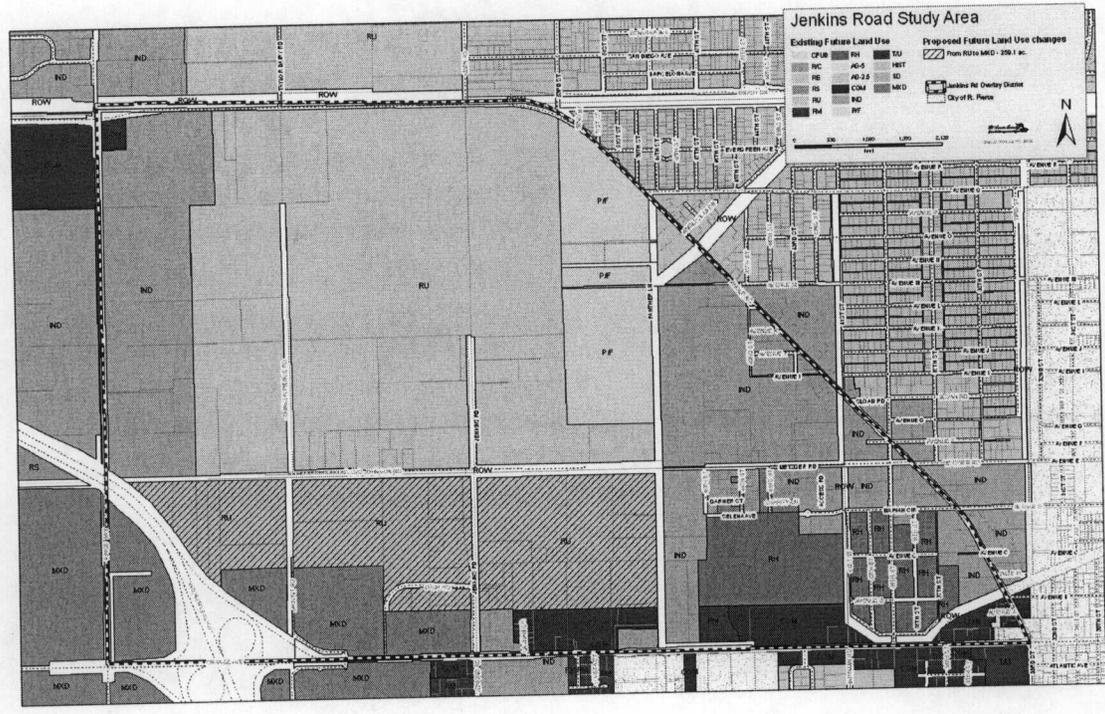
20  
21 The evaluation of road facilities impacts of proposed PUD, PNRD,  
22 PMUD, subdivisions, and site plans shall use the steps and methodology provided  
23 in the FDOT Site Impact Analysis Handbook, which shall be the standard  
24 professionally acceptable methodology. Whenever possible, impacts shall be  
25 measured using a detailed subarea analysis appropriately designed to measure site  
26 impacts using a refinement of the Metropolitan Planning Organization adopted  
27 version of the Florida Standard Uniform Transportation Modeling Structure. A  
28 methodology meeting shall be held with the applicant’s traffic engineer and  
29 county staff, including any county traffic planning/engineering consultants, to  
30 ensure agreement on the details of the analysis and report proposed to be prepared  
31 by the applicant’s traffic engineer/planner (*reference: Subsection 163.3180(10),*  
32 *Florida Statutes, as amended by Chapter 2005-290, Laws of Florida*).

1 **4.12.04 FUTURE LAND USE MAP AMENDMENTS PERMITTED**  
 2 **WITHIN THE JENKINS ROAD PLANNING AREA**

3  
 4 Future Land Use Map amendments that may be considered for approval in the Jenkins  
 5 Road Planning Area without first obtaining an amendment to this Section 4.12.00, et.  
 6 seq., are shown in the shaded areas on the following Map B. In addition, the following  
 7 areas may be changed to MXD or a mixed office/commercial/residential district, should a  
 8 new mixed use district be added to the Comprehensive Plan:  
 9

- 10 A. parcels of land abutting the southeast and southwest corners of intersection of
- 11 Angle Road and Taylor Dairy Road, and
- 12 B. parcels in the area bounded by Orange Avenue on the south and Canal No. 44
- 13 (Floyd Johnson Road) on the north and the I-95 interchange area on the west and
- 14 Jenkins Road on the east. Light Industrial shall be permitted on those parcels that
- 15 adjoin the north property lines of existing industrial development or zoning north
- 16 to a line running east/west along the extension of Selena Avenue, as shown in
- 17 Map A, and not east of Jenkins Road.

18 **MAP B**  
 19 **PERMITTED FUTURE LAND USE MAP AMENDMENTS**



22  
 23

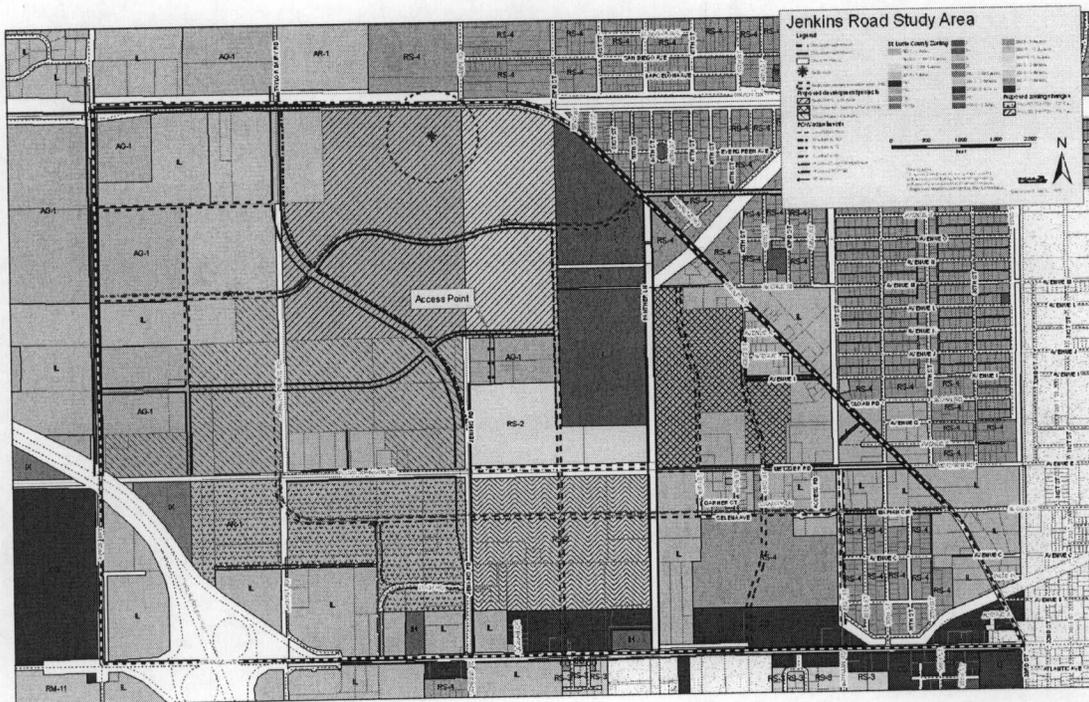
1 **4.12.05 PERMITTED ZONING AND REZONING**

2  
3 The existing zoning map of the Jenkins Road Planning Area as of the effective date of  
4 this ordinance is permitted. All future zoning changes shall be by application for  
5 approval of a Planned Development or Planned Unit Development zoning district, unless  
6 this section 4.12.00, et. seq., is first amended to permit other types of zoning changes.  
7 All proposed zoning and development is required to be consistent with the adopted  
8 comprehensive plan, and compatible with surrounding existing and proposed  
9 development.

10  
11 **\*A. Permitted Rezoning**

12  
13 Permitted Rezoning to Planned Mixed Use Development, or any other permitted mixed  
14 use planned unit development is permitted in the areas shown around the perimeter of the  
15 planning area along Kings Highway and Orange Avenue on Map C:

16  
17 **MAP C**  
18 **JENKINS ROAD PLANNING AREA MIXED USE INDUSTRIAL, AND**  
19 **COMMERCIAL ZONING AREAS**  
20 **AND ROAD NETWORK**  
21



22  
23 The parcels zoned AG-1 on Map C within the planning area adjacent to the east right-of-  
24 way line of Kings Highway may be rezoned Light Industrial, Planned Commercial  
25 Development or Planned Mixed Use Development, as those zoning districts may be  
26 amended from time to time. The parcels zoned AR-1 or RS-2 on Map C within the  
27 planning area north of Orange Avenue, south of Canal No. 44, and west of Jenkins Road

1 may be rezoned to a Planned Mixed Use district that would allow light industrial in the  
2 area south of the east/west line formed by Selena Avenue. The parcels zoned AR-1 or  
3 RS-2 on Map C that lie east of I-95, south of Canal No. 44, north of Orange Avenue, and  
4 west of the north/south line formed by Canal No. 29 may be rezoned to a planned  
5 development zoning district that allows mixed office/ commercial land uses and which  
6 may include a substantial residential component in the mix of uses, provided appropriate  
7 measures are included to provide for compatibility of the proposed mix of uses,

8  
9 The parcels at the southwest and southeast corners of the intersection of Taylor Dairy  
10 Road/Jenkins Road and Angle Road may be rezoned as a Planned Nonresidential  
11 Development or a Planned Mixed Use Development, as those mixed use districts may be  
12 amended from time to time, for the specific purpose of creating a Traditional  
13 Neighborhood Design mixed use Commercial Village, in accordance with the standards  
14 of this Section 4.12.00, et. seq., and any other relevant standards of the Land  
15 Development Code, as they may be amended from time to time.

16  
17 The remaining area of Map C shall be amended to be predominantly residential  
18 development by application for Planned Mixed Use Development, Planned  
19 Nonresidential Development, and/or Planned Unit Development, as those zoning districts  
20 may be amended from time to time, to permit development in accordance with the  
21 standards of this Section 4.12.00, and the standards of the applicable planned district, in  
22 accordance with the adopted comprehensive plan, as they may be amended from time to  
23 time.

## 24 25 **B. JENKINS ROAD PLANNING AREA DEVELOPMENT STANDARDS**

26  
27 All proposed rezoning applications within the area designated in Section 4.12.05.A as  
28 potential Commercial Village or as predominantly residential planned development north  
29 of an east-west line running through canal C-44 shall be required to meet the  
30 development standards in Section 4.12.06. All development in the Jenkins Road  
31 Planning Area shall meet the road and trail standards in Section 4.12.06 and all other  
32 requirements in the other sections of the Jenkins Road Planning Area Special District.  
33 Site and building design in the remaining areas shall be compatible with the development  
34 in the predominantly residential and commercial village areas north of an east-west line  
35 running through canal C-44.

## 36 37 **4.12.06 JENKINS ROAD PLANNING AREA LAND USE REGULATIONS**

### 38 39 **A. PURPOSE AND INTENT.**

40  
41 The JENKINS ROAD PLANNING AREA Special District Zoning Map Overlay is  
42 designed to ensure the development of land along the lines of traditional neighborhoods.  
43 Its provisions adapt the urban conventions which were normal in the United States from  
44 colonial times until the 1940's. The JENKINS ROAD PLANNING AREA ordinance  
45 prescribes the following physical conventions:  
46

- 1 1. The neighborhood is spatially understood and limited in size, and is defined in the  
2 planned development regulations in this section.
- 3
- 4 2. Residences, shops, workplaces, and civic buildings are interwoven within the  
5 neighborhood, all in close proximity.
- 6
- 7 3. A hierarchy of streets serves equitably the needs of the pedestrian, the bicycle and the  
8 automobile.
- 9
- 10 4. Carefully placed civic buildings, squares, and greens reinforce the identity of the  
11 neighborhood.
- 12
- 13 5. Spatially defined squares, parks, and greens provide places for social activity and  
14 recreation.
- 15
- 16 6. Civic buildings provide places of assembly for social, cultural and religious activities,  
17 becoming symbols of community identity through their architectural clarity.
- 18
- 19 7. Private buildings form a disciplined edge, spatially delineating the public street space  
20 and the private block interior.
- 21
- 22 8. Architecture and landscape respond to the unique character of the region.  
23 Where the terms, design criteria, development parameters, and review procedure  
24 contained herein conflict with those provisions provided elsewhere in the St. Lucie  
25 County Land Development Coded, the provisions of the JENKINS ROAD PLANNING  
26 AREA shall apply.

## 27 **B. DESIGN CRITERIA**

- 28
- 29
- 30 1. The following design criteria and requirements shall be applicable in the JENKINS  
31 ROAD PLANNING AREA. Terms used throughout this ordinance shall take their  
32 commonly accepted meaning unless otherwise defined here in Section 4. County. Terms  
33 requiring interpretation specific to this ordinance are as follows:  
34
- 35 (a) *Alley*: A vehicular passageway providing primary, secondary and/or service access  
36 to the sides or rear of building lots. Posted speed shall not exceed fifteen (15) miles per  
37 hour.
- 38 (b) *Artisanal use*: The manufacture and sale of artifacts utilizing only handheld and/or  
39 table mounted electrical tools contained within an enclosed structure.
- 40 (c) *Block*: A combination of building lots serviced by an alley or abutting open space or  
41 a surface water feature along rear lot lines, the perimeter of which abuts public use lands  
42 (in most cases public right-of-way).
- 43 (d) *Building lot*: A separately platted portion of private land, not including the specified  
44 sidewalk area.
- 45 (e) *Civic building*: Any permitted or required civic use building.

1 (f) *Clear zone*: An area beyond the curb radius, so specified, which shall be kept clear  
2 of all objects to provide emergency vehicle clearance.

3 (g) *Colonnade*: A roof or building structure, extending over the sidewalk, open to the  
4 street and sidewalk except for supporting columns or piers. Colonnades shall have, at the  
5 sidewalk, a minimum clear height of ten (10) feet (excluding signage or lighting) and a  
6 minimum clear width of eight (8) feet (from frontage line to inside column face).

7 Colonnades shall be constructed eighteen (18) inches to twenty-four (24) inches from the  
8 face of the curb, or from any utilities easement between the building and the curb.

9 Awnings are permitted within the JENKINS ROAD PLANNING AREA but are not  
10 considered colonnades. Colonnades shall not cause roof drainage into the public right-of-  
11 way.

12 (h) *Congregate living facilities*: A group home for a maximum of six (6) resident  
13 clients who are cared for by the owner who permanently resides in the residential unit.  
14 The facility must be licensed by the State of Florida Department of Health and  
15 Rehabilitative Services and meet Code criteria for such use. In the shopfront use location  
16 the total residents may be in excess of six (6) if the use meets the other requirements of  
17 the shopfront use category. Congregate living facilities shall include homes for the aged.

18 (i) *Cornice line*: A molded and projecting horizontal member that crowns an  
19 architectural composition. A cornice line shall project a minimum of two (2) inches from  
20 the front elevation of the structure.

21 (j) *Curb radius*: The curved edge of the street at intersections, measured at the edge of  
22 the travel lanes. Curbs at intersections shall not intrude into the intersection beyond the  
23 specified maximum curb radius. Where streets of different use categories intersect, the  
24 requirements of the higher intensity use shall govern.

25 (k) *Front porch*: A front porch is an unairconditioned roofed structure attached to the  
26 front of the unit. A front porch shall have a minimum depth of six (6) feet and a  
27 minimum width of twelve (12) feet and, except for insect screening, shall only have  
28 supporting columns visible above forty-two (42) inches from the finished porch floor  
29 level. Side and rear porches are not subject to these requirements. All or a portion of the  
30 front porch may encompass a ramp providing access for people with disabilities.

31 (l) *Frontage line*: The shorter building lot line which coincides to the right-of-way of  
32 the street or square. In the case of a building lot abutting upon only one (1) street, the  
33 frontage line is the line parallel to and common with the edge of sidewalk. In the case of  
34 a corner lot, that part of the building lot having the narrowest frontage on any street shall  
35 be considered the frontage line.

36 (m) *Greenbelt*: An optional open space area adjoining the neighborhood proper and no  
37 less than one (1) hundred fifty (150) feet wide at any place. The area shall be preserved in  
38 perpetuity in its natural condition, or enhanced by the owner, as determined by the St.  
39 Lucie County Environmental Resources Department. The greenbelt area may be used for  
40 non-row crop farming, wetlands, water retention, animal husbandry, bulky waste site (for  
41 the exclusive use of the JENKINS ROAD PLANNING AREA), golf courses, or  
42 subdivided into house lots no smaller than five (5) acres. Roadways, exclusive of through  
43 streets, may penetrate greenbelts in order to provide access to areas outside the JENKINS  
44 ROAD PLANNING AREA.

45 (n) *Green*: A public open space located within the neighborhood proper and bounded  
46 by streets. Paved areas in greens shall not exceed twenty percent (20%) of the green area

1 exclusive of dedicated rights-of-way. Greens shall have a length to width ratio no greater  
2 than four to one (4:1). A green may be enclosed with a wrought iron or electrostatic  
3 plated aluminum fence not exceeding five (5) feet in height.

4 (o) *Height*: Building height shall be measured from the highest finished grade of the  
5 exterior building site at the building foundation to the eave line or to the top of the  
6 parapet. Flat roofs shall have parapet walls on all sides.

7 (p) *Home occupation use*: Premises used for the transaction of business or the supply of  
8 professional services excluding medical and dental. Home occupation shall be limited to  
9 the following: Architect, artist, broker, consultant, dressmaker, draftsman, engineer,  
10 interior decorator, lawyer, manufacturer's agent, notary public, teacher (excluding group  
11 instruction), and other similar occupations. Such use shall not simultaneously employ  
12 more than two (2) persons, one (1) of whom must reside on the property. The total gross  
13 area of the home occupational use shall not exceed twenty-five percent (25%) of the  
14 gross square footage of the residential unit. Certificates of use and occupancy shall be  
15 reviewed annually.

16 (q) *Limited lodging use*: The provision of no more than four (4) bedrooms for letting.  
17 Food service may be included between the hours of 6:00 a.m. to 11:00 a.m. The  
18 maximum length of stay shall not exceed fourteen (14) days.

19 (r) *Limited office use*: The transaction of business or the supply of professional  
20 services, employing no more than eight (8) persons.

21 (s) *Lodging use*: Buildings providing food service and bedrooms for letting.

22 (t) *Maintenance easement*: A perpetual four-foot wide wall maintenance easement shall  
23 be provided on a lot adjacent to a zero lot line property line, which, with the exception of  
24 walls and/or fences, shall be kept clear of structures. This easement shall be shown on the  
25 plat and incorporated into each deed transferring title to the property. The wall shall be  
26 maintained in its original color and treatment unless otherwise agreed to in writing by the  
27 affected lot owners. Roof overhangs may penetrate the easement on the adjacent lot a  
28 maximum of twenty-four (24) inches but the roof shall be so designed that water runoff  
29 from the dwelling placed on the lot line is limited to the easement area. The easement  
30 shall be maintained unless otherwise agreed to, in writing, by the two (2) affected lot  
31 owners.

32 (u) *Meeting hall*: A building designed for public assembly, containing at least one (1)  
33 room having an area equivalent to four (4) square feet per dwelling unit or twenty-four  
34 hundred (2,400) gross square feet, whichever is greater. The total number of dwelling  
35 units shall be established at the time of the TND approval.

36 (v) *Neighborhood proper*: The built-up area planned for development within a TND,  
37 including blocks, streets, squares greens and parks, but excluding greenbelts or other  
38 open green periphery areas.

39 (w) *Outbuilding*: An accessory use building, for residential, parking, or storage use  
40 only, contiguous with the rear lot line, of a maximum of twenty-four (24) feet in height  
41 and having a maximum building footprint of five hundred (500) gross square feet.

42 (x) *Park*: An area of land designated for active or passive recreation.

43 (y) *Pedestrian pathways*: Pedestrian pathways are interconnecting paved walkways  
44 that provide pedestrian passage through blocks running from street to street. Said  
45 pathways shall not be less than ten (10) feet, nor more than thirty (30) feet in width, with

1 a minimum pavement width of five (5) feet. Pedestrian pathways shall provide an  
2 unobstructed view, from street to street, no less than ten (10) feet wide.

3 (z) *Plaza*: An open space area within a town center on which all shopfront lots front.  
4 Plazas shall include landscaping, permanent architectural features and/or water oriented  
5 features. Parking may be included, but shall be limited to seventy-five percent (75%) of  
6 the total area of the plaza.

7 (aa) *Private open space*: That space on each building lot that is for the private use of  
8 the inhabitants of such lot. Said space shall be unenclosed, and open to the sky except for  
9 roofed porches. Atriums, gardens, garden courts, walks, ramps, patios, and other similar  
10 spaces shall count as private open space. Up to one-third ( 1/3) of the private open space  
11 area may be a roofed porch.

12 (bb) *Prohibited uses*: The following uses are not permitted anywhere within a TND:  
13 Vending machines, including newspaper, except as an accessory use within a commercial  
14 building; detached signs; chemical manufacturing, storage or distribution as a primary  
15 use; gun shops, pawn shops, chicken hatcheries, packing houses, tire vulcanizing and  
16 retreading, automobile sales and rental, any commercial use in which patrons remain in  
17 their automobiles while receiving goods or services, except service stations; on-site  
18 enameling, painting or plating, of materials for off-site use, except artist's studios and as  
19 provided in the workshop land use category; outdoor advertising or billboard; terminal or  
20 yard used for the business of carting, moving, or hauling goods, except delivery of goods  
21 to businesses within a TND; prisons, or detention centers, except as accessory to police  
22 station; manufacture, storage or disposal of hazardous waste materials; scrap yards;  
23 mobile homes; sand, gravel, or other mineral extraction; kennels.

24 (cc) *Residential use*: The term residential is applied herein to any lot, plot, parcel, or  
25 piece of land or any building used for dwelling purposes.

26 (dd) *Setback*: An absolute distance between the building lot line and the outside of the  
27 facade closest to said building lot line of the enclosed portion of the building. Front  
28 porches and ramps for people with disabilities are exempt from setback requirements.

29 (ee) *Shared parking*: Any parking spaces intended to be utilized for more than one (1)  
30 use occurring on a single lot or within a single building, where persons utilizing the  
31 spaces are unlikely to need the spaces at the same time of day.

32 (ff) *Square*: An outdoor public tract defined by streets on at least three (3) sides.  
33 Squares shall be at least seventy-five percent (75%) paved and surrounded by shopfront  
34 use lots or townhouse use lots on at least sixty percent (60%) of its perimeter (perimeter  
35 being defined as the aggregate of the frontage lines of the surrounding lots). Squares shall  
36 have a length to width ratio no greater than three to one (3:1).

37 (gg) *Streetedge*: A masonry wall, wood fence, or electrostatic plated black aluminum or  
38 wrought iron fence, no less than fifty percent (50%) opaque, or a hedge on thirty-inch  
39 centers, between two and one-half (2 1/2) and four (4) feet in height, at time of planting  
40 positioned along the frontage line. Any wall, or fence built or hedge planted built  
41 between the frontage line and a point even with the nearest enclosed edge of the house  
42 shall not be of greater height than the streetedge.

43 (hh) *Streetwall*: A masonry or wood wall, or electrostatic plated black aluminum or  
44 wrought iron fence between six (6) feet and twelve (12) feet in height, no less than  
45 twenty-five percent (25%) and no more than fifty percent (50%) opaque, except for  
46 service yards which require no less than fifty percent (50%) opacity, built along the

1 frontage line. Any openings shall be gated. The percent opacity shall be calculated  
2 including all openings.

3 (ii) *Streetlamp*: A light standard not to exceed fifteen (15) feet in height. Streetlamps  
4 shall be installed on both sides of streets at no more than seventy-five-foot intervals  
5 measured parallel to the street. Any streetlights in alleys shall be designed in accordance  
6 with the standards developed by the Illumination Engineering Society. The installation  
7 and maintenance of the street light system will be through a special taxing district. Street  
8 lighting design shall meet the minimum standards developed by the Illumination  
9 Engineering Society.

10 (jj) *Street vista*: A view through or along a street centerline.

11 (kk) *Through street*: A street constructed in accordance with major and minor roadways  
12 as depicted on the adopted comprehensive development land use plan map.

13 (ll) *Commercial Village*: A commercial village is an optional use to the JENKINS  
14 ROAD PLANNING AREA providing for larger scale commercial shopfront uses in  
15 buildings that front a plaza. A portion of the commercial village plaza may be used for  
16 parking. The commercial village buildings shall surround the plaza on at least thirty-five  
17 percent (35%) of its perimeter. The commercial village shall meet all requirements of  
18 said shopfront use category, except as modified below, and all other requirements of the  
19 JENKINS ROAD PLANNING AREA, including requirements for parking lots, if any  
20 part of the plaza is used for parking.

21  
22 A commercial village shall only be located where through streets or any street adjacent to  
23 the neighborhood proper intersect. Commercial village plazas shall extend no further than  
24 six hundred (600) feet along the through street from the centerline of the intersection.  
25 There shall be a direct street connection between the mandatory square or green and the  
26 town center plaza. A minimum of thirty-five percent (35%) of the gross leasable building  
27 area (taken in sum) of the lots fronting the plaza shall be for residential use. Colonnades  
28 are required on all shopfront use buildings fronting the town center plaza. At least ten  
29 percent (10%) of the plaza shall be devoid of parking and developed with permanent  
30 architectural and/or water features as a focal point for the commercial village. Said focal  
31 point shall be in addition to other landscape requirements as provided in the JENKINS  
32 ROAD PLANNING AREA. Town centers may include, in addition to uses provided in  
33 the shopfront use category, one (1) grocery and/or department store use, each not  
34 exceeding forty thousand (40,000) square feet of building area, and one theater use.

35 (mm) *Warranted traffic control device*: A device (typically a yield or stop sign, or a  
36 traffic signal) that has met the minimum criteria for installation based on the Manual on  
37 Uniform Traffic Control Devices; National Manual, most recent edition.

### 38 39 **C. DEVELOPMENT PARAMETERS**

40  
41 All applications for a commercial development or a predominantly residential planned  
42 development within the Jenkins Road Planning Area Special District shall comply with  
43 the following development parameters:

44  
45 1. *Size and location of site*. The minimum size of a planned development that is subject  
46 to the standards contained herein shall be forty (40) acres. A planned development may

1 be located adjacent to, but shall not be bisected by a through street, unless it is divided  
2 into two discreet neighborhoods consistent with this section.

3  
4 2. *Density.* The requested densities, in terms of number of units per gross residential  
5 acre and total number of dwelling units shall be made at the time of application. Said  
6 number of dwelling units and densities shall be in conformance with the Comprehensive  
7 Plan, as amended from time to time.

8  
9 3. *General development criteria.*

10  
11 (a) *Land allocation.*

12  
13 (1) Except for the public use category, land uses in the JENKINS ROAD  
14 PLANNING AREA are regulated by net lot area (street and alley rights-of-way  
15 excluded) as a percentage of the gross area of the neighborhood proper.

16 (2) Similar land use categories shall face across streets. Dissimilar uses may abut  
17 at rear lot lines, or along opposite sides of rear alleys. Public uses and civic uses  
18 are considered similar land uses with all JENKINS ROAD PLANNING AREA  
19 use categories.

20 (3) Land use categories described in Section 4.12.06, D of one (1) category  
21 greater or lesser intensity may abut at side lot lines (the street requirements of the  
22 greater intensity use shall govern) or face across a square or park. For example,  
23 across a square or park, house use may front townhouse use; townhouse use may  
24 front house use or shopfront use; shopfront use may front townhouse use or  
25 workshop use; workshop use may front shopfront use.

26 (4) Land use for corner lots which front on streets of dissimilar use shall be  
27 designated the more intensive use category.

28  
29 (b) *Lots and buildings.*

30  
31 (1) All lots shall share a frontage line with a street, square or green.

32 (2) All buildings shall have their main entrance opening to a street or square  
33 (except outbuildings).

34 (3) All uses shall be conducted within completely enclosed buildings, unless  
35 otherwise specified herein.

36 (4) Stoops, and front porches may encroach up to ten (10) feet into the front  
37 setbacks, but may not be permitted to encroach into drainage or utilities  
38 easements.

39  
40 (c) *Streets, alleys and pedestrian/bicycle pathways.*

41  
42 (1) Traffic control signing shall be established for each community to satisfy  
43 intersecting street geometrics and installed at entrances and other appropriate  
44 locations.

45 (2) Streets, lanes, or alleys shall provide access to all tracts and building lots.

1 (3) All streets, alleys and pedestrian pathways shall connect to other streets  
2 within planned development and connect to existing and projected streets outside  
3 the planned development, if applicable. Cul-de-sacs, T-turnarounds and gated or  
4 dead-end streets are not permitted within the JENKINS ROAD PLANNING  
5 AREA.

6 (4) For units with rear parking or rear garage entrances, there shall be a  
7 continuous network of alleys to the rear of building lots within each planned  
8 development except as may be provided herein.

9 (5) The average perimeter of all blocks within a planned development shall not  
10 exceed thirteen hundred (1,300) feet. The block perimeter shall be measured  
11 along the faces of the block that abut adjacent streets, lanes, alleys, or pedestrian  
12 pathways, except that mid-block rear alleys shall be included as part of the  
13 internal block area. No block face shall have a length greater than eight hundred  
14 (800) feet without an alley or pedestrian pathway providing through access to  
15 another street or alley, or a street interrupting or terminating the block.

16 (6) All streets shall have a non-mountable or mountable curb except for streets in  
17 house use areas. The type of curb required shall be based upon street cross  
18 section design, roadside clear zone requirements, and drainage needs.

19 (7) Either a non-mountable or mountable valley curb is required at all street  
20 intersections, depending on the design criteria in subsection (6) and pedestrian  
21 safety considerations. There shall be curb cuts providing access for people with  
22 disabilities at all intersections and points of pedestrian crossing.

23 (8) Curb interruptions are permitted only for alleys, access for people with  
24 disabilities, bicycle and multi-use paths, and other parking access points specified  
25 herein.

26 (9) A warranted traffic control, or traffic calming device shall be placed at  
27 intervals no further than eight hundred (800) feet on all streets internal to each  
28 planned development. Except that curved streets can be designed using on street  
29 parking and/or a chicane as traffic calming devices. Traffic calming devices shall  
30 conform to applicable FDOT and ITE standards, signage and pavement markings  
31 shall comply with the Manual of Uniform Traffic Control Devices.

32 (10) All sidewalks shall have a continuous unobstructed clear area of a width no  
33 less than sixty (60) inches, or as noted in the road cross sections prescribed in  
34 Section 4.12.03. This area shall be unobstructed by light poles, fire hydrants,  
35 benches or any other temporary or permanent structures. Free and clear public use  
36 of the sidewalk area beyond the right-of-way shall be protected by a public access  
37 easement, except as provided herein for the shopfront use category.

38 (11) Utilities shall run underground, unless approved by the County, based on a  
39 demonstration that it is not practical to install the utilities underground.

40 (12) Rights-of-way in a JENKINS ROAD PLANNING AREA shall extend a  
41 minimum of twelve (12) inches beyond the curbface/edge of the sidewalk,  
42 measured away from the right-of-way centerline, on streets within right-of-way of  
43 sixty (60) feet or more. The larger of this standard or the minimums prescribed  
44 by the road cross sections in Section 412.03 shall prevail in the event of a conflict.

1 (13) Street furniture such as trash containers and bus benches shall be  
2 permanently secured to the sidewalk. One bench shall be provided along all edges  
3 of squares, greens and parks

4 (14) No sign, awning, lighting, wiring or other object higher than twenty-seven  
5 (27) inches from the ground shall extend more than four (4) inches horizontally  
6 over any sidewalk from the column, post or wall on which it is mounted or shall  
7 hang down above the sidewalk unless its bottom edge is more than eighty (80)  
8 inches above the sidewalk.

9 (28) Each planned development shall create an integrated internal bicycle and  
10 pedestrian path system, properly shaded to encourage use pursuant to FDOT  
11 criteria. The bicycle and pedestrian paths will connect to the off-street trail  
12 connecting the area to Kings Highway and the school sites. Bicycle routes will be  
13 designed for the safety and convenience of both adults and school age children.

14  
15 (d) *Parking.*

16  
17 (1) Parking lots shall be located at the rear or at the side of buildings, except as  
18 otherwise permitted in a plaza. Streetwalls or streetedge shall be built on the  
19 frontage line.

20 (2) Parking lots and parking garages shall not: (1) abut street intersections or  
21 civic use lots; (2) be adjacent to squares, parks, or greens; or (3) occupy lots  
22 which terminate a street vista, except as provided in a plaza.

23 (3) Adjacent parking lots shall have vehicular connections, via an alley or a cross  
24 access easement connecting the internal parking facility accessways.

25 (4) Except as otherwise provided by the ordinance, parking requirements for all  
26 uses shall be in accordance with this Code. Civic use lots within or adjacent to  
27 public use tracts may count on-street parking fronting the public use tract towards  
28 its parking requirements. A group or common parking lot is permitted in  
29 shopfront, townhouse and workshop uses and shall be credited to the required  
30 parking for individual uses. Attached and detached single family units shall have  
31 a minimum of two (2) parking spaces, one of which may be provided as excess  
32 guest parking located not less than eight hundred (800) feet from the townhouse.

33 (5) There shall be provided a minimum of one (1) parking space for people with  
34 disabilities within two hundred (200) feet of each intersection, wherein the land  
35 uses served are non-residential. Such parking shall have a clear unobstructed  
36 space five (5) feet from the curb side, measured toward the lot line and shall be  
37 the full length of the parking space.

38 If a combination of on-street parking places and parking lot spaces is used to meet  
39 the total number of parking spaces required by this Land Development Code, then  
40 the number of parking spaces for people with disabilities provided in the lot shall  
41 be at least as many spaces as would be required to be provided if all of the  
42 required parking spaces were provided in the lot.

43 (6) Shared parking shall be permitted if approved at public hearing, in  
44 accordance with the Land Development Code.

45 (7) Parking for community related retail and service uses as listed below shall  
46 not require on-site parking provided that: (1) the total floor space for the

1 individual uses does not exceed five hundred (500) square feet of gross floor area;  
2 (2) such uses be restricted to shopfront and townhouse areas and (3) that such uses  
3 shall be restricted to the following:  
4

- 5 a. Art galleries.
- 6 b. Bakery.
- 7 c. Barber/beauty parlor.
- 8 d. Bookstore.
- 9 e. Coffee house.
- 10 f. Confectionary, sale of cookies/ice cream.
- 11 g. Convenience grocery.
- 12 h. Dry cleaning (no cleaning on premises).
- 13 i. Sale of newspapers, magazines.
- 14 j. Shoe repair (no sale of shoes).

15  
16 **D. LAND USE CATEGORIES**

17  
18 1. *Public and/or semi-public use.*

19  
20 (a) *Land use.*

- 21 (1) Land designated for public and/or semi-public use shall be tracts consisting
- 22 of parks, squares, greens, greenbelts, and civic use lots and buildings.
- 23 (2) The only buildings permitted in public and/or semi-public use tracts shall be
- 24 civic use buildings.
- 25 (3) A maximum of fifteen percent (15%) of a park, green or square may be used
- 26 as a civic use lot.
- 27 (4) Large area recreational uses such as golf courses and multiple game fields
- 28 shall be located outside the neighborhood proper.
- 29
- 30

31 (b) *Land allocation.*

- 32 (1) A minimum of five percent (5%) of the gross area of the neighborhood
- 33 proper, or five (5.0) acres, (whichever is greater) shall be permanently allocated to
- 34 tracts totally comprised of parks, other open space areas, squares or greens. Each
- 35 neighborhood proper, and each Planned Development of forty acres or more, shall
- 36 contain at least one (1) open space area, park, square or green, no less than
- 37 twenty-five thousand 25,000 square feet and no greater than ninety thousand
- 38 (90,000) square feet. This mandatory park, open space area, square or green shall
- 39 be near the geometric center of the planned development or neighborhood proper.
- 40 (2) The remaining required public use tracts shall be divided into lesser tracts
- 41 and distributed such that no part of the neighborhood proper is further than a six-
- 42 hundred-foot radius from an open space area, park, square or green.
- 43 (3) Squares, open space areas, parks, greens, and waterfronts shall have at least
- 44 twenty-five (25) percent of their perimeter abutting, commonly owned, or public,
- 45 or semi-public tracts or streets.
- 46

1  
2 (c) *Lots and buildings.*

3  
4 Setbacks for civic use buildings shall be indicated on the master plan at the time  
5 of intermediate and final review.

6  
7 (d) *Parking.*

8  
9 Parking on public use tracts shall be restricted to required parking for civic use  
10 facilities located thereon. Such parking shall be graded, compacted and paved in  
11 accordance with the requirements of this Land Development Code.

12  
13 2. *Civic use.*

14  
15 (a) *Land use.*

16  
17 (1) Land designated for civic use shall be lots containing community buildings,  
18 including meeting halls, libraries, schools, child care centers, police stations, fire  
19 stations, post offices, clubhouses, religious buildings, playgrounds, museums,  
20 cultural societies, visual and performance arts buildings, and governmental  
21 buildings.

22 (2) The construction of commonly owned buildings on civic use lots shall be  
23 supported by a permanent assessment dedicated to this purpose and administered  
24 according to the common maintenance provisions provided in Section 4.12.06, F.

25  
26 (b) *Land allocation.*

27  
28 (1) Civic use building lots shall constitute a minimum of two (2.0) percent of the  
29 gross area of the planned development.

30 (2) Civic use lots shall be located within or adjacent to an open space area, or a  
31 square, or park, or green, or on a lot terminating a street vista.

32 (3) The developer shall covenant to construct a meeting hall, or other civic use  
33 building, on a civic use lot, on or adjacent to the mandatory square, open space,  
34 park, or green upon the sale of fifty (50.0) percent of the lots and/or units of the  
35 neighborhood proper.

36 (4) The developer shall designate a minimum of one (1) civic use lot reserved for  
37 a day care center, or shall designate a neighborhood commercial area that includes  
38 a lot or other requirement for daycare center use within the neighborhood  
39 commercial center. The developer shall covenant that a building for said use shall  
40 be constructed when building permits have been obtained for fifty percent (50%)  
41 of the residential units. The developer shall have the option of selling, leasing or  
42 transferring title of the lot and building reserved for day care center. In an age  
43 restricted community, the owner/developer may designate this lot for use as a  
44 residential Adult Congregate Living Facility.

45  
46 (c) *Lots and buildings.*

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Buildings located on civic use lots shall not exceed forty (40) feet in height excluding spires, cupolas, monuments, flag poles, and chimneys.

(d) *Parking.*

(1) The number of required parking spaces for civic uses shall be in accordance with this Land Development Code. However, required parking may be provided within a six hundred-foot radius of the civic use facility provided that the required parking is under common lease or ownership with the civic use building it serves.

(2) Civic uses within or adjacent to a public use tract may utilize the on-street parking fronting the public use tract toward its parking requirement.

(3) When on-site parking is provided, no less than seventy-five percent (75%) of the off-street parking spaces shall be placed to the rear of the building. Access may be through the frontage.

(e) *Signage.*

Two (2) wall signs shall be permitted for each structure not to exceed a combined total of eight (8) square feet.

One free standing ground sign (monument sign style) not exceeding 48 square feet in area shall be permitted for each lot. Ground signs shall be internally lighted or back-lighted, shall not be made of wood, and shall be fabricated by a Florida Licensed Sign Contractor.

3. *Shopfront use.*

(a) *Land use.*

(1) Land designated for shopfront use shall be on lots containing buildings for residential use, including lodging, and commercial uses as provided below, and other similar uses as approved by the Director at the time of the Planned Development or Planned Unit Development review, except those listed as prohibited uses in the design criteria. At least twenty-five percent (25%) of the gross square footage shall be restricted to residential use, including lodging and commercial uses as provided below. The following uses shall be permitted on shopfront use parcels in mixed use developments. No building for a single use shall exceed four thousand (4,000) square feet of interior floor area.

- a. Antique shops, architects, interior designers, offices.
- b. Apparel stores.
- c. Art goods stores, artist studios and photograph shops and galleries.
- d. Banks, excluding drive-in teller service.
- e. Beauty parlors.
- f. Bakeries, retail only (baking permitted on premises).
- g. Barber shops.

- 1 h. Bicycle sales, rentals and repairs (nonmotorized).
- 2 i. Book stores.
- 3 j. Confectionery, ice cream stores and dairy stores.
- 4 k. Conservatories and music and dance schools.
- 5 l. Drugstores.
- 6 m. Floral shops.
- 7 n. Galleries.
- 8 o. Grocery stores, fruit stores, health food stores, delicatessen, meat and
- 9 fish markets and other similar food stores.
- 10 p. Hardware stores.
- 11 q. Insurance and Bonds.
- 12 r. Jewelry stores.
- 13 s. Leather goods and luggage shops.
- 14 t. Liquor package store.
- 15 u. Medical equipment and supply stores.
- 16 v. Mail order offices, without storage of products sold.
- 17 w. Music, tape, CD and record stores.
- 18 x. Museum.
- 19 y. Newsstand.
- 20 z. Office.
- 21 aa. Office supply stores.
- 22 bb. Optician/Optomtrist.
- 23 cc. Paint and wallpaper stores.
- 24 dd. Post office.
- 25 ee. Pottery shops.
- 26 ff. Pubs, bars, and mini-breweries.
- 27 gg. Real Estate.
- 28 hh. Restaurants and coffee houses including outdoor dining and including
- 29 alcoholic beverage service. A minimum of forty-two (42) inches clearance
- 30 shall be reserved along the outside edge of a sidewalk for pedestrian
- 31 passage.
- 32 ii. Religious facilities.
- 33 jj. Schools.
- 34 kk. Shoe stores and shoe repair shops.
- 35 ll. Sporting goods.
- 36 mm. Tobacco shops.
- 37 nn. Travel Agencies.
- 38 oo. Variety stores.

39 (2) Residential uses, except for entries and lobbies to residential uses, are not  
40 permitted on the ground floors of shopfront use buildings.

41 (3) An outbuilding is permitted on each lot.

42  
43 (b) *Land allocation.*

44

- 1 (1) Shopfront use lots shall comprise a maximum of twenty percent (20%) of the
- 2 gross area of a mixed use predominantly residential planned development, and is
- 3 permitted in a commercial village.
- 4 (2) A maximum of three (3) shopfront use lots may be consolidated for the
- 5 purpose of constructing a single building.
- 6 (3) A maximum of fifty (50.0) percent of all shopfront use lots may be
- 7 consolidated.
- 8 (4) A minimum of two (2) shopfront use lots shall front on a mandatory square
- 9 or be placed within two hundred (200) feet of a mandatory green.

10  
11 (c) *Lots and buildings.*

- 12 (1) Shopfront use lots shall have a minimum width of sixteen (16) feet.
- 13 (2) Street-front entries shall be at grade to allow access for people with
- 14 disabilities.
- 15 (3) Buildings on shopfront use lots shall have the facade, including colonnades if
- 16 provided, built directly on the frontage line along at least seventy percent (70%)
- 17 of its linear frontage. For lots at street intersections, the building shall be built
- 18 directly on the side street frontage for at least fifty percent (50%) of its linear
- 19 frontage.
- 20 (4) The unbuilt portion of the frontage line shall have a streetwall built directly
- 21 upon it.
- 22 (5) Buildings on shopfront use lots shall have a setback of zero (0) feet along at
- 23 least one (1) side property line. For buildings without a side setback, a perpetual
- 24 four foot maintenance easement shall be provided on the lot adjacent to the
- 25 shopfront property line. There shall be no required rear setback.
- 26 (6) Buildings on shopfront use lots shall cover no more than fifty percent (50%)
- 27 of the net lot area. Outbuildings shall not count against lot coverage.
- 28 (7) Buildings on shopfront use lots shall not be less than twenty-four (24) feet in
- 29 height and shall not exceed forty (40) feet in height (excluding chimneys and
- 30 elevator towers). When fronting a square, buildings shall be no less than thirty
- 31 (30) feet in height. A cornice line shall define the first floor.
- 32 (8) At least twenty-five percent (25%) of the net lot area shall be reserved for
- 33 private open space.
- 34 (9) Unenclosed balconies with a minimum of nine (9) feet of clearance above
- 35 grade shall be permitted to extend up to six (6) feet over the sidewalk.
- 36 (10) Colonnades, are required when shopfront use lots front on the mandatory
- 37 square. Enclosed space shall be permitted directly above the sidewalk.
- 38

39  
40 (d) *Streets and alleys.*

- 41 (1) Shopfront use lots shall front on streets of at least sixty (60) feet width
- 42 consisting of two (2) minimum eleven-foot wide travel lanes, and a parallel
- 43 parking lane on at least one (1) side. Parallel parking shall be located adjacent to
- 44 all shop front lots when such lots front a square, park, green and/or plaza. If the
- 45 parking lane is provided on only one (1) side, there shall be a planting strip, at
- 46

1 least four (4) feet wide, between the opposite travel lane and the sidewalk. Two  
2 (2) sidewalks are required and shall be no less than five (5) feet wide with an  
3 average minimum width of ten (10) feet. A public access easement shall provide  
4 for public passage--excepting an area within four (4) feet of the shopfronts which  
5 may be occupied by furniture for restaurants. Shopfront use lots may also front on  
6 a square, park, or green.

7 (2) Posted vehicle speed for shopfront use streets shall not exceed twenty-five  
8 (25) miles per hour.

9 (3) At intersections, the curb radius shall be twenty (20) feet, with a clear zone  
10 radius of twenty-five (25) feet. Parking lanes shall not be closer than twenty-five  
11 (25) feet to the nearest intersecting building lot line. However, adequate access  
12 for fire trucks and delivery vehicles shall be provided within the development.

13 (4) Signs in colonnades shall have a minimum clearance of eight (8) feet above  
14 the sidewalk.

15 (5) Shopfront use lots shall have their rear or side lot lines coinciding with an  
16 alley twenty-four (24) feet wide, containing a vehicular pavement width of at least  
17 nine (9) feet one-way, and a maximum of eighteen (18) feet two-way.

18  
19 (e) *Parking.*

20  
21 No less than seventy-five (75.0) percent of the parking spaces shall be to the rear  
22 of the building. Access may be through the frontage only if an alley or side street  
23 providing access to the alley is not within two hundred (200) linear feet of the lot.  
24

25 (f) *Signage.*

26  
27 One free standing sign is permitted per parcel. Free standing signs shall be set back at  
28 least five feet from any property line, not in an easement, and shall not infringe on the  
29 clear vision triangle at intersections of streets and driveways in accordance with the  
30 FDOT "green book" standards. All freestanding signs shall be ground signs (monument  
31 style) that are internally lighted or back-lighted with a maximum 48 square feet of area.  
32 Freestanding signs shall be designed and built by a Florida Licensed Sign Contractor. All  
33 other signs shall be wall signs, or cantilever signs and shall not exceed a total of twenty-  
34 four (24) square feet per building with no more than three (3) signs. Individual cantilever  
35 signs shall be mounted perpendicular to the building face and shall not exceed eight (8)  
36 square feet. No sign shall be mounted above the first floor of the structure.  
37

38 4. *Townhouse use.*

39  
40 (a) *Land use.*

41  
42 (1) Land designated for townhouse use shall be on lots containing buildings for  
43 residential uses including townhouse, patio home, and apartment use.

44 (2) One hundred (100) percent of the building area shall be designated for  
45 residential use.

46 (3) An outbuilding is permitted on each lot.

1  
2 (b) *Land allocation.*  
3

4 (1) Townhouse use lots shall constitute a minimum of twenty percent (20%) and  
5 a maximum of fifty percent (50%) of the gross area of the Jenkins Road Planning  
6 Area Special District.

7 (2) A maximum of six (6) townhouse use lots may be consolidated for the  
8 purpose of constructing a single building containing townhouses.  
9

10 (c) *Lots and buildings.*  
11

12 (1) Townhouse use lots shall have a minimum width of sixteen (16) feet.

13 (2) Townhouse use buildings with the minimum setback shall have their front  
14 entry set to one (1) side of the facade.

15 (3) Townhouse use buildings shall be attached (built with no side setback or as a  
16 single building) at not less than three-unit segments. Lots comprising the end of  
17 the block adjacent to the street or alley or along street curves may be attached in  
18 segments of two (2) to six (6) units. Townhouse buildings will have a minimum  
19 side separation of not less than twenty (20) feet.

20 (4) Buildings on townhouse use lots shall be setback ten (10) to fifteen (15) feet  
21 from the frontage line, except that townhouses with front loaded parking or  
22 garages shall be set back no less than twenty (20) feet from the front property line.  
23 The non-garage component of townhouses with front loaded garages may be set  
24 back as little as ten feet from the front property line. Townhouses with front  
25 loaded parking or garages shall be designed so there is a minimum variation of  
26 four feet between the depths of adjacent townhouse front facades to create  
27 building variation. This four feet variation may be satisfied when the garage  
28 component of a front loaded garage town house is set back at least four feet from  
29 the non-garage component of the townhouse. Buildings at street intersections  
30 shall be set back at least ten (10) feet from the frontage line and six (6) feet from  
31 the side street line. Setback requirements shall apply to the enclosed portion of the  
32 buildings only. Buildings shall not encroach into any required or proposed  
33 utilities or drainage easements.

34 (5) Buildings on townhouse use lots shall have a setback of zero (0) feet from at  
35 least one (1) side property line. There shall be no required rear setback, except  
36 that townhouses that have rear loaded garages or parking shall be set back at least  
37 twenty (20) feet from the rear lot line abutting any street or alley right of way or  
38 easement.

39 (6) Outbuildings shall have no required setbacks.

40 (7) Setbacks on consolidated townhouse use lots shall apply as in a single lot.

41 (8) Buildings on townhouse use lots shall cover no more than seventy-five  
42 percent (75%) of the net lot area. Outbuildings shall not count against lot  
43 coverage.

44 (9) Buildings on townhouse use lots shall not exceed thirty-five (35) feet in  
45 height (excluding chimneys and elevator towers) and a cornice line shall be used  
46 to define the first floor.

- 1 (10) Buildings on townhouse use lots shall have a minimum first floor front  
2 elevation eighteen (18) inches above the highest crown of the adjacent street.  
3 (11) A minimum of twenty-five percent (25%) of the net lot area shall be  
4 developed as private open space.  
5 (12) Townhouse use lots shall have a streetedge built along the unbuilt parts of  
6 the frontage line.  
7 (13) A minimum of twenty-five percent (25%) of the buildings on townhouse  
8 use lots shall have front porches. Said front porches may encroach into the front  
9 setback and shall not count against lot coverage requirements but shall count  
10 towards private open space requirements.

11  
12 (d) *Streets and alleys.*

- 13  
14 (1) Townhouse use lots shall front on streets consisting of a fifty-foot maximum  
15 width, including two (2) minimum ten-foot wide travel lanes and a parallel  
16 parking lane on at least one (1) side. If the parking lane is provided on only one  
17 (1) side there shall be a planting strip, at least five (5) feet wide, provided between  
18 the opposite sidewalk and travel lane. Two (2) sidewalks are required and shall be  
19 no less than five (5) feet wide. Townhouse use lots may also front on squares,  
20 open space, or park tracts.  
21 (2) No parking shall be permitted in the front setback area, of rear-loaded  
22 townhouses.  
23 (3) Posted vehicle speed for townhouse use streets shall not exceed twenty (20)  
24 miles per hour.  
25 (4) At intersections, the curb radius shall be twenty-five feet with a clear zone  
26 radius of thirty-five (35) feet. Parking lanes shall not be closer than twenty-five  
27 (25) feet from the lot line adjoining intersecting streets. However, the  
28 development shall provide adequate access for fire trucks and other emergency  
29 vehicles.  
30 (5) Townhouse use lots shall have their rear or side lot lines coinciding with an  
31 alley at least twenty (20) feet wide containing a vehicular pavement width of at  
32 least ten (10) feet one-way and sixteen (16) feet two-way.

33 (e) *Parking.*

- 34  
35 (1) For rear loaded garage units access shall be through a vehicular alley only.  
36 Required parking shall be in the driveway plus additional garage parking, if any  
37 so guest parking may be provided on the adjacent local street.  
38 (2) No parking shall be permitted in the front setback area of rear loaded garage  
39 units.

40  
41 (f) *Signage.*

42  
43 One free standing sign is permitted per parcel. Free standing signs shall be set back at  
44 least five feet from any lot line, not in an easement, and shall not impair the clear vision  
45 triangle at street and driveway intersections pursuant to the FDOT \*"green book"  
46 standards. All freestanding signs shall be ground signs (monument style), not made of

1 wood, internally lighted or back lighted, not exceed 48 square feet, and shall be designed  
2 and built by a Florida Licensed Sign Contractor. All other signs shall be wall signs and  
3 limited to two (2) signs and shall not exceed a cumulative total of four (4) square feet. No  
4 signs shall be mounted above the first floor of a structure.

5  
6 5. *House use.*

7  
8 (a) *Land use.*

9  
10 (1) Land designated for house use shall be on lots containing buildings for  
11 residential uses including single family houses, guest houses as outbuildings,  
12 home occupation, and family day care.

13 (2) One hundred (100) percent of the building area above the ground floor shall  
14 be designated for residential use.

15 (3) An outbuilding is permitted on each lot.

16  
17 (b) *Land allocation.*

18  
19 (1) House use lots shall constitute a maximum of fifty percent (50%) of the gross  
20 area of the Jenkins Road Planning Area proper.

21 (2) A maximum of two (2) house use lots may be consolidated for the purpose of  
22 constructing a single residence.

23 (3) A maximum of fifty (50.0) percent of all house use lots may be consolidated.

24  
25 (c) *Lots and buildings.*

26  
27 (1) Houses on house use lots shall be raised a minimum of eighteen (18) inches  
28 from finished exterior sidewalk grade.

29 (2) Buildings on house use lots shall be set back no less than twenty (20) feet  
30 from the frontage line. Buildings at street intersections shall be set back ten (10)  
31 feet from the frontage line and the side street frontage line.

32 (3) House use lots shall have a minimum width of thirty-six (36) feet with a  
33 minimum average lot size of four thousand (4,000) square feet.

34 (4) Setbacks on consolidated house use lots shall apply as on a single lot.

35 (5) Buildings on house use lots shall be set back from the side lot lines  
36 equivalent (in total) to no less than twenty percent (20%) of the width of the  
37 building lot. The entire setback may be allocated to one (1) side. If buildings have  
38 a zero (0) foot setback on one (1) side, a four-foot maintenance easement shall be  
39 provided on the adjacent lot.

40 (6) Buildings on house use lots shall be set back no less than five (5) feet from  
41 the rear lot line. Outbuildings on house use lots shall have a setback no less than  
42 five (5) feet from the rear lot line.

43 (7) Buildings on house use lots shall cover no more than sixty-five (65) percent  
44 of the building lot area. When the required yard area is placed in common  
45 ownership maintained by a homeowners association, townhouse lots may be

1 reduced in size in direct proportion to the conveyance to common ownership to  
2 allow up to 100% building coverage.

3 (8) Buildings on house use lots shall not exceed twenty-four (24) feet in height  
4 (excluding chimneys).

5 (9) Buildings on house use lots shall have a streetedge built along the frontage  
6 line.

7 (10) A minimum of twenty-five percent (25%) of the buildings on house use lots  
8 shall have front porches which may encroach into the front setback not closer than  
9 eight (8) feet from the inside edge of the sidewalk, but which shall not encroach  
10 into any drainage or utilities easement.

11  
12 (d) *Streets and alleys.*

13  
14 (1) House use lots shall front on streets of a forty-six-foot maximum width  
15 consisting of two (2) ten-foot travel lanes, two (2) planting strips of at least three  
16 (3) feet wide each, and two (2) sidewalks which shall be no less than five (5) feet  
17 wide. A parallel parking lane eight (8) feet wide may be used in place of either  
18 planting strip. (As an example, refer to Figures 5 and 6.)

19 (2) Posted vehicle speed for house use streets shall not exceed twenty (20) miles  
20 per hour.

21 (3) At intersections, the curb radius shall be twenty-five (25) feet with a clear  
22 zone radius of twenty-five (25) feet. Parking lanes shall not be closer than twenty-  
23 five (25) feet from the lot line adjoining intersecting streets.

24 (4) House use lots with rear loaded garages or parking shall have their rear or  
25 side lot lines coinciding with an alley twenty (20) feet wide containing a  
26 pavement width of at least ten (10) feet one-way and sixteen (16) feet two-way,  
27 except where the rear lot adjoins a greenbelt, lake or canal.

28  
29 (e) *Parking.*

30  
31 (1) No parking shall be permitted in the front setback area of residential lots of  
32 less than fifty (50) foot frontage, except that front loaded townhouse lots are  
33 required to provide parking for at least one vehicle in the front setback area.

34 (2) All off-street parking places shall be to the side or the rear of the building.  
35 Where no alley access exists and vehicular access is through the frontage, garage  
36 or carports shall be located a minimum of twenty (20) feet behind the front  
37 building setback.

38  
39 (f) *Signage.*

40  
41 (a) One wall, or streetedge mounted, sign not to exceed one (1) square foot shall  
42 be permitted.

43  
44 6. *Workshop use in mixed use development:*

45  
46 (a) *Land use.*

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- (1) Land designated for workshop use shall be in land containing buildings for the following uses:
  - a. Artists studios and accessory gallery use.
  - b. Artisanal use.
  - c. Bakeries (retail).
  - d. Banks.
  - e. Dance studios.
  - f. Dog and pet hospitals in air conditioned buildings.
  - g. Dry cleaning and dyeing establishments (retail).
  - h. Gasoline service stations.
  - i. Health and exercise clubs.
  - j. Interior design shops.
  - k. Medical equipment and supplies.
  - l. Office supply stores.
  - m. Office buildings.
  - n. Post office substations and police substations.
  - o. Photography labs.
  - p. Pottery shops.
  - q. Printing shops.
  - r. Residential use shall be permitted on the second and/or third floor above workplace use. A second floor residential unit must provide access to people with disabilities.
  - s. Restaurants excluding drive-in service.
  - t. Other similar uses as approved by the Director.

(b) *Land allocation.*

- (1) Workshop use lots shall constitute a minimum of three percent (3%) and a maximum of seven percent (7%) of the gross area of the neighborhood proper.
- (2) Workshop use lots shall not be within three hundred (300) feet of the geometric center of the neighborhood proper or the mandatory square or green.
- (3) All workshop use lots shall be contiguous and located within one (1) area with no intervening uses, provided however, in planned developments exceeding one hundred (100) acres in size, two (2) workshop use areas shall be permitted.

(c) *Lots and buildings.*

- (1) Buildings on workshop use lots shall have a setback of zero (0) or five (5) feet from the frontage line. The setback at street intersections shall not exceed five (5) feet from the frontage line and the side street line.
- (2) Street-front entries shall be at grade to allow access for people with disabilities.
- (3) Buildings on workshop use lots shall cover no more than seventy percent (70%) of the net lot area.

- 1 (4) A minimum of fifteen percent (15%) of the net lot area shall be developed as
- 2 landscaped open space.
- 3 (5) Buildings on workshop use lots shall not exceed thirty-five (35) feet in
- 4 height.
- 5 (6) Workshop use lots shall be separated from other use types at the side and rear
- 6 lot lines (excepting an entry on the alley) by a continuous masonry wall no less
- 7 than six (6) feet in height.
- 8 (7) Workshop use lots shall have a maximum width of three hundred (300) feet.

9  
10 (d) *Streets and alleys.*

- 11
- 12 (1) Workshop use lots shall front on streets of a sixty (60) feet minimum width
- 13 consisting of two (2) minimum eleven-foot wide travel lanes, and parallel parking
- 14 on at least one (1) side of the road. If the parking lane is provided on only one (1)
- 15 side there shall be a planting strip of at least eight (8) feet wide between the
- 16 opposite lane and the sidewalk. Sidewalks shall be no less than eight (8) feet wide
- 17 and are required on both sides of the street.
- 18 (2) Posted vehicle speed for workshop use streets shall not exceed twenty-five
- 19 (25) miles per hour.
- 20 (3) At intersections the curb radius shall be twenty (20) feet, with a clear zone
- 21 radius of twenty-five (25) feet. Parking lanes shall not be closer than twenty-five
- 22 (25) feet to the nearest intersecting building lot line.
- 23 (4) Workshop use lots shall have their rear or side lot lines adjacent to an alley
- 24 twenty-four (24) feet wide containing a vehicular pavement width of at least ten
- 25 (10) feet one-way and eighteen (18) feet two-way, except where the rear lot line
- 26 adjoins a greenbelt, lake or canal.

27  
28 (e) *Parking.*

29  
30 Off-street parking shall be placed to the side or the rear of the building.

31  
32 (f) *Signage.*

33  
34 All signs shall be wall mounted perpendicular to the building face with an eight-

35 foot clearance to the sidewalk and shall not exceed a total of twenty-four (24)

36 square feet and shall be limited to three (3) signs.

37  
38

1 **E LIMITATION ON VARIANCES**

2  
3 The following provisions of the Jenkins Road Planning Area code shall not be varied:

- 4
- 5 1. Curb requirements.
- 6 2. Front porch requirements.
- 7 3. Location of on-site parking.
- 8 4. Colonnades.
- 9 5. Townhouse and house use with first floor of at least eighteen (18) inches above crown
- 10 of the adjacent road.
- 11 6. Average block perimeter.
- 12 7. Public/semi-public use and civic use land allocation requirements.
- 13 8. Minimum land allocation requirements, except for workplace uses which may be
- 14 reduced by fifty percent (50%).
- 15 9. Street width requirements.
- 16 10. Maximum and minimum setback requirements.

17  
18 No alley shall be required for any location where it is demonstrated at public hearing that  
19 required parking is provided in the rear and due to design or intensity of such parking,  
20 alleys cannot provide safe or logical access to such parking.

21  
22 **F. OWNERSHIP AND MAINTENANCE OF COMMON OPEN SPACES AND**  
23 **CIVIC USE BUILDINGS**

24  
25 All land designated on approved plans as common open space, including squares, greens  
26 and parks, and buffers, and all structures devoted to the common use of the inhabitants of  
27 a Jenkins Road Planning Area Special District Planned Development or Planned Unit  
28 Development will be owned and/or maintained as follows:

- 29
- 30 1. Those projects developed under a condominium ownership shall be in accordance
- 31 with applicable Florida law, or
- 32
- 33 2. The common open space and civic uses shall be maintained under a special taxing
- 34 improvement district as approved by the Board of County Commissioners, or
- 35
- 36 3. The common open space and civic uses shall be owned by a property homeowners'
- 37 association in which case the ownership shall be subject to covenants providing for the
- 38 maintenance of common facilities in a manner that assures its continuing use for its
- 39 intended purpose and provided that a homeowners' association shall comply with the
- 40 following requirements:
- 41
- 42 a. Approval for form and legal sufficiency as to compliance with the ordinance
- 43 by the St. Lucie County Attorney's Office.
- 44 b. A homeowners' association shall be established before the units or individual
- 45 building lots are sold.

- 1 c. Membership shall be mandatory for each property owner and said association  
2 shall have the authority to adjust the assessment to meet the needs of maintaining  
3 the open space and common facilities.  
4 d. Any sums levied by the homeowners' association that remain unpaid, shall  
5 become a lien on the individual property and said lien shall be superior to all other  
6 liens save and except tax liens and mortgage liens, provided said mortgage liens  
7 are first liens against the property encumbered thereby, subject only to tax liens  
8 and secure indebtedness which are amortized in monthly or quarter annual  
9 payments over a period of not less than ten (10) years.

10  
11 **4.12.07 CONDITIONAL USES ALLOWED IN THE AR-1**  
12 **(AGRICULTURAL RESIDENTIAL – 1 ZONING DISTRICT) WITHIN THE**  
13 **JENKINS ROAD OVERLAY ZONE SPECIAL DISTRICT**

14  
15 Conditional Uses permitted by this subsection shall be reviewed for compliance with the  
16 standards for approval of conditional uses in Section 11.07.03 of the St. Lucie County  
17 Land Development Code, as it may be amended from time to time.

- 18  
19 1) Wholesale nurseries, the cultivation and storage of plants and trees (5193)  
20 2) Retail nurseries and florists (5261 and 5992)

21  
22 **4.12.08 LANDSCAPING**

23  
24 A. *Bufferyard requirements.* Bufferyard requirements shall be determined by  
25 subtracting the land use intensity factor of the least intense land use from that of the more  
26 intense adjacent land use as shown in the following table in this paragraph. Where  
27 adjacent land uses are separated by a right-of-way of forty (40) feet or more, the intensity  
28 factor of the highest intensity land use shall be reduced by one (1) point. However, all  
29 nonresidential development adjacent to rights-of-way shall provide landscaping adjacent  
30 to the right-of-way in accordance with the minimum requirements of the road cross-  
31 sections in Section 4.12.03.

32  
33 Native vegetation shall be preserved within the required landscape bufferyard to the  
34 extent practicable. Native vegetation shall be supplemented with walls, berms, or planted  
35 landscaping as necessary to achieve the desired screening.

36  
37 Plant materials shall be placed within the required bufferyard to produce the maximum  
38 screening effect between the affected properties. Trees shall be spaced within the  
39 bufferyard to provide a continuous screen at maturity. Trees shall be selected and planted  
40 so their crown spreads at maturity will be as close as possible to one another. The use of  
41 understory trees is required in bufferyards. Shrubs shall also be located within the  
42 bufferyard to provide maximum opacity, whether they are evenly spaced or clustered.  
43 Plants shall be selected to provide variety and interest, as well as screening. The entire  
44 bufferyard shall not be covered with only one plant species of any type. Plant species  
45 shall be as permitted by the Land Development Code landscaping standards.

1 Bufferyard design type shall be based on the land use intensity score difference using the  
 2 following table:

3  
 4 TABLE INSET:  
 5

		Required Plantings per 100 lineal feet length and associated depth:		
Bufferyard Design Type	Width (feet)	Shade Trees	Understory Trees	Shrubs
1	10	2	2	20
2	15	3	3	30
3	20	4	4	40
4	30	5	6	50
5	40	7	8	60
6	50	8	10	70
7	60	9	12	80
8	70	10	14	90
9	80	10	16	100

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 9

10 B. *Land use intensity factors.*

11  
 12 TABLE INSET:  
 13

Land Use Category	Intensity Factor
Residential: Less than two dwelling units/acre	1
Residential: 2.1--4 dwelling units/acre	2
Residential: 4.1--8 dwelling units/acre	3
Residential: 8.1--16 dwelling units/acre	4
Residential: Over 16 dwelling units/acre	5
Office: Less than 0.50 ISR*	4
Office: 0.50--0.65 ISR*	5

Office: Greater than 0.65 ISR*	6
General Commercial: Less than 0.50 ISR*	5
General Commercial: 0.50--0.65 ISR*	6
General Commercial: Over 0.65 ISR*	7
Highway Commercial/Warehouse/Mini-warehouse: 0.50--0.65 ISR*	7
Highway Commercial/Warehouse/Mini-warehouse: Over 0.65 ISR	9
Enclosed Industrial: Less than 0.65 ISR*	8
Enclosed Industrial: Over 0.65 ISR*	9
All Outside Storage	9
All Outside Processes	10

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\*Impervious Surface Ratio (ISR) may exceed 0.65 for the purposes of this section, because the measurement shall not include landscaped bufferyards required along rights-of-way.

Pedestrian access shall be provided through the required landscaping.

The landscaping requirement shall not apply to the area inside a commercial village.

The landscaping requirement shall apply around the perimeter of all parking lots and parking garages.

*C. Landscape buffers along canal rights-of-way.*

1. *Minimum width.* The following landscape buffer widths shall be established and measured perpendicular to the property line at the right-of-way for multifamily and nonresidential land uses abutting canals: 25 feet between the canal and the use, measured from the property line. Landscaping shall not be placed in the canal easement or right of way without the written permission of the entity owning/maintaining the canal.

*D. Design Standards for Required Landscape Buffers*

1. *Minimum length.* Landscape buffers shall extend along the entire length of the nonresidential or multifamily land use property boundary abutting a street right-of-way or adjacent property, and may only be altered for the following purposes:

a. Construction of accessways as necessary and in compliance with an approved development plan. Accessways shall traverse the required buffer yards at angles between 80 and 90 degrees.

b. Installation of stormwater, drainage or utility improvements as necessary and in compliance with an approved development plan. Such improvements and their

1 associated easements shall traverse the required landscaped buffer yards by the shortest  
 2 routes possible, and shall not have a length within the required buffer yard that exceeds  
 3 115 percent of the minimum required width of the buffer yard.

4 c. Selective clearing for visibility of freestanding signs in accordance with an  
 5 approved site or sign plan.

6 d. The regular pruning of trees to provide clear trunk and visibility between three  
 7 feet and eight feet above grade. Pruning to 15 feet above grade shall be required within  
 8 the vision triangle at road and accessway intersections. Such pruning shall only be  
 9 permitted for trees with height and maturity necessary to reasonably accommodate such  
 10 activity. Such pruning shall be permitted only to provide a view of approved freestanding  
 11 signs and traffic control devices, and to maintain drivers' visibility within required vision  
 12 triangles at intersections and driveways, and to maintain the health of understory trees  
 13 and shrubs. Other unnecessary excessive pruning shall be prohibited.

14 e. The regular removal of dead material and debris.

15 f. Installation of additional landscape materials required by this Code, including  
 16 walls and fences.

17 g. Construction of loading/unloading zones as required by this chapter for  
 18 commercial lots adjacent to a platted alleyway, in which the loading zones are located in  
 19 the rear of the commercial building, to be accessed through the alleyway, and to be  
 20 shielded from view of the street. Additional screening of the loading zone is required in  
 21 this situation to protect the view of residential zoning districts also adjacent to the  
 22 alleyway. Such screening requirements shall include the use of fences, walls,  
 23 landscaped berms and/or hedges to the height of eight feet at 100 percent opacity along  
 24 the sides of the loading zone that face a residential zoning district.

25 No public or private right-of-way, stormwater retention or detention area, building,  
 26 impervious surface, or easement other than those listed above shall be located in any  
 27 required buffer yard.

28  
 29 *2. Minimum planting requirements.*

30 a. Minimum planting requirements within landscape buffers along rights-of-way  
 31 shall be determined based upon the required buffer width.

32  
 33 TABLE INSET:

Buffer Width (feet)	Per 100 lineal feet of property line at the right-of-way		
	Shade Trees	Understory Trees	Shrubs
10	2	2	30
15	3	3	30
20	4	4	30
25	4	4	35
30	6	6	45

50	8	8	60
55	8	8	65
65	9	9	70

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b. *Minimum planting requirements.* One shade tree, two understory trees shall be planted per 50 lineal feet of property frontage at the right-of-way line and at adjacent property lines. A row of shrubs shall be planted within the buffer areas that will reach three feet in height within one year after planting, and provide as nearly as possible 100 percent opacity. These requirements apply to non-residential, multi-family, and single-family on double frontage lot land uses.

3. *Landscape buffers for double frontage residential lots.*

- a. *Minimum width.* Landscape buffers for all double frontage residential lots shall be 15 feet measured from the property line parallel to the abutting the rights-of-way.
- b. *Required vegetation.* A minimum of one shade tree and two understory trees shall be planted in each bufferyard, and arranged to create maximum screening of the building or building site at maturity. Bufferyards shall maintain existing native vegetation to the extent practicable, but must be supplemented with additional plants if the desired screening effect is not achieved. Shrubs shall be planted within the buffer to provide additional 100 percent opaque screening to a height of four feet at maturity.
- c. *Urban setting.* Tree wells may be used to accommodate the required trees.

**4.12.09 EXTERIOR LIGHTING**

A. *Purpose and objectives.*

- (1) *Statement of purpose.* It is the purpose of this article to promote the public health, safety and general welfare and to minimize adverse impacts from outdoor and indoor display lighting.
- (2) *Objectives.* The objectives of this article are:
  - a. To protect public health, safety and welfare.
  - b. To minimize obtrusive aspects of excessive and/or careless outdoor light usage while preserving safety, security and the nighttime use and enjoyment of property.
  - c. To encourage lighting practices that direct appropriate amounts of light where and when it is needed.
  - d. To increase the use of energy-efficient sources
  - e. To decrease the wastage of light and glare resulting from over-lighting and poorly shielded or inappropriately directed lighting fixtures.

(c) *General provisions.*

- (1) *Lands to which this article applies.* All outdoor illuminating devices within the Jenkins Road Planning Area Special District shall be installed in conformance with the provisions of this article and other provisions of the St. Lucie County Land Development Code, as applicable, and under appropriate permit and inspection.
- (2) *Applicability.*

- 1 a. *New uses, buildings and major additions or modifications.* For all proposed new land  
2 uses, developments, buildings, and structures that require a permit, all outdoor lighting  
3 fixtures shall meet the requirements of this section. All building additions or  
4 modifications of 50 percent or more in terms of additional dwelling units, gross floor  
5 area, or parking spaces, either with a single addition or with cumulative additions  
6 subsequent to the effective date of this provision, shall invoke the requirements of this  
7 section for the entire property, including previously installed and any new outdoor  
8 lighting. Cumulative modification or replacement of outdoor lighting constituting 50  
9 percent or more of the permitted lumens for the parcel, no matter the actual amount of  
10 lighting already on a non-conforming site, shall constitute a major addition for purposes  
11 of this section.
- 12 b. *Minor additions.* Additions or modifications of less than 50 percent to existing uses,  
13 as defined in section (a) above, and that require a permit, shall require the submission of a  
14 complete inventory and site plan detailing all existing and any proposed new outdoor  
15 lighting. Any new lighting on the site shall meet the requirements of this section with  
16 regard to shielding and lamp type. Levels of illumination created by adding or  
17 modification to less than 50 percent of an existing site shall not exceed minimum  
18 provisions of this section except the maximum lumen cap.
- 19 c. *Cumulative changes.* Changes to a site or site lighting that equal or exceed the 50  
20 percent of threshold in paragraph a. within three years from the date of the first change  
21 shall comply with paragraph a.
- 22 d. *Resumption of use after abandonment.* If a property or use with non-conforming  
23 lighting is abandoned as defined below, then all outdoor lighting shall be reviewed and  
24 brought into compliance with this section before the use is resumed.
- 25 e. *Roadways.* County and municipal lighting for public roadways is exempt from the  
26 provisions of this section.
- 27 (3) *Compliance.* No lighting shall hereafter be located, added, converted or  
28 structurally/mechanically altered without full compliance of the terms of this article and  
29 other applicable regulations.
- 30 (4) *Environmental considerations.* Prior to prepare a lighting plan, developer(s) and/or  
31 landowner(s) shall identify if there are any light sensitive wildlife species on site, which  
32 are listed as federal or state endangered species, threatened species, or species of special  
33 concern. For example, navigating primarily by the stars, night-migrating birds become  
34 disoriented by street and development project lights resulting collision with buildings or  
35 lakes. Upon the presence of light sensitive wildlife, the developer(s) and/or landowner(s)  
36 shall have a responsibility to arrange an appropriate lighting plan.
- 37 a. The height of any lighting standard or supporting structure shall be limited to the  
38 height of the main building structure.
- 39 b. All lights shall have a shield toward the nesting area of the protected wildlife.
- 40 (5) *Greater restrictions.* Where this section and other regulations conflict, whichever  
41 imposes the more stringent restrictions shall prevail.
- 42 (6) *Interpretation.* In the interpretation and application of this section all provisions shall  
43 be (1) liberally construed in favor of the county; and (2) deemed neither to limit nor  
44 repeal any other powers granted under state statutes. The enforcement official or his/her  
45 designee shall interpret this section. Disagreements with the decisions of the enforcement  
46 official shall be appealed to the development review committee. Disagreements with the

1 decision of the development review committee shall be appealed to the county's special  
2 master.

3  
4 (d) *Provisions for lighting design.*

5 (1) General standards.

6 a. Light trespass.

7 1. In no case shall illumination from a property increase the level of illumination at  
8 property lines by more than half (0.5) fc.

9  
10 b. All light fixtures including wall/surface-mounted luminaires shall be installed and  
11 maintained in such a manner that the shielding is effective as described herein for fully-  
12 shielded fixtures.

13  
14 1. Decorative lighting of building exteriors, landscaping, bridges, statuary and other  
15 man-made and natural features shall be fully-shielded down. Antique-style luminaires  
16 shall contain a recessed light source within the top.

17  
18 2. Lighting fixtures shall be placed, located, aimed, and shielded so as to not cause light  
19 trespass or glare beyond the property boundary. House-side and road-side cutoff shields  
20 shall be installed if needed.

21  
22 3. Lighting fixtures shall be of a type and placed so as to not allow any light above the  
23 horizontal, as measured at the luminaire, except as provided herein. Cutoff fixtures at a  
24 minimum shall be installed. A cutoff fixture shall be designed so it does not have more  
25 than one percent of lamp lumens above horizontal.

26  
27 4. At a canopy area, such as that found at drive-through facilities at banks, service  
28 stations, convenience centers, and car-washes, lighting under the canopy, awning, porte-  
29 cochere, etc. shall be either recessed or cutoff fixtures. The maximum footcandle level  
30 shall be ten fc.

31  
32 5. Flood or spot lamps must be fully shielded and shall not be at an angle that diverts  
33 lights beyond the property line. The light sources shall not be visible from adjoining  
34 streets and/or neighboring residential property.

35  
36 c. To prevent sudden glare effects and help adjusting night-time lighting environments,  
37 the Uniformity Lit Ratio shall be the foot-candle levels of 10-to-1 maximum to minimum  
38 foot candles.

39  
40 d. Seasonal decorations using typical unshielded low-wattage incandescent lamps shall  
41 be permitted, unless prohibited by other provisions of the St. Lucie County Land  
42 Development Code.

43  
44 e. Curfew: All lighting for commercial, industrial and any other non-residential  
45 activities, shall be reduced by 50 percent between 11:00 p.m. (or when the business

1 closes, whichever is later) and sunrise. Except that security lighting for these  
2 establishments shall conform to the other provisions of this section.

3  
4  
5 f. Total lumen cap:

- 6 1. Industrial or business uses shall not exceed 70,000 lumens per acre (average 1.6 fc).  
7 2. Commercial uses shall not exceed 87,120 lumens per acre (average 2 fc).

8  
9 g. Lighting for paths along streets shall be designed to meet horizontal illumination level  
10 of one fc for commercial areas, one-half fc for intermediate areas such as office, light  
11 industrial, and flex spaces, and a point three (0.3) fc for residential areas. Paths away  
12 from streets shall meet horizontal illumination level of one-half fc.

- 13 1.  $\pm$  15 percent of standard foot-candle may be allowed.  
14 2. In any cases, lighting for paths shall be a minimum of one-quarter fc, which is the  
15 IESNA Security Lighting Committee recommendation for facial identification. The  
16 minimum vertical illumination should be one-half fc.  
17 3. All the paths including pedestrian ways and bikeways within  
18 commercial/industrial/office development sites and their abutting right-of-way shall be  
19 equipped with lighting at developer(s) or abutting property owner's sole cost and expense.  
20 4. The light fixture/luminaire shall be decorative in appearance, style and finish.

21 h. Lumen calculation:

- 22 1. 100 percent of the lumens from outdoor light fixtures installed at grade, on poles, and  
23 installed on the top or sides of buildings or other structures, when not shielded from  
24 above by the structure itself.  
25 2. Full cutoff light fixtures installed under canopies and less than one fc, building  
26 overhangs, or roof eaves shall not be counted in determining the lumen caps. In any  
27 cases, no light source shall be visible at the property line.  
28 3. 50 percent of the lumens from underwater light fixtures unless the fixture is aimed at  
29 an angle of less than 45 degree above the horizontal, in which case the lumens shall be  
30 calculated at ten percent of the lumens.

31 i. Multi-use lighting must conform to the shielding and timing restrictions, if any, that  
32 apply to the most restrictive included use.

33 (2) Elevated standards.

34 a. St. Lucie County hereby is regulating the heights of light fixtures to provide effective  
35 and efficient lighting provisions while improving comprehensive aesthetic appearance of  
36 Deltona. Categories of light fixtures shall be as below:

- 37 1. The height of low-level landscape lights shall be less than ten feet. Light sources are  
38 usually below eye level, so glare shall be controlled by maximum shielding.  
39 (i) Lamps may be incandescent, compact fluorescent, induction, mercury vapor, metal  
40 halide, or high-pressure sodium.  
41 (ii) Low-wattage capabilities, with limited intensities.  
42 (iii) Substantial variety, with some sizes and shapes fitting within modules of finished  
43 materials (brick, etc.)  
44 (iv) Finite light patterns, with directing capabilities.  
45 (v) Low maintenance requirements but high susceptibility to vandalism.

1 2. The height of intermediate-height landscape lights shall be within the ranges of 11 to  
2 15 feet. It shall generally be used in or around pedestrian pavements, and considered  
3 pedestrian in scale.

4 (i) Lamps may be incandescent, compact fluorescent, induction, mercury vapor, metal  
5 halide, or high-pressure sodium.

6 (ii) Substantial variety of fixtures and respective lighting patterns.

7 (iii) Lower fixture mounting heights are susceptible to vandalism.

8 3. The height of accessway, driveway, and/or parking lot lights shall be within the  
9 ranges of 21 to 35 feet. (Figure 6)

10 (i) Lamps may be mercury vapor, metal halide, or high-pressure sodium.

11  
12 b. Lakeside/shoreland lighting.

13 1. The purpose of this section is to minimize light pollution of the Lakeside/shoreland  
14 environment without significantly inhibiting safety and security.

15 2. This section applies to all lighting on berthing structures, piers or docks designed to  
16 illuminate those structures. Light fixtures which do not conform to these provisions may  
17 be allowed with a conditional use permit upon a showing of special circumstances  
18 affecting safety, security, or general public interest. Non-conforming lighting in existence  
19 on the effective date of this section must be brought into compliance within five years.

20 (i) Flashing and rotating lights are prohibited.

21 (ii) Lighting inside a boathouse and intended to illuminate its interior is permitted, and  
22 is not subjected to the limitation herein, except that such lighting shall not be permitted to  
23 create a nuisance to other properties or to boaters.

24 (iii) Lighting on exteriors of berthing structures, piers or docks shall be fitted with  
25 opaque shields to prevent direct visibility of the lamp to persons on public waters or  
26 adjacent lands more than 50 feet beyond the berthing structure.

27 (iv) Lighting not mounted on a berthing structure, piers or docks but designed to  
28 illuminate such a structure or its immediate vicinity shall comply with subparagraph b.  
29 above.

30 (v) Public marinas may install illuminated signs with opaque shaded or shielded lighting  
31 that provide information pertaining to applicable federal state or municipal rules and  
32 regulations relating to electrical, fueling, waste and sewage disposal or other safety and  
33 environmental matters. Such sign illumination shall not be visible from off the berth  
34 structure, piers or docks.

35  
36 c. Special uses.

37  
38 1. *Recreational facilities.*

39 (i) Lighting for outdoor athletic fields, courts or tracks shall be exempt from the lumens  
40 limits or foot-candle limits of this section.

41 (ii) Shielding: Fully shielded lighting is required for fields designed for amateur level of  
42 play (e.g. amateur or municipal league, elementary to high school, training, recreational  
43 or social levels). Facilities designed for professional level of play (e.g. college, semi-  
44 professional, professional or national levels) shall utilize luminaires with minimal upright  
45 consistent with the illumination constraints of the design. Where fully shielded fixtures  
46 are not utilized, acceptable luminaires shall include those which:

- 1 i. Are provided with internal and/or external glare control louvers or lenses and installed
- 2 so as to minimize upright and offsite light trespass and glare, and;
- 3 ii. Are installed and maintained with aiming angles that permit no greater than five
- 4 percent of the light emitted by each fixture to project above the horizontal.
- 5 (iii) Illuminance: All lighting installations shall be designed to achieve no greater than
- 6 the minimal illuminance levels for the activity as recommended by the Illumination
- 7 Engineering Society of North America (IESNA RP-6).
- 8 (iv) Off-site spill: The installation shall also limit off-site spill (off the parcel containing
- 9 the sports facility) to the maximum extent possible consistent with the illumination
- 10 constraints of the design: A design goal of one-half fc at any location on any adjacent
- 11 property lines shall be achieved.
- 12 (v) Certification: Every such lighting system design and installation shall be certified by
- 13 a registered engineer as conforming to all applicable restrictions of this section.

14  
15 2. *Outdoor display lots.*

- 16 (i) Outdoor display lots shall not exceed 100,000 lumens per acre (average 2.3 fc).
- 17 (ii) Shielding: All display lot lighting shall utilize fully shielded luminaires that are
- 18 installed in a fashion that maintains the fully shielded characteristics.
- 19 (iii) Display light lighting shall be installed such that glare from the luminaire is not
- 20 visible from residential properties.
- 21 (iv) Illuminance: the display lot shall be designed to achieve no greater than the minimal
- 22 illuminance levels for the activity as recommended by the Illumination Engineering
- 23 Society of North America (IESNA RP-33).
- 24 (v) Off-site spill: the display lot shall limit off-site spill (off the parcel containing the
- 25 display lot) to a maximum of a one-half fc at any location on any non-residential
- 26 property, and a point zero five fc at any location on any residential property, as
- 27 measurable from any orientation of the measuring device.
- 28 (vi) Certification: Every display lot lighting system design and installation shall be
- 29 certified by a Florida Licensed Professional Engineer (LPE) as conforming to all
- 30 applicable restrictions of this section.
- 31 (vii) Curfew: Display lot lighting shall be reduced no more than 70,000 lumens per acre
- 32 no later than 11:00 p.m., or within 30 minutes after closing of the business, whichever is
- 33 later. Lighting in the display lot after this time shall conform to all applicable restrictions
- 34 of this section, including the lumens restrictions.

35 3. *Car dealership.*

- 36 (i) Car dealership lighting shall be consistent with the outdoor display lots, and the
- 37 additional requirements of this subsection.
- 38 (ii) Maximum illuminance shall not exceed 20 fc for a front row (major display row) of
- 39 cars or trucks adjacent to a primary road. The illuminance of other rows shall not exceed
- 40 maximum ten fc.
- 41 (iii) No light source shall be directly visible by drivers of vehicles on any adjoining
- 42 street.

43 4. *Interior display area.*

- 44 (i) All lightings for display shall be aimed away from windows.
- 45 (ii) No light source shall be directly visible by drivers of vehicles on any adjoining
- 46 street.

1 (iii) Mirrored/reflective glass for display area, which reflects glare, is prohibited.  
2 (iv) Maximum interior illuminance of spot lighting shall not exceed 75 fc and that of  
3 display lighting shall not exceed 50 fc.

4 5. *Service station canopies.*

5 (i) At a canopy area, the maximum footcandle level shall be ten fc.

6 (ii) Shielding: All luminaires mounted on or recessed into the lower surface of service  
7 station canopies and parking structures shall be fully shielded and utilize flat lenses.

8 (iii) Total under-canopy output shall be consistent with the general standards in this  
9 section.

10 (iv) Luminaires mounted on the lower surface or recessed into the lower surface of the  
11 canopy and any lighting within signage or illuminated panels over the pumps shall be  
12 included toward the total lumen cap.

13 6. *Fire lands and driveways.* Lighting at fire lands or driveways at building entrances  
14 may exceed allowable standards of intensity for safety purposes upon demonstration that  
15 compliance with these lighting criteria would otherwise create a safety hazard. However,  
16 light levels shall not exceed five fc at any point.

17 7. *Automatic teller machines (ATMs).* Lighting intensities at ATM machines shall be  
18 governed by applicable Florida Statutes as they are amended from time to time. These  
19 ATM lighting regulations shall not be interpreted to allow lower level of lighting at  
20 ATMs than any minimum safe level established by Florida law. When Florida establishes  
21 a minimum lighting level at ATMs that exceed the standards adopted herein, no ATM  
22 shall be permitted to provide lighting that exceeds the minimum levels established by  
23 law. Free standing ATMs shall not exceed 20 fc within a five foot radius from the ATM  
24 or five fc within a 30 foot radius. Lighting fixtures shall be located at least 12 ft. above  
25 the ground.

26 8. *Parking structure:* Illuminance levels for the interior of parking structures, where  
27 interior lighting is visible from outside the structure, shall conform to the IESNA  
28 recommendations (RP-20) (Basic including ramps and entrance areas: 1 fc; stairways: 2  
29 fc)

30 9. *Generally.* All lighting not directly associated with the special use areas above shall  
31 conform to the lighting standards described in this section, including but not limited to  
32 the lamp type and shielding requirements and the lumens limits.

33  
34 (f) *Administration .*

35  
36 (1) Submission of plans and evidence of compliance.

37  
38 a. *Submission contents.* The applicant for any permit required by any provision of the  
39 laws of this jurisdiction in connection with proposed work involving outdoor lighting  
40 fixtures shall submit (as part of the application for permit) evidence that the proposed  
41 work will comply with this section. The illumination plan shall be prepared by a Florida  
42 licensed professional engineer with expertise in the field of illumination. Even should no  
43 other such permit be required, the installation or modification (except for routine  
44 servicing and same-type lamp replacement) of any exterior lighting shall require  
45 submission of the information described below. The submission shall contain but shall  
46 not necessarily be limited to the following, all or part of which may be part or in addition

1 to the information required elsewhere in the laws of this jurisdiction upon application for  
2 the required permit:

- 3
- 4 1. Plans indicating the location on the premises of each illuminating device, both
- 5 proposed and any already existing on the site;
- 6 2. Description of all illuminating devices, fixtures, lamps, supports, reflectors, both
- 7 proposed and existing. The description may include, but is not limited to catalog cuts and
- 8 illustrations by manufacturers (including sections where required);
- 9 3. Photometric data showing the angle of cut off of light emissions.

10

11 b. *Additional submission.* The above required plans, descriptions and data shall be  
12 sufficiently complete to enable the designated official to readily determine whether  
13 compliance with the requirements of this section will be secured. If such plans,  
14 descriptions and data cannot enable this ready determination, the applicant shall  
15 additionally submit as evidence of compliance to enable such determination such  
16 certified reports of tests as will do so provided that these tests shall have been performed  
17 and certified by a recognized testing laboratory.

18

19 c. *Subdivision plats.* If any subdivision proposes to have installed street or other  
20 common or public area outdoor lighting, submission of the information as described  
21 herein shall be required for all such lighting.

22

23 d. *Lamp or fixture substitution.* Should any outdoor light fixture or the type of light  
24 source therein be changed after the permit has been issued, a change request must be  
25 submitted to the designated official for approval, together with adequate information to  
26 assure compliance with this section, which must be received prior to substitution.

27

28 e. *Plan review.* If the designated official determines that the proposed lighting does not  
29 comply with this section, the permit shall not be issued or the plan approved.

30

31 f. *Correction.* Upon county's judgment, St. Lucie County staff may issue an inspection  
32 to be performed by a licensed professional engineer with expertise in the field of  
33 illumination. The following correction shall be performed at the expense of developer(s)  
34 and/or landowner(s).

35

36 g. *Certification.* For all projects where the total initial output of the proposed lighting  
37 equals or exceeds 70,000 lamp lumens, certification that the lighting, as installed,  
38 conforms to the approved plans shall be provided by a certified engineer before the  
39 certificate of occupancy is issued. Until this certification is submitted, approval for use of  
40 a certificate of occupancy shall not be issued for the project.

41

42 (2) Approved materials, construction, installation and operation.

43 a. The provisions of this section are not intended to prevent the use of any design,  
44 material, or method of installation or operation not specifically prescribed by this section,  
45 provided any such alternate has been approved by the designated official. The designated  
46 official may approve any such proposed alternate providing he/she finds that it:

- 1  
2 1. Provides reasonable equivalence to that applicable specific requirement of this  
3 section, consistent with the purpose and intent of this section.  
4 2. Is otherwise satisfactory and complies with the intent of this section.

5  
6 b. Prohibitions.

- 7  
8 1. Non-conforming fixtures and lamps. The installation of any outdoor lighting fixture  
9 or lamp the use of which is not allowed by this section is prohibited.  
10 2. Laser source light. The use of laser source light or any similar high intensity light for  
11 outdoor advertising or entertainment, when projected above the horizontal, is prohibited.  
12 3. Searchlights. The operation of searchlights, flood lights, or similar lights for  
13 advertising purposes is prohibited.

14  
15 (3) Temporary exemption.

16  
17 a. *Request; renewal; information required.* Any person may submit a temporary  
18 exemption request to the designated official. The request shall contain the following  
19 information:

- 20  
21 1. Specific ordinance exemption(s) requested;  
22 2. Duration of requested exemption(s);  
23 3. Proposed location on premises of the proposed light fixture(s);  
24 4. Purpose of the proposed lighting;  
25 5. Information for each luminaire and lamp combination as required herein;  
26 6. Previous temporary exemptions, if any, and addresses of premises thereunder;  
27 7. Such other data and information as may be required by the designated official.

28  
29 b. *Approval; duration.* The Director of Growth Management or his/her designee shall  
30 have five business days from the date of submission of the request for temporary  
31 exemption to act, in writing, on the request. If approved, the exemption shall be valid for  
32 not more than 30 days from the date of issuance of the approval. The approval shall be  
33 renewable upon further written request, at the discretion of the designated official, for a  
34 maximum of one additional 30-day period. The designated official is not authorized to  
35 grant more than one temporary permit and one renewal for a 30-day period for the same  
36 property within one calendar year.

37  
38 c. *Disapproval; appeal.* If the request for temporary exemption or its extension is  
39 disapproved, the person making the request will have the rights to appeal by writing to  
40 the county commission within 30 days after the rendition of a determination.

41  
42 (4) Other exemptions.

43  
44 a. *Nonconformance.*  
45

1 1. Bottom-mounted or unshielded outdoor advertising sign lighting shall not be used  
2 beginning five years after enactment of this section.  
3 2. All other outdoor light fixtures lawfully installed prior to and operable on the  
4 effective date of this section are exempt from all requirements of this section. There shall  
5 be no change in use or lamp type, or any replacement (except for same type and same-  
6 output lamp replacement) or structural alteration made, without conforming to all  
7 applicable requirements of this section. Further, if the property is abandoned, or if there is  
8 a change in use of the property, the provisions of this section will apply when the  
9 abandonment ceases or the new use commences.

10  
11 b. *County, state and federal facilities.* Compliance with the intent of this section at all ,  
12 State and Federal facilities is encouraged.

13  
14 c. *Emergency lighting.* Emergency lighting, used by police, firefighting, or medical  
15 personnel, or at their direction, is exempt from all requirements of this section.

16  
17 d. *Swimming pool and fountain lighting.* Underwater lighting used for the illumination  
18 of swimming pools and fountains is exempt from the lamp type and shielding standards  
19 provided herein, though it must conform to all other provisions of this section.

20  
21 e. *Flags, lighted.* United States and State of Florida flags are exempt from the  
22 provisions of this section. All other outdoor lighted flags, such as, but not limited to,  
23 decorative and commercial flags shall conform to the provisions of this section.

24  
25 f. *Holiday lighting.* Holiday lighting shall be permitted to be consistent with any  
26 applicable Land Development Code requirements.

27  
28 g. *Towers.* Legally required safety lighting for towers shall be exempt from this  
29 section.

30  
31 h. *Airfields and airports.* These facilities, both commercial and non-commercial, shall  
32 be exempt from the provisions of this section where lighting is used for air safety reasons.  
33 All other lighting shall conform to this section.

34  
35 i. *Security lighting.*

36  
37 1. Security lighting for critical facilities subject to federal and/or state recommended or  
38 required minimum lighting levels shall be designed and installed to be consistent with  
39 any appropriate Federal or State guidelines, as they may be amended from time to time.  
40 In the absence of appropriate guidelines, the lighting design and installation shall be  
41 performed under the guidance of the Homeland Security Advisor with the Sheriff's  
42 Office.

43 2. Security lighting not subject to federal and/or state review shall be infrared sensor  
44 spot lights that come on when someone walks into the field of view of the infrared (IR)  
45 detector. The security lighting shall be installed so as to put the light only where it is  
46 needed, not shooting up into the sky or onto neighboring property.

1 3. Other forms of continuous security lighting may be installed after having an  
2 illumination plan reviewed by the county, if the lighting should be exempt from the  
3 provisions of the exterior lighting ordinance, as determined by the Director of Growth  
4 Management or his/her designee. Other forms of continuous security lighting shall be:

- 5  
6 (i) A well-shielded low pressure sodium (LPS) fixture where color rendering is not  
7 needed; or  
8 (ii) A similar full-cutoff high pressure sodium (HPS) or metal halide (MH) fixture, or  
9 the new low-wattage compact fluorescent (PL) lamps used in good fixtures with no  
10 upright and no glare, in those cases where a monochromatic light source is not suitable.

11  
12 4. Security lighting design.

- 13  
14 (i) Any security lighting shall not produce glare that temporarily blinds security  
15 personnel.  
16 (ii) Any security lighting shall not silhouette nor highlight guards.  
17 (iii) Any security lighting shall yield to the control of security personnel.  
18 (iv) Any security lighting shall provide a minimum intensity of 0.25 fc.  
19 (v) Security lighting in exclusion areas (areas for authorized personnel only) such as  
20 exclusive rehabilitation/medical center, public utility, research center, and other secured  
21 areas that require nighttime lighting on a permanent basis shall guarantee the failure of  
22 one or more lights will not affect the operation of remaining lights.

23  
24 j. *Economic development.* Economic development in non-retail businesses generating  
25 more than 75 employees for research/development or 100 employees for others may  
26 receive a waiver of up to 15 percent of total lumen cap requirements of the exterior  
27 lighting code unless the lighting plan is estimated to harm public interest, welfare, and  
28 safety. The waiver must be justified on the basis of demonstrated safety, security, or  
29 operational needs supported with professionally accepted data and analysis.

30  
31 (g) *Enforcement, penalties and remedies.*

32  
33 (1) At any time, St. Lucie County has the right to perform an inspection to verify proper  
34 function of the illumination system and issue a notice of non-compliance if any  
35 deficiencies are noted.

36  
37 (2) Violations. It shall be unlawful for any person to violate any provision of this  
38 section. Each day that the violation continues after notification of non-compliance shall  
39 constitute a separate offense. The county may institute appropriate action or proceedings  
40 to enjoin violations of this section.

41  
42 (3) Penalties. Any person who fails to comply with the provisions of this section shall be  
43 the subject of code enforcement process as established in the Land Development Code of  
44 St. Lucie County.

45 \*5.06.00

1 **4.12.10 RIGHT OF WAY DEDICATION REQUIREMENTS**

2  
3 The following roads shown on Map shall be dedicated, built, and eligible for road impact  
4 fee credits in accordance with the requirements for dedication of right of way for roads  
5 on the Thoroughfare Network Right-of-Way Protection Plan in accordance with the  
6 requirements of Section 7.05.03, I of this St. Lucie County Land Development Code, as it  
7 may be amended from time to time.

8  
9 **4.12.11 CONFLICTS WITH OTHER SECTIONS OR CHAPTERS**

10  
11 In the event of express conflict with any provision of the St. Lucie County Land  
12 Development Code the provisions of this Article shall prevail.

13  
14 **SECTION 2. CONFLICTS.**

15  
16 All ordinances, or parts of ordinances, in conflict herewith are invalid to the extent of  
17 such conflicts, and the same are hereby repealed.

18  
19 **SECTION 3. SEVERABILITY.**

20  
21 If any portion of this ordinance is for any reason held or declared to be  
22 unconstitutional, inoperative or void, such holding shall not affect the remaining portions  
23 of this ordinance. If this ordinance or any provision thereof shall be held to be  
24 inapplicable to any person, property, or circumstance, such holding shall not affect its  
25 applicability to any other person, property, or circumstance.

26  
27 **SECTION 4. FILING WITH THE DEPARTMENT OF STATE.**

28  
29 The Clerk is hereby directed forthwith to send a certified copy of this ordinance to  
30 the Bureau of Administrative Code and Laws, Department of State, The Capitol,  
31 Tallahassee, Florida 32304.

32  
33 **SECTION 5. EFFECTIVE DATE.**

34  
35 This ordinance shall take effect upon filing with the Department of State.

36  
37 **SECTION 6. CODIFICATION.**

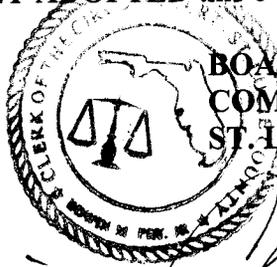
38  
39 Provisions of this ordinance shall be incorporated in the Code of Ordinances of St.  
40 Lucie County, Florida, and the sections of this ordinance may be renumbered or  
41 relettered to accomplish such intention; provided, however, that Sections 2 through 4  
42 shall not be codified.

1 After motion and second, on second hearing and adoption, the vote on this  
2 ordinance was as follows:

3  
4 Chairman Chris Craft AYE  
5 Vice Chairman Joseph E. Smith AYE  
6 Commissioner Doug Coward AYE  
7 Commissioner Paula A. Lewis AYE  
8 Commissioner Charles Grande AYE  
9

10 **PASSED AND DULY ADOPTED** this 6<sup>th</sup> day of February, 2007.

11  
12  
13  
14 **ATTEST:**



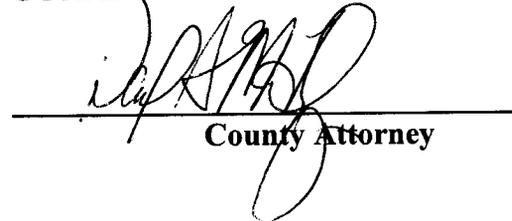
**BOARD OF COUNTY  
COMMISSIONERS  
ST. LUCIE COUNTY, FLORIDA**

15  
16  
17   
18  
19 **Deputy Clerk**

**BY:**

  
**Chairman**

20  
21 **APPROVED AS TO FORM AND  
22 CORRECTNESS**

23  
24   
25  
26 **County Attorney**  
27