



AGENDA REQUEST

10.A.1.
ORD-2025-6
PUBLIC HEARINGS -
PLANNING &
DEVELOPMENT
SERVICES
DATE: **4/8/2025**
*ORDINANCE ITEM -
LAND DEVELOPMENT
CODE TEXT
AMENDMENT
QUASI-JUDICIAL ITEM?
NO

TO: Board of County Commissioners

PRESENTED BY: Thad Crowe, Senior Planner

SUBMITTED BY: Planning & Development Services

SUBJECT: Land Development Code (LDC) Text Amendment to the AG-2.5 Zoning District Requested by Riverside Citrus Harvesting LLC to Allow Utility Trade Contractors with Specialty Storage, Engaged in the Construction of Water and Sewer Mains, Pipelines, Communications and Powerlines, as a Conditional Use Subject to the Supplemental Standards of Land Development Code Section 7.10.36

BACKGROUND:

This request for an LDC Text Amendment, filed by Riverside Citrus Harvesting LLC., proposes to would allow Utility Trade Contractors with Specialty Storage, engaged in the construction of water and sewer mains, pipelines, communications and powerlines, subject to supplemental standards as an eligible Conditional Use within the Agricultural-2.5 (AG-2.5) Zoning District, and requiring adjacency and direct access to State Roads 68 or 70 (Orange Ave. or Okeechobee Rd.) as well as a minimum lot size of four acres and a minimum lot width of 250 feet.

PREVIOUS ACTION:

On June 7, 2022, the Board of County Commissioners adopted Ordinance 2022-012 which introduced Recreational Vehicle (RV) & Boat Storage Facilities, a subset of Standard Industrial Code Classification 7521 as an eligible Conditional Use within the AG-5 Zoning District subject to Supplemental Standards that establish location eligibility and design criteria for proposals, in addition to the Standards for Review and Application Procedure for authorizing a Conditional Use Permit.

On May 9, 2023, the Board of County Commissioners advised staff, at their Informal Meeting, to propose Land Development Code language that would allow Utility Trade Contractors and storage for their associated materials as an eligible Conditional Use within the AG-5 zoning district.

On February 6, 2024, the Board of County Commissioners adopted Ordinance 2024-10 to allow Utility Trade Contractors and storage for their associated materials as an eligible Conditional Use within the AG-5 zoning district, subject to supplemental and dimensional standards.

On February 20, 2025, the Planning & Zoning Commission evaluated the proposed Land Development Code Text Amendment and after discussion voted unanimously to recommend approval to the Board of County Commissioners.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends the Board hold a public hearing on the first reading of the proposed Land Development Code Text Amendment, evaluate the proposal and schedule a Second Reading at their April 22, 2025 Meeting, scheduled for 9 AM or soon thereafter.

COMMISSION ACTION:

RESULT:

MOVER: None

SECONDER: None

AYES: None

NAYS: None

EXCUSED: None

Coordination/Signatures



Date: March 31, 2025

Benjamin Balcer, Planning & Development Services Director



Date: March 31, 2025

Daniel McIntyre, County Attorney



Date: April 01, 2025

Mayte Santamaria, Deputy County Administrator

TO: Board of County Commissioners

THROUGH: Benjamin Balcer, AICP, Planning and Development Services Director
Kori Benton, AICP, Planning Manager

FROM: Thad Crowe, AICP, Senior Planner

DATE: March 21, 2025

SUBJECT: Utility Trade Contractors as Conditional Use in AG-2.5 Zoning
Land Development Code Text Amendment TLDC-2409-000037

APPLICATION SUMMARY:

The Applicant, Adrian Morales of Riverside Citrus Harvest LLC, represented by Logan Wellmeier of Dean, Mead, Minton and Moore, has requested a Text Amendment to the St. Lucie County Land Development Code (LDC), Section 3.01.03(B)(7), AG-2.5 Zoning District Conditional Uses, to allow utility trade contractors with specialty storage, engaged in the construction of water and sewer mains, pipelines, and communication and powerline construction, subject to the requirements of Section 7.10.36 (Supplemental Standards for Recreational Vehicles, Boat Storage, and Utility Trade Contractor Facilities). The proposed changes would provide Conditional Use eligibility on AG-2.5-zoned properties that are 1) adjacent to and with direct access to State Roads 68 or 70 (Orange Ave. or Okeechobee Rd.), 2) at least four acres in size, and 3) have a minimum lot width of 250 feet.

The Applicant is the owner property at 12387 Orange Avenue, in the AG-2.5 section of Orange Ave., cited last November for operating overnight utility truck parking operations without a business permit and zoning compliance and removing trees without a vegetation permit, linked to a lease. The Applicant is working to meet Code and part of these efforts include this LDC Text Amendment, which would allow Conditional Use review for the referenced site and other eligible properties. This Text Amendment provides a pathway for this and other similar uses for LDC compliance through site improvements such as landscape buffers and paving or providing alternative surfaces for vehicular use areas, both of which will help to reduce fugitive dust and improve appearances. The Applicant's initial application did not include criteria 2) and 3) above, instead requiring adjacency to properties adjacent to a Utility-zoned parcel as well as contractor support for the Utility. This narrow condition would have limited the Conditional Use option to just one property in the two corridors, namely 12387 Orange Avenue. Staff believe that this would be special treatment and proposed as an alternative the minimum lot size and width standards which would expand eligibility to larger lots that can provide sufficient space for expanded buffers and noise diminishment by distance. The Applicant concurs with the proposed dimensional criteria.

BACKGROUND:

On June 7, 2022, the Board of County Commissioners adopted Ordinance 2022-012 which introduced Recreational Vehicle (RV) & Boat Storage Facilities as an eligible Conditional Use within the AG-5 Zoning District subject to Supplemental Standards that establish location eligibility and design criteria for proposals, in addition to the Standards for Review and Application Procedure for authorizing a Conditional Use Permit.

Ordinance 2022-012 Supplemental Standards required:

- RV & boat storage facility locations within 1.5 miles of State Road 68 (Orange Ave.) and State Road 70 (Okeechobee Rd.);
- paved access;
- visual screening with a minimum 30-foot wide landscape buffer with a berm and eight-foot tall wall;
- paved parking;

- utilities to serve facility;
- limiting ambient lighting to 0.25 footcandles at property lines of adjacent parcels;
- meeting Supplemental Standards for security gatehouses or access control devices (Sec. 7.10.15);
- impervious surface for areas offering boat storage to ensure oil drip capture.
- notice to property owners within 1,000 feet of the site (twice what is required for other development applications); and
- additional (and reasonable) discretionary standards that the BoCC might include such as limitations on hours of operations and security provisions.

On May 9, 2023, the Board of County Commissioners advised staff, at an Informal Meeting, to propose LDC language that would allow utility trade contractors as an eligible Conditional Use within the AG-5 zoning district. The Board adopted Ordinance 2024-10, adding utility trade contractors as a Conditional Use in AG-5 zoning. This ordinance also clarified the 1.5-mile proximity requirement for all three uses from proximity to either Orange Ave. or Okeechobee Rd. Ordinance 2024-10 also allowed alternative vehicular use area surfaces for utility trade contractors, where approved by the Board of County Commissioners through the Conditional Use Permit, including, but not limited to, asphalt millings, coquina rock, shell rock, and engineered surface products suitable for the expected vehicle loads and frequency of use.

The Applicant/Owner currently leases the property to an FP&L utility trades subcontractor, and has recently received notice of several zoning violations, this being followed by meetings with Staff through the preapplication process to formulate LDC changes that would result in eventual conformance.

PROPOSED LDC AMENDMENTS:

PART A. Section 3.01.03, Zoning Districts, of the LDC is amended to add Section 3.01.03(B)(7)(o) as follows:

3.01.03. – Zoning Districts.

* * * * *

B. AG-2.5 Agricultural – 2.5

* * * * *

7. Conditional Uses:

* * * * *

q – Utility trade contractors, with specialty storage, engaged in the construction of water and sewer mains, pipelines, and communication and powerline construction subject to the requirements of Section 7.10.36 (1623)

* * * * *

PART B Section 7.10.00, Supplemental Standards, of the LDC is amended to modify Section 7.10.36 as follows:

Section 7.10.36. Recreational Vehicle, Boat Storage, and Utility Trade Contractor Facilities.
In the AG-5 (Agricultural-5) Zoning District, Recreational vehicle, boat storage, and utility trade contractor facilities may be authorized as a conditional use, if located within 1.5 miles of State Roads 68 or 70 (Orange Avenue or Okeechobee Road). In the AG-2.5 (Agricultural-2.5) Zoning District, utility trade contractor facilities may be authorized as a conditional use, if located adjacent to and with direct access to State Roads 68 or 70 (Orange Avenue or Okeechobee Road), and have a minimum lot size of four acres and a minimum lot width of 250 feet. Such proposals shall be subject to the standards of review set out in Section 11.07.00 and the following supplemental criteria:

A. Design Criteria.

1. *The facilities are accessible via a roadway paved to the County's minimum specifications and is subject to the site plan submission requirements of Section 11.02.00.*
2. *The storage area(s) and all related activity areas shall be screened from all public rights-of-way and any adjoining properties, at minimum, as follows:*
 - (a) *Public right-of-way: A minimum thirty (30) foot landscape buffer, containing a berm, and screening material consistent with Land Development Code Section 7.09.04.*
 - (b) *Adjoining properties utilized for a residential use: A minimum fifteen (15) foot landscape buffer, including an eight (8) tall opaque wall or fence, with landscaping, in accordance with Land Development Code Section 7.09.04.*
3. *All vehicular use areas shall be paved in accordance with Land Development Code Section 2.00.00, including but not limited to access driveways, interior drive-aisles, and storage spaces for motorized vehicles, however alternative surfaces may be considered for utility trade contractor facilities as approved by the Board of County Commissioners through the Conditional Use Permit. Alternative surface materials may include, but are not limited to, asphalt millings, coquina rock, shell rock, and engineered surface products suitable for the expected vehicle loads and frequency of use. An impervious surface may be required for areas offering boat storage to ensure oil drip capture.*
4. *The site plan shall identify all proposed utilities (water, wastewater, electric), stormwater, lighting, refuse collection, and similar improvements and provisions for service.*
5. *All on-site lighting shall be designed to prevent spillover to adjacent properties, including motion sensors, with no more than 0.25 footcandle of illumination projected onto the abutting right-of-way.*
6. *Any restricted gate access design shall adhere to Land Development Code Section 7.10.15.*
7. *In addition to the above mandatory standards and the standards of review set forth in Section 11.07.00 of this Code, in considering any application for Conditional Use the Board of County Commissioners may also consider reasonable limitations on the storage operations, including but not limited, the hours of business operation and the necessity for security provisions. If limitations are imposed on the hours of operation or if any other special limitation is imposed, the Board shall expressly include in any approval resolution or other form of Final Development Order the specific reasons that such limitations have been determined to be necessary.*

- B. Public Notice. Public notice for conditional use permits shall be provided in accordance with Section 11.00.03, however in addition to the requirements set forth in Section 11.00.03, notice shall be provided by mail to all property owners who own real property within one thousand (1,000) feet of the property directly affected by the proposed action, whose address is known by reference to the latest ad valorem tax rolls. Notwithstanding the additional mailed notice requirement set forth in this Section, in the case of a written protest the conditional use permit application, the provisions of Section 11.07.01(C) shall apply.*

(Ord. No. 2022-12, Pt. B, 6-7-2022; Ord. No. 2024-10, § Pt. B, 2-20-2024)

Figure 1: Orange Ave. Morales Site
with Substation behind it



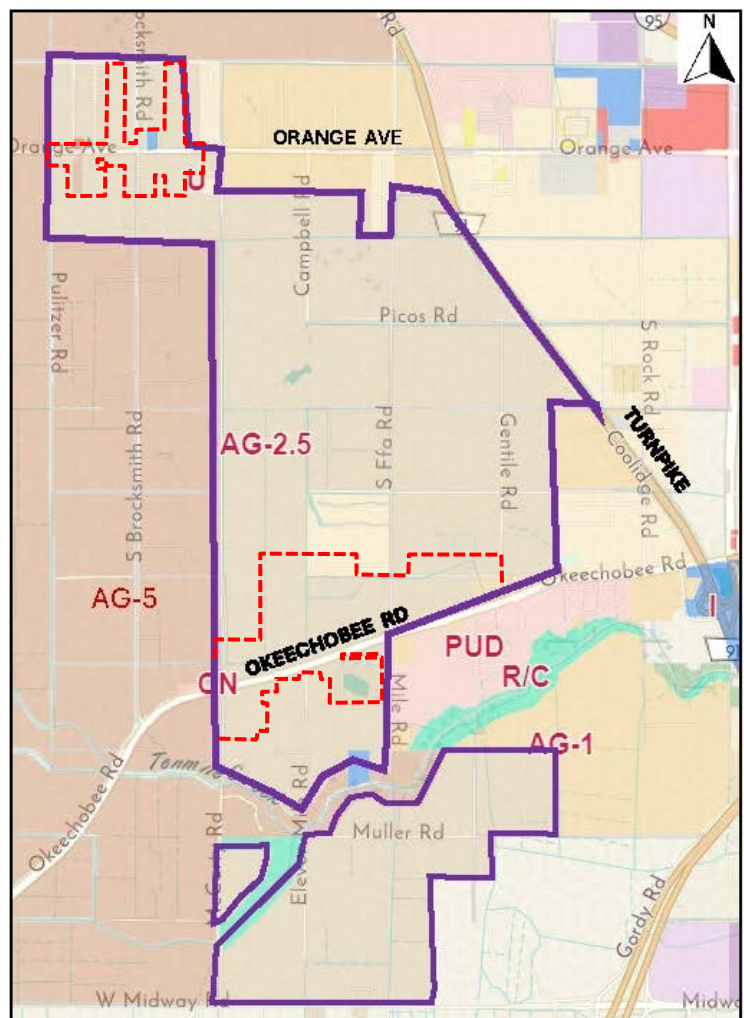
TEXT AMENDMENT STANDARDS OF REVIEW
SECTION 11.06.03, ST. LUCIE COUNTY LAND DEVELOPMENT CODE

Pursuant to St. Lucie County LDC Section 11.06.03, the Development Review Committee has reviewed the proposed Text Amendment to the Land Development Code, and found that these amendments meet the technical requirements and standards of review. In reviewing this application for a text amendment to the LDC, the Planning and Zoning Commission and Board of County Commissioners shall consider the following criteria.

A. Whether the proposed amendment is in conflict with any applicable portions of the St. Lucie County Land Development Code;

The stated purpose of the AG-2.5 zoning district is to: *“provide and protect an environment suitable for productive commercial agriculture, together with such other uses as may be necessary to and compatible with productive agricultural surroundings.”* Utility trade contractors are now allowed through the conditional use process in AG-5 zoning, and are not a permitted or conditional use in any other zoning district, therefore this amendment expands potential locations for the use, with many AG-5 properties not being suitable for this use due to limited vehicular access. The large-lot character and agricultural emphasis of AG-2.5 zoning makes this use suitable in AG-5 under the right circumstances, as decided on a case-by-case basis through the Conditional Use Permit process, with consideration of criteria pertaining to compatibility, noise impacts, and traffic. Activities associated with agriculture often involve warehouse and open storage and the use of heavy equipment and large vehicles. Current LDC Supplemental Standards for utility trade contractors mitigate for visual and noise impacts, providing compatibility with standards through ample landscape buffers, paved and improved access and parking, and increased public notice. AG-2.5 locational and dimensional standards would be stricter than the AG-5 standards, with AG-5 locational standards requiring a maximum of 1,500 feet from Orange and Oklawaha Rds. and AG-2.5 standards requiring the same agency lot size and 250-foot minimum lot width. Okeechobee Rd. comprise approximately 520 acres.

Figure 2: County AG-2.5 Zoning District Snapshot



maximum of 1,500 feet from Orange and Okeechobee Roads along with adjacency to these roads, and proposed AG-2.5 standards requiring the same agency along with dimensional standards requiring four-acre minimum lot size and 250-foot minimum lot width. As denoted in red, within Figure 2 above, parcels adjacent to Okeechobee Rd. comprise approximately 460 acres and parcels adjacent to Orange Ave. comprise approximately 520 acres.

B. Whether the proposed amendment is consistent with all elements of the St. Lucie County Comprehensive Plan;

The AG-2.5 FLUM is described as follows.

B. Agricultural-2.5 (AG-2.5)

The AG-2.5 land use designation is intended for those areas of the County outside of the planned urban service area which are associated with agricultural and agricultural-related activities. These areas are recognized for first being appropriate for the production of citrus, cash crops, or ranching activities. These areas are acknowledged as potentially suitable for limited residential and nonresidential development under the following criteria:

- All residential and nonresidential development must be in accordance with applicable standards and restrictions as set forth in the Land Development Code;*
- All residential development proposals in excess of forty-five (45) units must be approved through the Planned Development (PD) process as provided for in the Land Development Code;*
- Any activity other than crop or food product related production, including combinations of properties/uses, in excess of 200 acres should identify appropriate mechanisms for funding the operation and maintenance of necessary infrastructure. Any utility infrastructure shall be consistent with the Infrastructure Element.*
- Residential densities are set at a maximum of 0.40 units per gross acre (one unit per 2.5 gross acres).*

The proposed text change does not conflict with the description of the AG-2.5 FLUM or with the goals, objectives and policies of the Comprehensive Plan. Future Land Use Element Policy 1.1.3.5 below provides a framework to evaluate conversion of ag to non-ag land uses, with Staff's response shown for each criterion.

Policy 1.1.3.5 - The County shall maintain a site assessment process to evaluate the potential conversion of existing or designated agricultural land uses to non-agricultural land uses in a rational and orderly manner. The site assessment process for a conversion shall require as a condition to such conversion that the Board of County Commissioners affirmatively find that the proposed non-agricultural use:

a. is compatible with adjacent land uses;

The Conditional Use process provides for case-by-case review to ensure that prospective utility trade contractors meet applicable Conditional Use criteria. Limiting utility trade contractors to larger and wider lots and requiring an extensive landscape buffer would increase compatibility.)

b. maintains the viability of continued agricultural uses on adjacent lands;

Four properties, within the AG-2.5, on the Orange Ave. corridor and one property, within the AG-2.5, on the Okeechobee Rd. corridor have over time converted from citrus warehouse & distribution operations to non-agricultural utility trade, truck and equipment warehouse, parking and distribution. Current agricultural uses operating on parcels adjacent to the two corridors include cattle grazing on five parcels comprising +/- 84 acres, three plant nurseries, and two ag warehouses.

c. contains soils suitable for urban use as defined by the St. Lucie County soil survey;

Soils are anticipated to be suitable for development, with further evaluation on a case-by-case basis.

d. is suitable with existing site-specific land characteristics;

To be determined on a case-by-case basis.

e. is consistent with comprehensive development plans;

Allowing conditional use review for eligible parcels for utility trade contractors is not inconsistent with the County Comprehensive Plan and Land Development Code.

f. will have available the necessary infrastructure concurrent with the anticipated demands for development;

Utility trade contractor parking and equipment storage is a low-traffic generator and does not require urban services other than adequate transportation access, which is provided by Orange Ave. & Okeechobee Rd.

g. will avoid the extension of the urban services boundary to create any enclaves, pockets, or finger areas; and,

The Okeechobee Rd. and Orange Ave. AG-2.5 corridors are just outside the Urban Service Boundary, which runs along the eastern boundary of the corridors. Allowing utility trade contractors through Conditional Use Permits would not prompt the extension of the USB.

h. Could not be feasibly located on non-agricultural land.

Utility trade contractors are allowed as permitted uses in the IL, Industrial Light Zoning District, in the CG Commercial General Zoning District with indoor storage only, and by Conditional Use Permit in AG-5 zoning. While large areas of the County are zoned AG-5, much of this area does not have access to improved roadways and may not be convenient to ongoing commercial and residential development in the unincorporated County and municipalities. The Conditional Use allowance of utility trade contractors in AG-2.5 zoning will increase the number of eligible parcels while ensuring good road access for the use.

Figure 3: Farm Store, Orange Ave.



Figure 4: Warehouse and Truck Parking, Okeechobee & Eleven Mile Roads



Figure 5: Large-Lot Residence, Orange Ave.



C. Whether and the extent to which the proposed amendment is inconsistent with the existing and proposed land uses;

In terms of noise and visual impacts, utility trade contractors are similar to a number of AG-2.5 permitted uses like farming, livestock, and kennels, as well as AG-2.5 Conditional Uses such as aircraft storage, airports, farm products warehousing and storage, manufacturing (agricultural chemicals, food products, and lumber), and mining. The main purpose of utility trade contractor yards is parking of vehicles and storage of trailers, equipment and materials, which is not too different from allowable agricultural operations. The Conditional Use process adds another layer of review for specific properties and activities to mitigate for potential impacts and to improve compatibility, or if the location does not meet these criteria, denial is in order.

Figure 6 provides a snapshot of the Orange Ave. AG-2.5 corridor, showing a dominant rural residential character with 14 homes, a plant nursery/landscape contractor, and on the south side of the road four trucking facilities. Figure 7 shows that the AG-2-zoned land adjacent to Okeechobee Rd. is also mostly residential, with 45 single-family detached homes (30 of those are in the Chupco's Landing subdivision, Seminole Tribe), but

also with two plant nurseries, a farm store selling feed and hay (and sheds), several barns and warehouses, a cemetery, and four trucking-related businesses. Ongoing code enforcement actions in the two corridors are intended to ensure that allowable agricultural-related warehouse-distribution uses do not morph into purely industrial trucking businesses. The Applicant is the utility trade contractor located on Orange Ave. just above the "U." and is working with County Staff to meet Code through this text amendment. It should be noted that this property is approximately 0.23 acres short of the five acres needed to rezone to AG-5, which would be the only other route for consideration of a Conditional Use Permit application, since utility trade contractors are not allowed in any other zoning district as a permitted or conditional use.

Figure 6: Orange Ave. Adjacent Parcels in AG-2.5 Zoning District

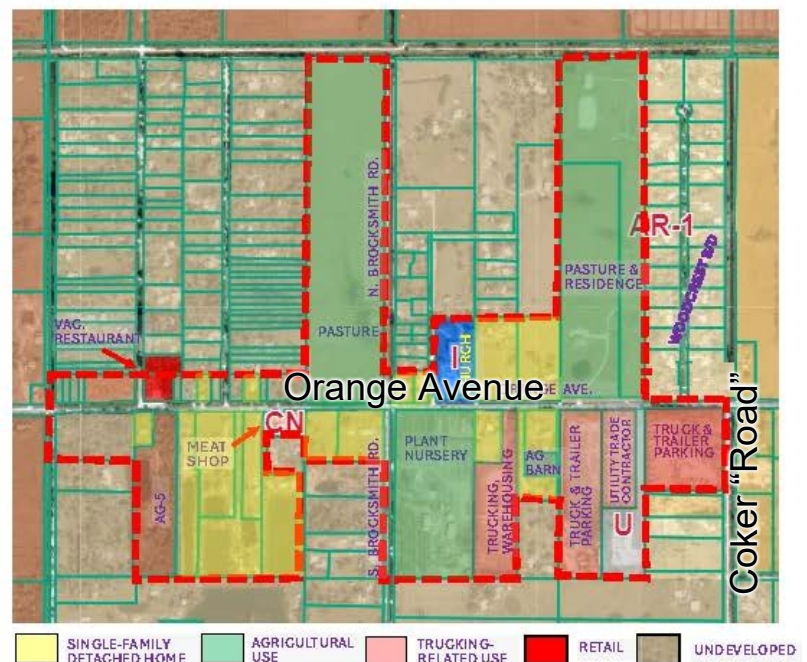
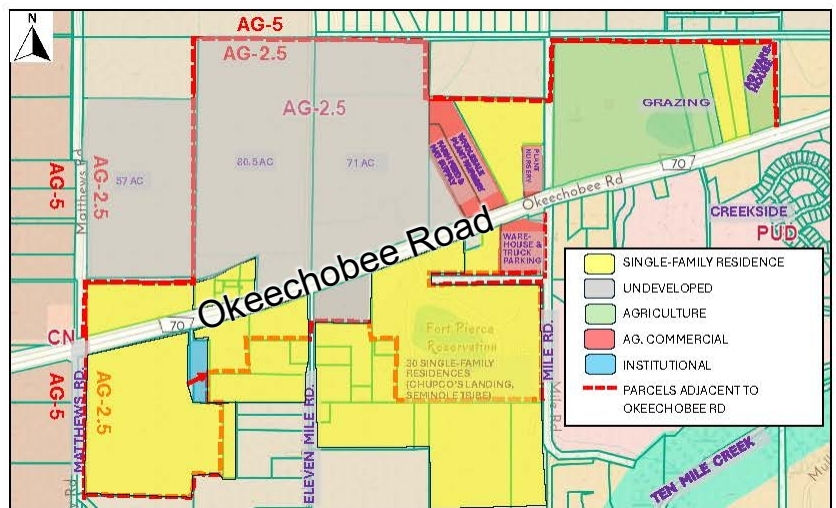


Figure 7: Okeechobee Rd. Adjacent Parcels in AG-2.5 Zoning District



Figures 8 and 9 show (in purple) properties adjacent to Okeechobee Rd. and Orange Ave. that are over four acres in size and have a lot width of at least 250 feet, which would because of this text amendment be eligible for Conditional Use Permit consideration.

Figure 8: Okeechobee Rd. Utility Trade Contractor Conditional Use Permit-Eligible Parcels in AG-2.5 Zoning District (minimum four acres & 250-foot lot width)

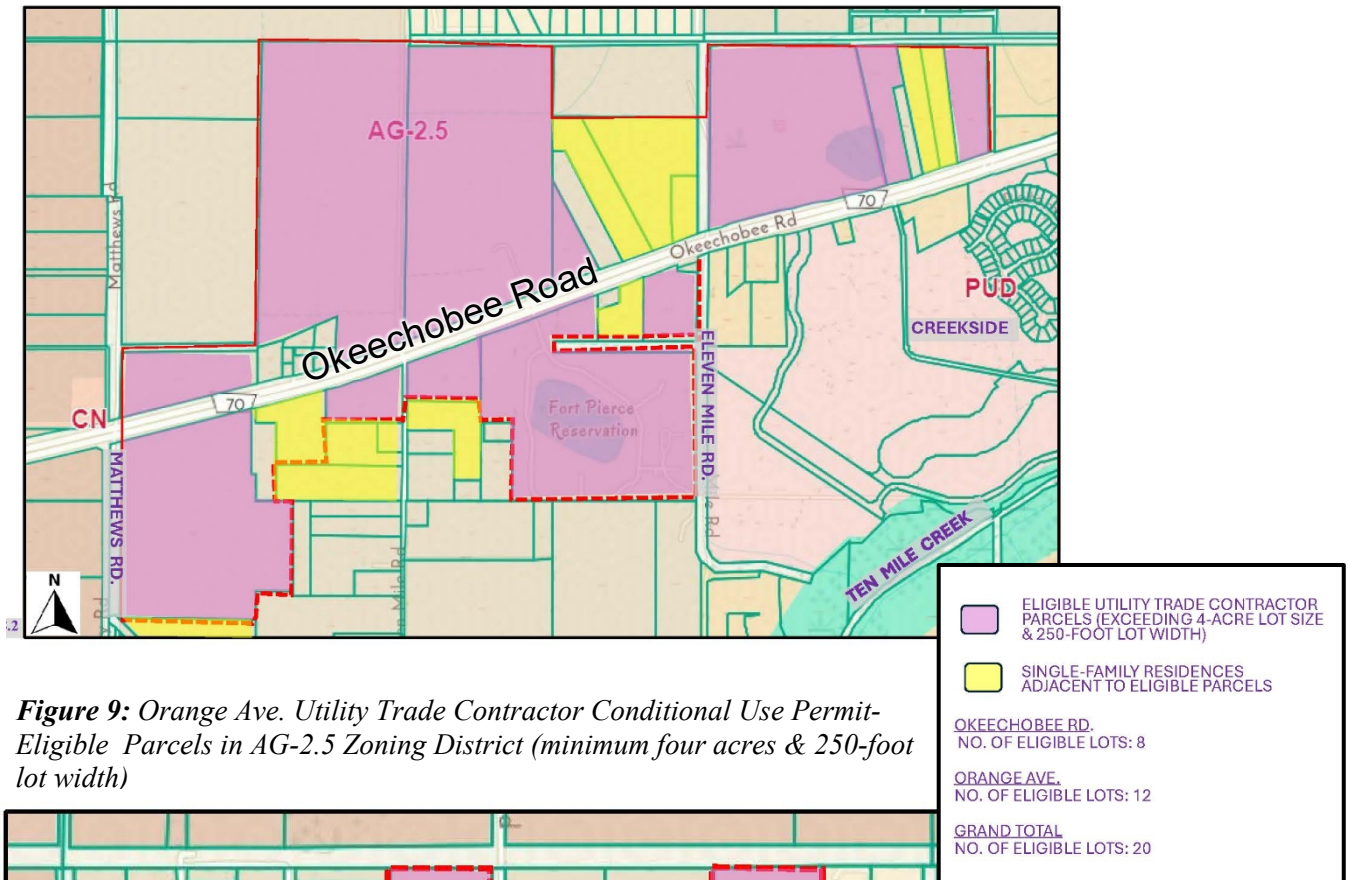
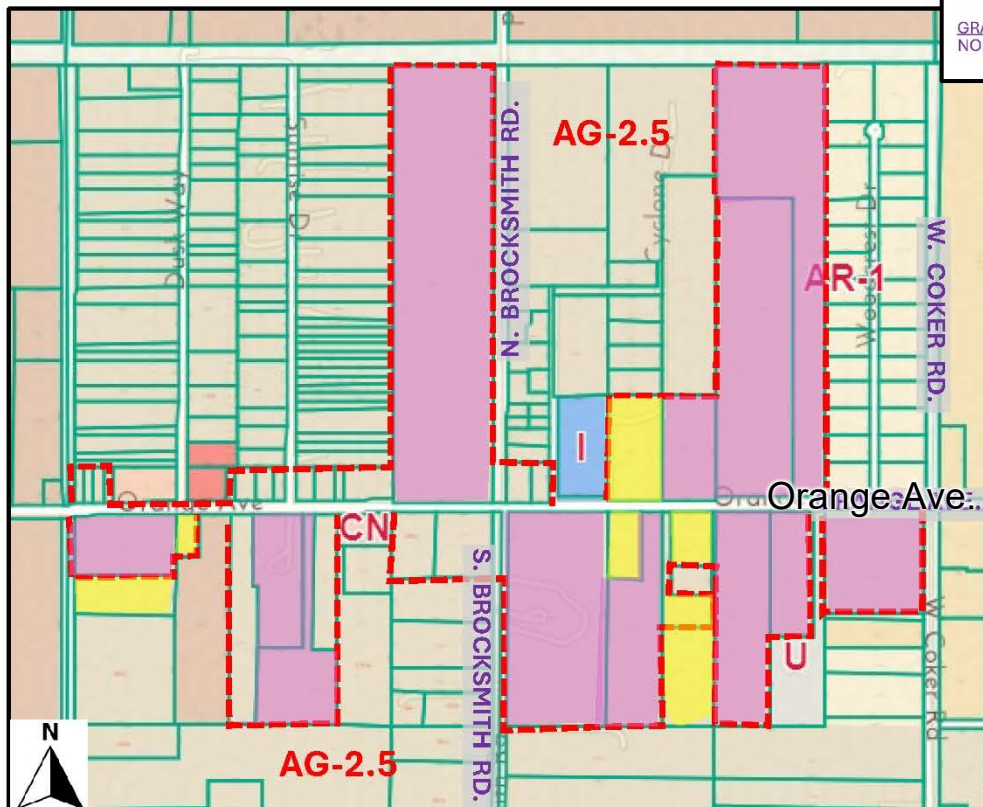


Figure 9: Orange Ave. Utility Trade Contractor Conditional Use Permit-Eligible Parcels in AG-2.5 Zoning District (minimum four acres & 250-foot lot width)



D. Whether there have been changed conditions that require an amendment;

The decline of the citrus industry in recent years has spurred the rethinking of alternative permitted and conditional uses that would help to stabilize or improve property values while retaining agricultural residential character. This LDC text change would provide an opportunity to bring nonconforming properties into LDC code compliance to meet landscaping, paving, and access standards, which will improve the appearance and property values in the corridors, with evaluation on a case-by-case basis.

E. Whether and the extent to which the proposed amendment would result in demands on public facilities, and whether or to the extent to which the proposed amendment would exceed the capacity of such public facilities, including but not limited to transportation facilities, sewage facilities, water supply, parks, drainage, schools, solid waste, mass transit, and emergency medical facilities;

The proposed text amendment itself will not directly alter demands on public services. Individual proposals would be evaluated as to their scale, operational scope and projected impacts on public facilities.

F. Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment;

Compliance with LDC resource protection and design and improvement standards will minimize adverse impacts.

G. Whether and the extent to which the proposed amendment would adversely affect the property values in the area;

The proposed amendment is not anticipated to have an adverse impact on property values in the affected area.

H. Whether and the extent to which the proposed amendment would result in an orderly and logical development pattern specifically identifying any negative effects of such patterns;

As stated in this analysis, utility trade contractors are similar in nature and intensity to other allowable and Conditional Uses, therefore allowing this use through the Conditional Use process, where unique factors pertaining to compatibility and project impacts can be addressed.

I. Whether the proposed amendment would be in conflict with the public interest, and is in harmony with the purpose and intent of this code;

The proposed amendment is not in conflict with the public interest and is in harmony with the purpose and intent of this code. It is in the County's interest to allow additional permitted and Conditional Uses that are in keeping with the intent of the AG-2.5 FLUM and zoning, and that allow for protection of the public interest through the Conditional Use process.

J. Any other matters that may be deemed appropriate by the Planning and Zoning Commission or the Board of County Commissioners, in review and consideration of the proposed amendment.

The Planning and Zoning Commission and Board of County Commissioners may raise other matters regarding the proposed amendment to the text of the LDC.

Figure 10: Plant Nursery on Orange Ave.



PLANNING & ZONING COMMISSION:

On February 20, 2025, the Planning & Zoning Commission evaluated the proposed Land Development Code Text Amendment and after discussion voted unanimously to recommend approval to the Board of County Commissioners.

STAFF RECOMMENDATION:

The proposed text amendments meet the standards of review as set forth in Section 11.06.03 of the St. Lucie County LDC, and are not in conflict with the Goals, Objectives, and Policies of the St. Lucie County Comprehensive Plan. Staff recommends the Board evaluate the proposed text amendments as presented below, at First Reading, and schedule a Second Reading for their April 22, 2025 meeting which is scheduled for 9:00 AM or soon thereafter. The Board may propose modifications to be prepared for the Second Reading.

PART A. Section 3.01.03, Zoning Districts, of the LDC is amended to add Section 3.01.03(B)(7)(o) as follows:

3.01.03. – Zoning Districts.

* * * * *

B. AG-2.5 Agricultural – 2.5

* * * * *

7. Conditional Uses:

* * * * *

q – Utility trade contractors, with specialty storage, engaged in the construction of water and sewer mains, pipelines, and communication and powerline construction subject to the requirements of Section 7.10.36 (1623)

* * * * *

PART B Section 7.10.00, Supplemental Standards, of the LDC is amended to modify Section 7.10.36 as follows:

Section 7.10.36. Recreational Vehicle, Boat Storage, and Utility Trade Contractor Facilities.
In the AG-5 (Agricultural-5) Zoning District, Recreational vehicle, boat storage, and utility trade contractor facilities may be authorized as a conditional use, if located within 1.5 miles of State Roads 68 or 70 (Orange Avenue or Okeechobee Road). In the AG-2.5 (Agricultural-2.5) Zoning District, utility trade contractor facilities may be authorized as a conditional use, if located adjacent to and with direct access to State Roads 68 or 70 (Orange Avenue or Okeechobee Road), and have a minimum lot size of four acres and a minimum lot width of 250 feet. Such proposals shall be subject to the standards of review set out in Section 11.07.00 and the following supplemental criteria:

* * * * *

ORDINANCE No. 2025-6
FILE NO.: TLDC-2409-000037

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING THE TEXT OF THE LAND DEVELOPMENT CODE, SECTION 3.01.03. B. AG-2.5 AGRICULTURAL – 2.5., SUBSECTION 7. TO ALLOW, AS A CONDITIONAL USE, UTILITY TRADE CONTRACTORS WITH SPECIALTY STORAGE, ENGAGED IN THE CONSTRUCTION OF WATER AND SEWER MAINS, PIPELINES, COMMUNICATIONS AND POWERLINES, SUBJECT TO SUPPLEMENTAL STANDARDS AND DIMENSIONAL STANDARDS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR ADOPTION; AND PROVIDING FOR CODIFICATION.

WHEREAS, the Board of County Commissioners of St. Lucie County, Florida, (Board) based on the testimony and evidence, including but not limited to the staff report, has made the following determinations:

1. On August 1, 1990, the Board of County Commissioners of St. Lucie County, Florida, adopted the St. Lucie County Land Development Code (“LDC”).
2. This Board is authorized by Section 125.01(1)(h), Florida Statutes, to establish, coordinate and enforce zoning and such business regulations as are necessary for the protection of the public; and,
3. This Board is authorized by Section 125.01(1)(t), Florida Statutes, to adopt ordinances and resolutions necessary for the exercise of its powers and to prescribe fines and penalties for the violations of ordinances in accordance with law.
4. On behalf of Adrian Morales, Riverside Citrus Harvest LLC, the law firm of Dean, Mead, Minton, and Moore, represented by Logan Wellmeier, presented a petition for this Amendment to the Land Development Code to allow Utility Trade Contractors in the AG-2.5 zoning district, subject to Supplemental Standards and Dimensional Criteria.
5. On February 20, 2025, the Local Planning Agency/Planning and Zoning Commission held a public hearing on the proposed ordinance after publishing due notice in the St. Lucie News Tribune and recommended that the proposed ordinance be forwarded with a recommendation for approval.

6. On April 8, 2025, this Board held the first public hearing on the proposed ordinance, after publishing due notice in the St. Lucie News Tribune.
7. On _____, this Board held its second public hearing on the proposed ordinance, after publishing due notice in the St. Lucie News Tribune.
8. The proposed amendments to the St. Lucie County Land Development Code are consistent with the general purpose, goals, objectives and standards of the St. Lucie County Comprehensive Plan, are internally consistent with the remainder of the Land Development Code and are in the best interest of the health, safety and public welfare of the citizens of St. Lucie County, Florida.

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

PART A. Section 3.01.03, Zoning Districts, of the LDC is amended to add Section 3.01.03. B(7)q. as follows:

3.01.03. - Zoning Districts.

* * * *

B. AG-2.5 AGRICULTURAL -2. 5.

* * * *

7. Conditional Uses:

* * * *

q. Utility trade contractors, with specialty storage engaged in the construction of water and sewer mains, pipelines, and communication and powerline construction subject to the requirements of Section 7.10.36. (1623)

* * * *

PART B. Section 7.10.00, Supplemental Standards, of the LDC is amended to modify Section 7.10.36 as follows:

Section 7.10.36. Recreational Vehicle, Boat Storage, and Utility Trade Contractor Facilities.

Section 7.10.36. Recreational Vehicle, Boat Storage, and Utility Trade Contractor Facilities. In the AG-5 (Agricultural-5) Zoning District, Recreational vehicle, boat storage, and utility trade contractor facilities may be authorized as a conditional use, if located within 1.5 miles of State Roads 68 or 70 (Orange Avenue or Okeechobee Road). In the AG-2.5 (Agricultural-2.5) Zoning District, utility trade contractor facilities may be authorized as a conditional use for properties located adjacent to and with direct access to State Roads 68 or 70 (Orange Avenue or Okeechobee Road) with a minimum lot size of four acres and a minimum lot width

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Underline is for addition.
Strikethrough is for deletion.
Asterisks (***) indicate existing text not shown.

of 250 feet. Such proposals shall be subject to the standards of review set out in Section 11.07.00 and the following supplemental criteria:

* * * * *

PART C. CONFLICTING PROVISIONS.

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

PART D. SEVERABILITY.

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

PART E. APPLICABILITY OF ORDINANCE.

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

PART F. FILING WITH THE DEPARTMENT OF STATE.

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

PART G. EFFECTIVE DATE.

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

PART H. ADOPTION.

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

Jamie Fowler, Chair	XXX
Larry Leet, Vice-Chair	XXX
James Clasby, Commissioner	XXX
Erin Lowry, Commissioner	XXX
Cathy Townsend, Commissioner	XXX

Underline is for addition.
~~Strikethrough~~ is for deletion.
Asterisks (***) indicate existing text not shown.

PART I. CODIFICATION.

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

PASSED AND DULY ENACTED this _____ day of _____, 2025.

Attest: Board of County Commissioners St. Lucie County, Florida

Deputy Clerk

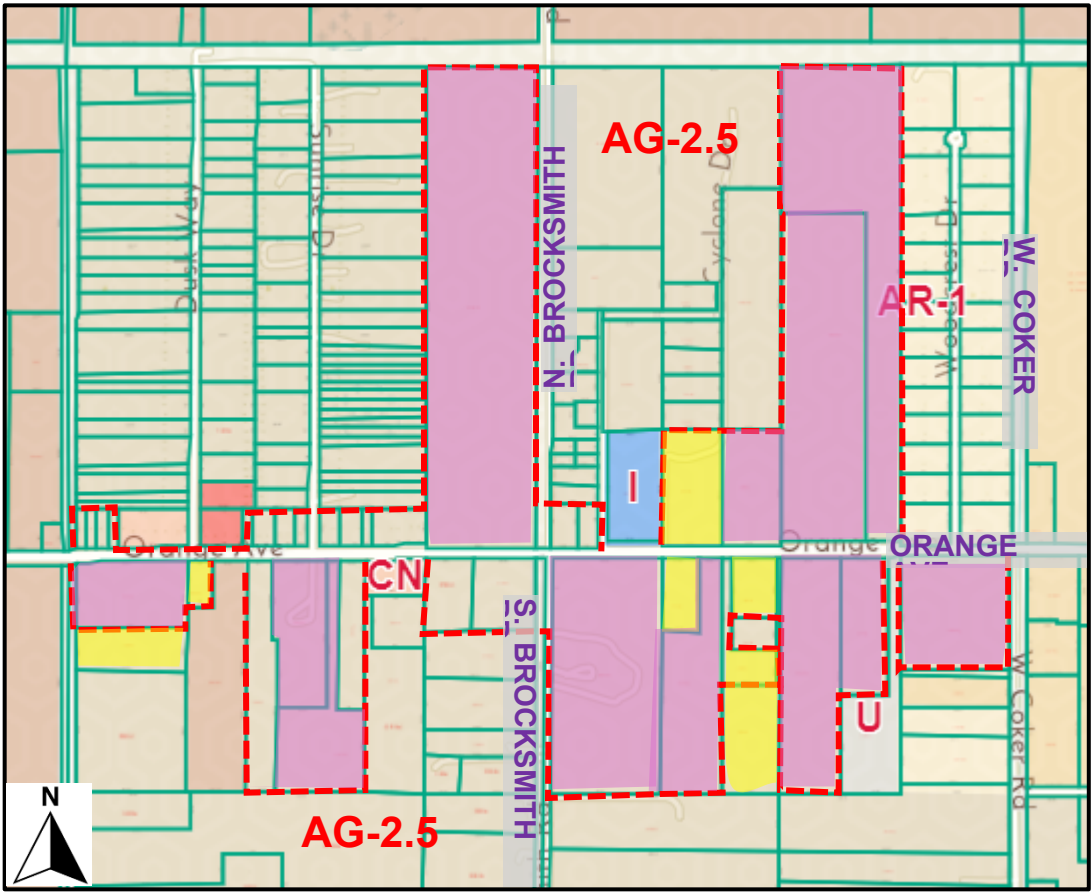
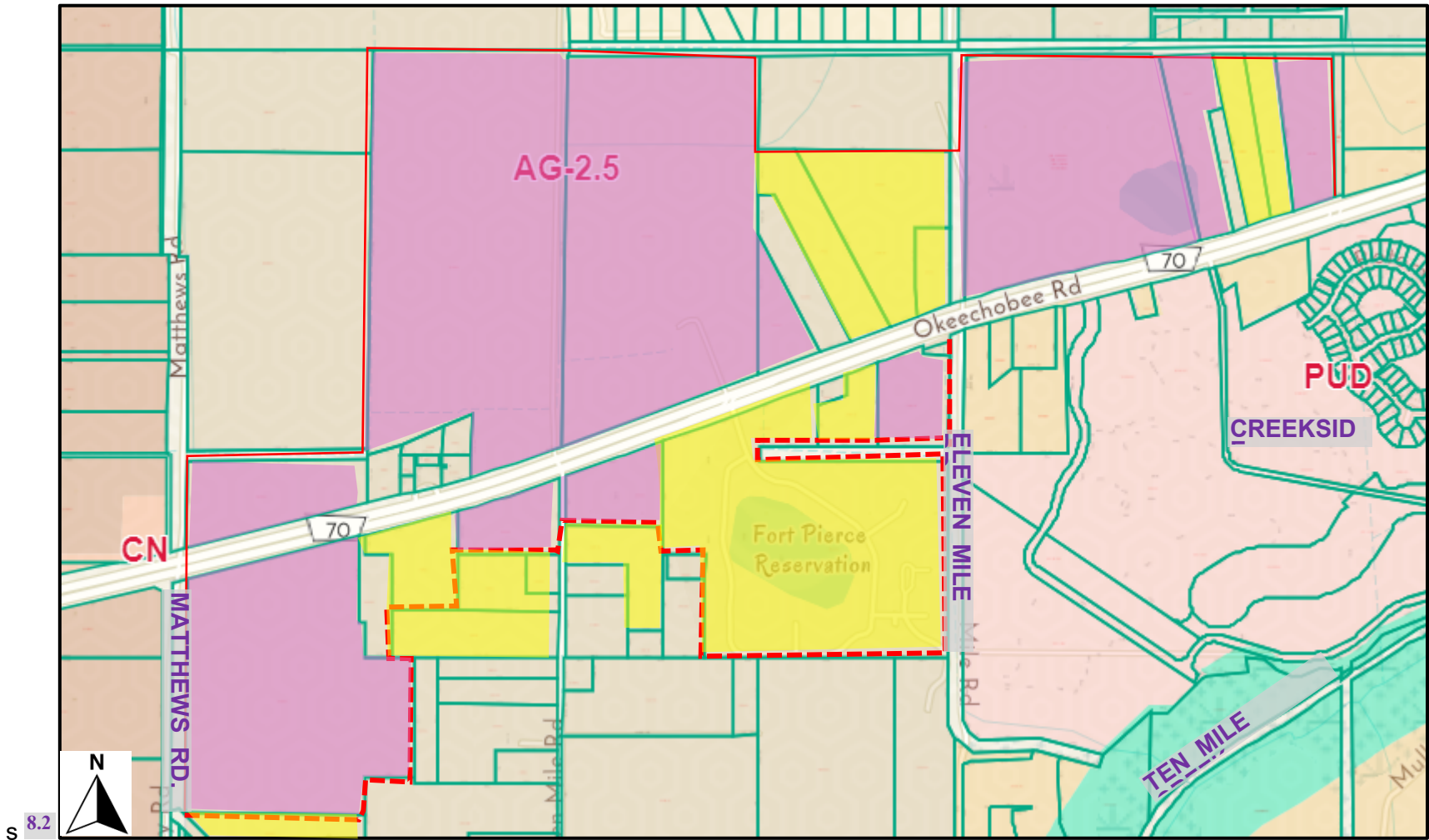
By: _____
Chair

**Approved As To Form and
Correctness:**

By: _____
County Attorney

Underline is for addition.
Strikethrough is for deletion.
Asterisks (***) indicate existing text not shown.

PROPOSED PARCELS ELIGIBLE FOR CONSIDERATION OF UTILITY TRADE CONTRACTOR USE UNDER CONDITIONAL USE REVIEW (TLDC-2409-000037)



- ELIGIBLE UTILITY TRADE CONTRACTOR PARCELS (EXCEEDING 4-ACRE LOT SIZE &
- SINGLE-FAMILY RESIDENCES ADJACENT TO ELIGIBLE PARCELS

OKEECHOBEE RD.
NO. OF ELIGIBLE LOTS: 9

ORANGE AVE.
NO. OF ELIGIBLE LOTS: 12

GRAND TOTAL
NO. OF ELIGIBLE LOTS: 21

AFFIDAVIT OF PUBLICATION

Kori Benton
Monica Vargas Barrios
St Lucie County Planning & Development LEGALS
2300 Virginia AVE
Fort Pierce FL 34982-5632

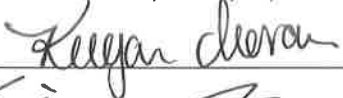
STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Indian River Press Journal/St Lucie News Tribune/Stuart News, newspapers published in Indian River/St Lucie/Martin Counties, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Main Legal CLEGL, was published on the publicly accessible websites of Indian River/St Lucie/Martin Counties, Florida, or in a newspaper by print in the issues of, on:

03/27/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 03/27/2025



Legal Clerk



Notary, State of WI, County of Brown



My commission expires

Publication Cost:	\$141.20	
Tax Amount:	\$0.00	
Payment Cost:	\$141.20	
Order No:	11160573	# of Copies:
Customer No:	1126667	1
PO #:	Utility Trade in Ag-2.5	

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

KAITLYN FELTY
Notary Public
State of Wisconsin

ST. LUCIE COUNTY BOARD OF COUNTY COMMISSIONERS PUBLIC HEARING AGENDA

April 8, 2025

NOTICE OF A PROPOSED LAND DEVELOPMENT CODE AMENDMENT – FIRST READING

The St. Lucie County Board of County Commissioners is scheduled
to review and act upon the following proposal for adoption by
Ordinance:

ORDINANCE

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY AMENDING LAND DEVELOPMENT CODE SECTION 3.01.03.B. (ZONING DISTRICTS, AG-2.5, AGRICULTURAL-2.5) TO ADD THE USE OF UTILITY TRADE CONTRACTOR WITH SPECIALTY STORAGE, AS A CONDITIONAL USE IN SAID DISTRICT, SUBJECT TO SUPPLEMENTAL STANDARDS; AMENDING LAND DEVELOPMENT CODE SECTION 7.10.36 (SUPPLEMENTAL STANDARDS FOR RECREATIONAL VEHICLE, BOAT STORAGE, AND UTILITY TRADE CONTRACTOR FACILITIES) TO APPLY AND REFINE THESE SUPPLEMENTAL STANDARDS TO UTILITY TRADE CONTRACTORS IN THE AG-2.5 ZONING DISTRICT; PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR CODIFICATION; AND PROVIDING FOR ADOPTION.

Petition Applicant: Logan Wellmeier with Dean, Mead, Minton, and Moore on behalf of Riverside Citrus Harvesting, LLC.

Petition File Number: TLDC-2409-000037.

Purpose: The proposed amendments to the Land Development Code would add Utility trade contractors to the list of Conditional Uses in the AG-2.5 Zoning District and apply Supplemental Standards to this use.

The Board of County Commissioners' **PUBLIC HEARING** to review the first reading of the proposed Land Development Code Text Amendment will be held in the Commission Chambers, Roger Poltras Annex, 3rd Floor, St. Lucie County Administration Building, 2300 Virginia Avenue, Fort Pierce, Florida on Tuesday, April 8, 2025, beginning at 6:00 pm or as soon thereafter as possible.

All interested persons will be given an opportunity to be heard. Written comments received in advance of the public hearing will also be considered. Written comments to the Board of County Commissioner should be received by the Planning and Development Services Department - Planning Division at least 3 days prior to the scheduled hearing. The petition file is available for review at the Planning and Development Services Department offices located at 2300 Virginia Avenue, 2nd Floor, Fort Pierce, Florida, during regular business hours. Please call (772) 462-2822 or TDD (772) 462-1428 if you have any questions or require additional information about this petition.

The Board of County Commissioners has the power to approve or disapprove any applications within their area of responsibility.

The proceedings are electronically recorded. PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, if a person decides to appeal any final decision made with respect to a matter considered for approval at a meeting or hearing, he or she will need a record of the proceedings. For such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Upon the request of any party to the proceeding, individuals testifying during a hearing will be sworn in. Any party to the proceeding will be granted an opportunity to cross-examine any individual testifying during a hearing upon request. If it becomes necessary, a public hearing may be continued to a date certain.

Anyone with a disability requiring accommodation to attend this meeting should contact the St. Lucie County Risk Manager at least forty-eight (48) hours prior to the meeting at (772) 462-1546 or T.D.D. (772) 462-1428.

BOARD OF COUNTY COMMISSIONERS,
ST. LUCIE COUNTY, FLORIDA
/S/, JAMIE FOWLER, CHAIR
PUBLISH DATE: Thursday, March 27, 2025

TR-41524904

7.10.36. Recreational Vehicle, Boat Storage, and Utility Trade Contractor Facilities.

In the AG-5 (Agricultural-5) Zoning District, Recreational vehicle, boat storage, and utility trade contractor facilities may be authorized as a conditional use, if located within 1.5 miles of State Roads 68 or 70 (Orange Avenue or Okeechobee Road), subject to the standards of review set out in Section 11.07.00 and the following supplemental criteria:

A. *Design Criteria.*

1. The facilities are accessible via a roadway paved to the County's minimum specifications and is subject to the site plan submission requirements of Section 11.02.00.
2. The storage area(s) and all related activity areas shall be screened from all public rights-of-way and any adjoining properties, at minimum, as follows:
 - (a) Public right-of-way: A minimum thirty (30) foot landscape buffer, containing a berm, and screening material consistent with Land Development Code Section 7.09.04.
 - (b) Adjoining properties utilized for a residential use: A minimum fifteen (15) foot landscape buffer, including an eight (8) tall opaque wall or fence, with landscaping, in accordance with Land Development Code Section 7.09.04.
3. All vehicular use areas shall be paved in accordance with Land Development Code Section 2.00.00, including but not limited to access driveways, interior drive-aisles, and storage spaces for motorized vehicles, however alternative surfaces may be considered for utility trade contractor facilities as approved by the Board of County Commissioners through the Conditional Use Permit. Alternative surface materials may include, but are not limited to, asphalt millings, coquina rock, shell rock, and engineered surface products suitable for the expected vehicle loads and frequency of use. An impervious surface may be required for areas offering boat storage to ensure oil drip capture.
4. The site plan shall identify all proposed utilities (water, wastewater, electric), stormwater, lighting, refuse collection, and similar improvements and provisions for service.
5. All on-site lighting shall be designed to prevent spillover to adjacent properties, including motion sensors, with no more than 0.25 footcandle of illumination projected onto the abutting right-of-way.
6. Any restricted gate access design shall adhere to Land Development Code Section 7.10.15.
7. In addition to the above mandatory standards and the standards of review set forth in Section 11.07.00 of this Code, in considering any application for Conditional Use the Board of County Commissioners may also consider reasonable limitations on the storage operations, including but not limited, the hours of business operation and the necessity for security provisions. If limitations are imposed on the hours of operation or if any other special limitation is imposed, the Board shall expressly include in any approval resolution or other form of Final Development Order the specific reasons that such limitations have been determined to be necessary.

- B. *Public Notice.* Public notice for conditional use permits shall be provided in accordance with Section 11.00.03, however in addition to the requirements set forth in Section 11.00.03, notice shall be provided by mail to all property owners who own real property within one thousand (1,000) feet of the property directly affected by the proposed action, whose address is known by reference to the latest ad valorem tax rolls. Notwithstanding the additional mailed notice requirement set forth in this Section, in the case of a written protest the conditional use permit application, the provisions of Section 11.07.01(C) shall apply.

(Ord. No. 2022-12, Pt. B, 6-7-2022; Ord. No. 2024-10, § Pt. B, 2-20-2024)