

## **ORDINANCE 24-**

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING TITLE XV “LAND USAGE”, CHAPTER 158, “ZONING CODE”, ARTICLE XI, “SUPPLEMENTARY USE REGULATIONS”, SECTION 158.213, “WIRELESS COMMUNICATION ANTENNAS AND TOWERS”, OF THE CITY OF PORT ST LUCIE CODE OF ORDINANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE. (P24-103)

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**WHEREAS**, the City of Port St. Lucie, Florida (“City”) adopted amendments to the City of Port St. Lucie Comprehensive Plan by Ordinance 12-19 and Ordinance 20-28; and

**WHEREAS**, Section 163.3202, Florida Statutes, provides for the amendment and enforcement of land development regulations that are consistent with and implement the adopted comprehensive plan; and

**WHEREAS**, Section 163.3174, Florida Statutes, provides that the local planning agency shall review proposed land development regulations and make recommendations to the governing body as to the consistency of the proposed land development regulations with the adopted comprehensive plan; and

**WHEREAS**, this City-initiated code amendment, P24-103, proposes to amend section 158.213, “Wireless Communication Antennas and Towers”, of the City of Port St. Lucie Code of Ordinances, to add the Regional Business Center sub-district to the list of sub-districts under the NCD future land use classification that allow wireless communication antennas and towers as a special exception use in the New Community Development District future land use areas as depicted in Exhibit “A” with additions shown as underlined and deletions shown as ~~strikethrough~~; and

**WHEREAS**, the City of Port St. Lucie Planning and Zoning Board, having been duly designated as the local planning agency pursuant to section 163.3174, Florida Statutes, and having held a public hearing on August 6, 2024, has considered this proposed amendment to the City of Port St. Lucie Code of Ordinances (P24-103) and submitted its recommendations thereon to the City Council; and

**WHEREAS**, having considered the recommendations of the Planning and Zoning Board, the Port St. Lucie City Council has found and determined that the adoption of this amendment to section 158.213, City Code, will foster and preserve the public health, safety, and welfare; improve

and protect the environment and value and character of the community; and implement the adopted comprehensive plan.

**NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:**

**Section 1. Ratification of Recitals.** The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Ordinance.

**Section 2.** Section 158.213 (Wireless Communication Antennas and Towers) of the Code of Ordinances of the City of Port St. Lucie is amended as attached as Exhibit “A” with additions shown as underlined and deletions shown as ~~striketrough~~; and.

**Section 3. Conflict.** If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

**Section 4. Severability.** The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

**Section 5. Codification.** The provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Port St. Lucie, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; the word “ordinance” may be changed to “section” or other appropriate word as may be necessary.

**Section 6. Effective Date.** This Ordinance shall become effective immediately upon final adoption on second reading.

**PASSED AND APPROVED** by the City Council of the City of Port St. Lucie, Florida,  
this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

CITY COUNCIL  
CITY OF PORT ST. LUCIE, FLORIDA

BY: \_\_\_\_\_  
Shannon Martin, Mayor

ATTEST:

\_\_\_\_\_  
Sally Walsh, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Richard Berrios, City Attorney