

# City of Port St. Lucie

121 SW Port St. Lucie Blvd.  
Port St. Lucie, Florida 34984



## Meeting Agenda

Tuesday, March 3, 2026

6:00 PM

Council Chambers, City Hall

### Planning and Zoning Board

*Jim Norton, Chair*

*Greg Pettibon, Vice Chair*

*Eric Reikenis, Chair Pro-Tem*

*Peter Previte, At-Large*

*Peter Louis Spatara, At-Large*

*Rose Mocerino, At-Large*

*Joe Rosen, At-Large*

*Douglas Harvey, Alternate*

*Peter Webb, Alternate*

*Please visit [www.cityofpsl.com/tv](http://www.cityofpsl.com/tv) for new public comment options.*

**1. Meeting Called to Order****2. Roll Call****3. Determination of a Quorum****4. Pledge of Allegiance****5. Approval of Minutes**

- 5.a** Approval of Minutes - January 6, 2026, January 20, 2026  
Special Meeting, and February 3, 2026

[2026-220](#)

**6. Consent Agenda****7. Public Hearings - Non Quasi-Judicial**

- 7.a** P25-215 City of Port St. Lucie - Chapter 153: Definitions and  
Section 158.233. Reasonable Accommodation Procedures -  
Text Amendments

[2026-137](#)

This application is a city-initiated text amendment to Chapter 153 and  
158 of the City's Code of Ordinances.

- 7.b** P26-008 Verano South POD G - Future Land Use  
Amendment.

[2026-197](#)

Location: The property is located at the northwest corner of the  
intersection of Crosstown Parkway and Verano Parkway.  
Legal Description: Parcels 1, 2, 3, and 4, Central Park Commercial Plat,  
as recorded in Plat Book 135, Pages 39 through 41, inclusive, of the  
Public Records of St. Lucie County, Florida, in the City of Port St. Lucie,  
Florida  
This is a request to amend the Future Land Use from Residential Golf  
Course (RGC) to General Commercial (CG).

- 7.c** P26-030 - City of PSL Chapter 158 - Zoning Code, Section  
158.100 - Open Space Recreational Zoning District (OSR) Text  
Amendment

[2026-207](#)

Location: Citywide (OSR Zoning District)  
Legal Description: N/A

This is a request to add Enclosed Assembly, without an alcoholic  
beverage license for on-premises consumption of alcoholic beverages in  
accordance with Chapter 110, as a Special Exception Use in the OSR  
Zoning District.

**8. Public Hearing - Quasi-Judicial****8.a P25-204 Navarro, Yuraima Garcia - Variance** [2026-211](#)

Location: The property is located at 455 SW Kestor Drive.

Legal Description: Port St Lucie, Section 34, Block 2378, Lot 25

This is a request to grant a variance of seven (7) feet, to allow a side yard setback of eight (8) feet for a 331-square-foot existing roofed patio with an outdoor kitchen, and a variance of four (4) feet, to allow a side yard setback of 11 feet for a 118-square-foot existing roofed patio.

**8.b P26-019 Kells, Michael - Rezoning** [2026-219](#)

Location: The properties are located at 1892 SW Biltmore Street & 481 SW Voltair Terrace.

Legal Description: Port St. Lucie Section 13, Block 626, Lots 15 & 16.

This is a request to rezone 0.55 acres from Single-Family Residential (RS-2) Zoning District to the Service Commercial (CS) Zoning District.

**9. New Business****10. Old Business****11. Public to be Heard****12. Adjourn**

Notice: No stenographic record by a certified court reporter will be made of the foregoing meeting. Accordingly, any person who may seek to appeal a decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at said meeting upon which any appeal is to be based.

Notice: In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding should contact the City Clerk's office at (772) 871-5157 for assistance.

As a courtesy to the people recording the meeting, please put your cell phone on silent.



Agenda Summary  
2026-220

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**Agenda Date:** 3/3/2026

**Agenda Item No.:** 5.a

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Placement: Minutes

Action Requested: Motion / Vote

Approval of Minutes - January 6, 2026, January 20, 2026 Special Meeting, and February 3, 2026

Submitted By: Pat Shutt, Administrative Assistant, Planning & Zoning Department.

Executive Summary: January 6, 2026, January 20, 2026 Special Meeting, and February 3, 2026, minutes attached.

Presentation Information: N/A

Staff Recommendation: Move that the Board approve the minutes.

Alternate Recommendations:

1. Move that the Board amend the recommendation and approve the minutes with changes.
2. Move that the Board not approve the minutes and provide staff direction.

Background: N/A

Issues/Analysis: N/A

Special Consideration: N/A

Location of Project: N/A

Attachments: January 6, 2026, January 20, 2026 Special Meeting, and February 3, 2026 minutes.

**City of Port St. Lucie**  
**Planning and Zoning Board**  
**Meeting Minutes**

121 SW Port St. Lucie  
Blvd.  
Port St. Lucie, Florida  
34984

Jim Norton, Chair  
Greg Pettibon, Vice Chair  
Eric Reikenis, Chair Pro-Tem  
Peter Previte, At-Large  
Peter Louis Spatara, At-Large  
Rose Mocerino, At-Large  
Douglas Harvey, Alternate  
Joe Rosen, Alternate

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**Tuesday, January 6, 2026**

**6:00 PM**

**Council Chambers, City Hall**

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**\*Request to Table Item 8B\***

1. Meeting Called to Order

A Regular Meeting of the PLANNING AND ZONING BOARD of the City of Port St. Lucie was called to order by Acting Chair Norton at 6:00 p.m., on January 6, 2026, at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Council Chambers, Port St. Lucie, Florida.

2. Roll Call

Members Present:

Jim Norton, Vice Chair/Acting Chair

Peter Previte

Eric Reikenis

Greg Pettibon

Peter Spatara

Rose Mocerino

Joe Rosen, Alternate

Douglas Harvey, Alternate

3. Determination of a Quorum

4. Pledge of Allegiance

There being no discussion, Mr. Previte moved to hear item 9.c first. Mr. Reikenis seconded the motion, which passed unanimously by voice vote.

(Clerk's Note: Item 9.c was heard at this time.)

Vice Chair Norton led the assembly in the Pledge of Allegiance.

5. Approval of Minutes

**5.a** Approval of Minutes - December 2, 2025 [2026-042](#)

There being no corrections, Mr. Reikenis moved to approve the minutes. Mr. Previte seconded the motion, which passed unanimously by voice vote.

6. Consent Agenda

cThere was nothing to be heard under this item.

7. Public Hearings - Non Quasi-Judicial

**7.a** P25-157 Sandpiper Bay Resort - Small-Scale Comprehensive [2026-016](#)

Plan Amendment to the Future Land Use Map

Location: 3500 SE Morningside Boulevard, generally located north of the North Fork of the St. Lucie River, south of SE Westmoreland Boulevard, between the western terminus of SE Pine Valley Street and the eastern terminus of SE Morningside Boulevard

Legal Description: Portions of Section 23, Township 37 South, Range 40 East (full description attached)

This is a request to amend the Future Land Use Map to change the designation of approximately 28.6 acres from Commercial Limited (CL), Residential Low (RL), and Open Space Recreational (OSR) to Commercial General / Institutional (CG/I).

There being no discussion, Mr. Reikenis moved to table P25-157 Sandpiper Bay Resort – Small-Scale Comprehensive Plan Amendment to the Future Land Use Map to the January 20, 2026 Special Planning & Zoning meeting. Mr. Pettibon seconded the motion which passed unanimously by voice vote.

**7.b** P25-174 City of Port St. Lucie - Zoning Text Amendment - [2026-013](#)

Chapter 158: Zoning Code - Appendix B - City of Port St. Lucie Land Use Conversion Manual

This application is a city-initiated text amendment to the City of Port St. Lucie Land Use Conversion Manual (Appendix B) of the Zoning Code (Chapter 158) of the City of Port St. Lucie Code of Ordinances.

(Clerk's Note: A PowerPoint presentation was shown at this time.) Sofia Trail, Planner, presented to the Board and stated that this request was a zoning text amendment to the Land Use Conversion Manual, which would allow unified control as adequate legal documentation. She provided a background of the Conversion Manual, exhibited the Conversion Area

Map, and discussed the proposed amendment and analysis.

Vice Chair Norton opened the Public Hearing. There being no public to be heard, he closed the Public Hearing. There being no discussion, Mr. Reikenis moved to recommend approval of P25-174, City of Port St. Lucie - Zoning Text Amendment - Chapter 158: Zoning Code - Appendix B - City of Port St. Lucie Land Use Conversion Manual to the City Council. Mr. Spataro seconded the motion which passed unanimously by voice vote.

8. Public Hearing - Quasi-Judicial

The Senior Deputy City Attorney read the Quasi-Judicial Rules into the record for items 8.a through 8.g and the Deputy City Clerk swore in staff and applicants.

**8.a** P25-091 Town Place - Master Sign Program Application [2026-015](#)

Location: This property is located at the southeast corner of the intersection of US Highway 1 and Savannah Club Boulevard.  
 Legal Description: The property is legally described as Parcel 1: That part of Lot 16, Block 3, St. Lucie Gardens, Section 26 and Parcel 2: That portion of Lot 15, Block 3 and Lots 9 and 10, Block 4 of the Plat of St. Lucie Gardens (PB 1, PG 35) (see Application for full legal description).  
 This is a request to create a master sign program for Town Place.

Vice Chair Norton inquired if there was any ex-parte communication, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint presentation was shown at this time.) Daniel Robinson, Planner, stated that he was sworn in and that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be entered into the record. He presented to the Board and stated that the request was for the creation of a Master Sign Program for Town Place, which would provide a comprehensive regulation for all commercial and residential façade and monument signs within the Town Place development. He discussed the analysis and project comparison. Richard Lundy represented the applicant.

Vice Chair Norton opened the Public Hearing. There being no public to be heard, he closed the Public Hearing. There being no discussion, Mr. Previte moved to recommend approval of P25-091 Town Place - Master Sign Program Application to the City Council. Mr. Pettibon seconded the motion which passed unanimously by voice vote.

**8.b** P25-158 Sandpiper Bay Resort PUD Amendment No. 2 [2026-025](#)

Location: 3500 SE Morningside Boulevard, generally located north of the North Fork of the St. Lucie River, south of SE Westmoreland Boulevard, between the western terminus of SE Pine Valley Street and the eastern terminus of SE Morningside Boulevard  
 Legal Description: Portions of Section 23, Township 37 South, Range 40

East

This is a request for the 2nd Amendment to the Sandpiper Bay Resort Planned Unit Development (PUD) to amend the PUD concept plan, update to the permitted uses, update property ownership, and other miscellaneous changes.

There being no discussion, Mr. Previte moved to table P25-158 Sandpiper Bay Resort PUD Amendment No. 2 to the January 20, 2026, Special Planning & Zoning meeting. Mr. Reikenis seconded the motion which passed unanimously by voice vote.

**8.c** P25-192 SLW-500 Stadium Property, LLC - Unit 117 - Variance

[2025-1089](#)

Location: Northwest corner of Stadium Drive and Peacock Boulevard

Legal Description: St Lucie West, Plat Number 1, Prima Vista Boulevard, Block 4, Lot I-1 (PB 26, PG 8)

This is a request to grant a variance to allow a reduction in the required parking.

Vice Chair Norton inquired if there was any ex-parte communication, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint presentation was shown at this time.) Cody Sisk, Planner, stated that he was sworn in and that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be entered into the record. He presented to the Board and stated that the request was to allow a reduction in the required parking for a recreational use for Jump Start Boutique Fitness Studio. He discussed the project background and parking analysis. He noted that items 9.d and 9.e were separate requests, but for the same property, and that this variance was only for 3 parking spaces on site because the current parking was being utilized for all the other spaces per code.

Vania Pedraja-Castro represented the applicant and Luke Lambert, Traffic & Mobility Consultants, was also present. Mr. Lambert discussed the parking analysis, noting that the data showed that they should have 96 spaces, but only had 94, and that at peak times they would be using around 74 spaces. Ms. Castro discussed the class times and Mr. Lambert stated that per the analysis, they would have an adequate number of parking spaces for the current businesses on the property.

Vice Chair Norton opened the Public Hearing. There being no public to be heard, he closed the Public Hearing. There being no further discussion, Mr. Reikenis moved to approve P25-192 SLW-500 Stadium Property, LLC - Unit 117 – Variance with the following condition:

- 1) This variance shall be granted exclusively to the current applicant and

shall terminate automatically upon cessation of the approved business operation by the current Applicant. Any change in ownership, business entity, or discontinuation of the approved use shall render this variance null and void.

Mr. Pettibon seconded the motion which passed unanimously by voice vote.

**8.d** P25-193 SLW-500 Stadium Property, LLC - Suites 101-102 -  
Variance

[2025-1090](#)

Location: Northwest corner of Stadium Drive and Peacock Boulevard

Legal Description: St Lucie West, Plat Number 1, Prima Vista Boulevard, Block 4, Lot I-1 (PB 26, PG 8)

This is a request to grant a variance to allow a reduction in the required parking.

Vice Chair Norton inquired if there was any ex-parte communication, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint presentation was shown at this time.) Cody Sisk, Planner, stated that he was sworn in and that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be entered into the record. He presented to the Board and stated that the request was for a variance to allow a reduction in the required parking for a recreational use/private fitness coach for Gold Standard Fitness Studio. He discussed the project background, parking analysis, future land use/zoning, and Site Plan.

Vania Pedraja-Castro represented the applicant and Luke Lambert, Traffic & Mobility Consultants, was also present.

Vice Chair Norton opened the Public Hearing. There being no public to be heard, he closed the Public Hearing. There being no further discussion, Mr. Pettibon moved to approve P25-193 SLW-500 Stadium Property, LLC - Suites 101-102 – Variance with the following condition:

1) This variance shall be granted exclusively to the current applicant and shall terminate automatically upon cessation of the approved business operation by the current Applicant. Any change in ownership, business entity, or discontinuation of the approved use shall render this variance null and void.

Mr. Previte seconded the motion which passed unanimously by voice vote.

**8.e** P25-194 SLW-500 Stadium Property, LLC - Suites 103-104 -  
Variance

[2025-1091](#)

Location: Northwest corner of Stadium Drive and Peacock Boulevard

Legal Description: St Lucie West, Plat Number 1, Prima Vista Boulevard, Block 4, Lot I-1 (PB 26, PG 8)

This is a request to grant a variance to allow a reduction in the required parking.

Vice Chair Norton inquired if there was any ex-parte communication, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint presentation was shown at this time.) Cody Sisk, Planner, stated that he was sworn in and that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be entered into the record. He presented to the Board and stated that the request was for a variance to allow a reduction in the required parking for a medical use for a physical therapy office. He discussed the project background, parking analysis, and Site Plan.

Vania Pedraja-Castro and Marvin Mora represented the applicant and Luke Lambert, Traffic & Mobility Consultants, was also present. Mr. Mora discussed the model of the physical therapy office, and Mr. Reikenis expressed concerns for the possibility of patients needing to park on the grass. They then discussed caseloads, amount of spots they may take up per case, and length of the lease. Mr. Lambert then discussed the remaining empty spots and analysis.

Vice Chair Norton opened the Public Hearing. Resident Douglas Harvey spoke on the original purpose of the building and informed that under the Florida Accessibility Building Code Section 208.2.2, physical therapy buildings were required to have 20% of parking spaces accessible. Ms. Savage-Dunham stated that the owners still had 3 buildings on this site, so they have encouraged them to lease these sites for the uses that the buildings were designed for so that they did not find themselves in this position for the other units.

Ms. Pedraja-Castro informed that she had sent a letter to the other on-site businesses, of whom approved of the 3 businesses heard at this meeting to be added to the site. She also advised that she would not allow parking on the grass. Per the Board's inquiries, she also stated that they do not have assigned parking, nor allow for overnight parking.

There being no further public to be heard, Vice Chair Norton closed the Public Hearing. There being no discussion, Mr. Reikenis moved to approve P25-194 SLW-500 Stadium Property, LLC - Suites 103-104 – Variance with the following condition:

1) This variance shall be granted exclusively to the current applicant and shall terminate automatically upon cessation of the approved business operation by the current Applicant. Any change in ownership, business entity, or discontinuation of the approved use shall render this variance null and void.

Mr. Spatara seconded the motion which passed unanimously by voice vote.

**8.f** P25-195 6500 Selvitz, Inc. - Special Exception Use [2026-008](#)

Location: North of NW North Macedo Boulevard and west of NW Selvitz Road

Legal Description: Port St. Lucie Section Fourty Three, Tract E (PB 16, PG 15)

The request is for a Special Exception Use (SEU) for a developed property to add 957 square feet of enclosed assembly area to an existing 2,821 square feet of enclosed assembly area (daycare center) for a total of 3,778 square feet.

Vice Chair Norton inquired if there was any ex-parte communication, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint presentation was shown at this time.) Sofia Trail, Planner, stated that she was sworn in and that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be entered into the record. She presented to the Board and stated that the request was for a Special Exception Use (SEU) to add 957 sq. ft. of enclosed assembly area to an existing 2,821 sq. ft. of enclosed assembly area. She discussed the project background, surrounding areas, proposed floor plan, traffic impact statement, and evaluation of SEU criteria. Ms. Trail clarified that changing from Retail to Enclosed Assembly use would reduce average daily trips, but because it was to become a daycare, it would increase AM and PM traffic for drop-offs.

Manuel Leonor represented the applicant.

Vice Chair Norton opened the Public Hearing. There being no public to be heard, he closed the Public Hearing. There being no discussion, Mr. Spatara moved to recommend approval of P25-195 6500 Selvitz, Inc. - Special Exception Use to the City Council. Mr. Reikenis seconded the motion which passed unanimously by voice vote.

**8.g** P25-206 MidFlorida Credit Union Façade Sign - Variance [2026-010](#)

Location: 1692 SW Gatlin Boulevard

Legal Description: Lots 18, 19, 20, 23, 24, and 25, Block 1355, Port St. Lucie Section Fourteen, and that part of vacated Merrick Street

according to the map or plat thereof as recorded in the Plat Book 13, Page 5, Public Records of St. Lucie County, Florida.  
 This is a request to grant a variance from Section 155.08(E)(2)(a)(1) of the Land Development Code to allow 58.07 SF more façade signage than allowed.

Vice Chair Norton inquired if there was any ex-parte communication, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint presentation was shown at this time.) Marissa Da Breo-Latchman, Planner, stated that she was sworn in and that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be entered into the record. She presented to the Board and stated that the request was for a variance of 58.07 sq. ft. to allow an additional façade sign, totaling 75.63 sq. ft. She discussed the zoning map, existing signage location, visuals from Rosser Blvd, and proposed signage exhibit. She noted that if they were to put the sign on the ground, they would lose parking space and must uproot landscaping, so it was recommended to be put on the building.

(Clerk's Note: A PowerPoint presentation was shown at this time.) Gina Penney, Atlas Sign Industries, presented to the Board and discussed the history of the MidFlorida Credit Union, existing signage, proposed signage, and request for exception. She noted that the sign is non-illuminated.

Vice Chair Norton opened the Public Hearing. There being no public to be heard, he closed the Public Hearing. There being no discussion, Mr. Reikenis moved to approve P25-206 MidFlorida Credit Union Façade Sign - Variance. Ms. Mocerino seconded the motion which passed unanimously by voice vote.

9. New Business

**9.a** Sunshine Law / Robert's Rules Training [2026-022](#)

Deputy City Attorney Carly Fabien presented to the Board and discussed Sunshine Laws, Public Records, Ethics, and Robert's Rules of Order.

**9.b** Election of Officers [2026-026](#)

Jim Norton was elected as Chair and Site Plan Review Committee representative, Greg Pettibon was elected as Vice Chair, Eric Reikenis was elected as Chair Pro-Tem.

**9.c** Oath of Office for Members [2026-030](#)

The Deputy City Clerk administered the Oath of Office to Rose Mocerino, Joe Rosen, Eric Reikenis, Jim Norton, and Greg Pettibon.

10. Old Business

There was nothing to be heard under this item.

11. Public to be Heard

There was nothing heard under this item.

12. Adjourn

There being no further business, the meeting adjourned at 8:33 p.m.

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Jim Norton, Vice Chair

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Jasmin De Freese, Deputy City Clerk

**City of Port St. Lucie**  
**Planning and Zoning Board**  
**Meeting Minutes**

121 SW Port St. Lucie  
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34984

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Douglas Harvey, Alternate  
Joe Rosen, Alternate

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**Tuesday, January 20, 2026**

**6:00 PM**

**Council Chambers, City Hall**

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1. Meeting Called to Order

A Special Meeting of the PLANNING AND ZONING BOARD of the City of Port St. Lucie was called to order by Chair Norton at 6:02 p.m., on January 20, 2026, at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Council Chambers, Port St. Lucie, Florida.

2. Roll Call

Members Present:

Jim Norton, Chair  
Peter Previte  
Peter Spatara  
Rose Mocerino  
Joe Rosen, Alternate

Members Not Present:

Greg Pettibon, Vice Chair  
Eric Reikenis  
Douglas Harvey, Alternate

3. Determination of a Quorum

4. Pledge of Allegiance

Chair Norton led the assembly in the Pledge of Allegiance.

5. Approval of Minutes

There was nothing to be heard under this item.

6. Consent Agenda

There was nothing to be heard under this item.

7. Public Hearing - Non Quasi-Judicial

**7.a** P25-157 Sandpiper Bay Resort - Small-Scale Comprehensive Plan Amendment to the Future Land Use Map

[2026-016](#)

Location: 3500 SE Morningside Boulevard, generally located north of the North Fork of the St. Lucie River, south of SE Westmoreland Boulevard, between the western terminus of SE Pine Valley Street and the eastern terminus of SE Morningside Boulevard

Legal Description: Portions of Section 23, Township 37 South, Range 40 East (full description attached in Special Warranty Deed)

This is a request to amend the Future Land Use Map to change the designation of approximately 28.6 acres from Commercial Limited (CL), Residential Low (RL), and Open Space Recreational (OSR) to Commercial General / Institutional (CG/I).

(Clerk's Note: Per the Senior Deputy City Attorney, Planning & Zoning Director, and Chair's request, the Deputy City Clerk swore in staff, applicants, and the public for both items at this time.)

(Clerk's Note: A PowerPoint presentation was shown at this time.) Bethany Grubbs, Planner, presented to the Board and stated that this request was for an amendment to modify the designation of 3 portions of the subject property from Commercial Limited (CL), Residential Low (RL) and Open Space Recreational (OSR) to Commercial General/Institutional (CG/I). She discussed surrounding uses, proposed land use change, application & background, and justification for the amendment. She also discussed the Adequate Public Facilities Analysis and Traffic Analysis.

Per the Board's inquiries, Ms. Grubbs discussed the water usage and further clarified that the current traffic was reported to stay the same. She also clarified that no new residential would be added to this property and confirmed that they would be making the area more cohesive with the Comprehensive Plan.

(Clerk's Note: A PowerPoint presentation was shown at this time.) Rebecca Miller, MPLD Consulting President, represented the applicant and discussed the Comprehensive Plan, existing parcels and Site Plan Amendments, and proposals for student mixed-use buildings, Student Union Building, tennis court concepts, recreation building, volleyball courts, driving range building, and Morningside entry. She continued with discussion on the traffic impact, PUD amendment, and a PUD Concept

Plan. (Clerk's Note: A video was shown at this time.)

Per the Board's questioning, Ms. Miller discussed that she had 2 public outreach sessions and discussions with HOA members, noting that before the plans were submitted, they had been informed and she took resident feedback into consideration.

Chair Norton opened the Public Hearing.

Resident Tracy Kutzler expressed concerns about the creation of additions and where the water and animals would go.

Student Georgio Centeno spoke in favor of the project and the RPS Academy.

Student Jonathan McFarlane spoke in favor of the project and the RPS Academy.

Student Anthony Seon spoke in favor of the project and the RPS Academy.

Student Suraya Khan spoke in favor of the project and the RPS Academy.

Student Manuela Abuchaibe spoke in favor of the project and the RPS Academy.

Student Greta Baerlund spoke in favor of the project and the RPS Academy.

Student Jose Pablo Coello spoke in favor of the project and the RPS Academy.

Resident Michael Shor inquired if there had been an environmental study, noise study, and traffic study.

Resident Cecile Renna spoke positively of the academy, but expressed concerns about noise levels, effect on property levels, elevation levels/views, traffic & parking, and potential addition of speed bumps.

Student Khrish Tala spoke in favor of the project and the RPS Academy.

Resident David Lipps referred to an older deed to the property and discussed concerns about traffic and the preserve & protected animals.

Gabriel Jaramillo, CEO of RPS Academies, spoke in favor of the project

and the RPS Academy.

Resident Claudia Malina expressed favor for the community and stated that the land should be kept as open recreation.

Resident Chris Chandler expressed concerns about traffic and flooding/drainage.

Resident James Len spoke on the history of the area, signs, homeownership, and property values.

Resident Marika Sexton expressed support for the project.

Resident Tom Renna spoke on traffic, the cutting down of the mangroves, noise levels, and concerns for the future.

There being no further public to be heard, Chair Norton closed the Public Hearing.

Ms. Miller clarified that they were not part of the group that cut down the mangroves, and she stated that they were working on the drainage requirements. Ms. Grubbs confirmed that an environmental assessment had been completed, and no gopher tortoises or listed plant species had been observed, but there were osprey nests. Planning & Zoning Director Mary Savage-Dunham clarified that a Site Plan would come forward at the second reading during the City Council meeting.

There being no further discussion, Mr. Spatara moved to recommend approval of P25-157 Sandpiper Bay Resort – Small-Scale Comprehensive Plan Amendment to the Future Land Use Map to the City Council. Mr. Previte seconded the motion which passed unanimously by voice vote.

8. Public Hearing - Quasi-Judicial

**8.a** P25-158 Sandpiper Bay Resort PUD Amendment No. 2

[2026-025](#)

Location: 3500 SE Morningside Boulevard, generally located north of the North Fork of the St. Lucie River, south of SE Westmoreland Boulevard, between the western terminus of SE Pine Valley Street and the eastern terminus of SE Morningside Boulevard

Legal Description: Portions of Section 23, Township 37 South, Range 40 East (full legal description attached in the PUD regulation book)

This is a request for the 2nd Amendment to the Sandpiper Bay Resort Planned Unit Development (PUD) to amend the PUD concept plan, update to the permitted uses, update property ownership, and other miscellaneous changes.

Chair Norton inquired if there was any ex-parte communication, to which the Board responded in the affirmative.

(Clerk's Note: A PowerPoint presentation was shown at this time.) Bethany Grubs, Planner, stated that she was sworn in and that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be entered into the record. She presented to the Board and stated that the request was to amend the PUD Concept Plan, update permitted uses, update property ownership, and other miscellaneous changes. She discussed the proposed PUD Concept Plan, proposal summary, findings, and traffic review.

She noted that with the agreement, they were requiring a photometric plan at the time of field construction, dark sky lighting, and the lighting must be turned off 1 hour after the game matches/practice training. She also stated that they wanted to protect the residents, so they created an extensive parking condition for overflow parking, with a 12-month window for review and construction. Clyde Cuffy, Public Works, further discussed the traffic study, noting that there was no change in traffic, so a new study was not required.

Ms. Grubbs also clarified that a new building was not being built, it was being replaced, and she and Ms. Savage-Dunham stated that if an event was to be held at the school, the school needed to revise the traffic plan to mitigate issues. Attorney Hertz also clarified the Revocable Encroachment Agreement, which was a condition in the agreement.

(Clerk's Note: A PowerPoint presentation was shown during item 7.a.) Ms. Miller clarified the distances between the residents and the project site and stated that a buffer would be included. She also discussed the lighting within the area.

Chair Norton opened the Public Hearing.

Resident Jim Len stated that the flow of water was wrong, and he questioned the height of the hotel.

Ms. Grubbs clarified that they were not building another 335 units, it was already existing and under renovation during phase 1, and that there was a requirement that stated that they must submit renderings and elevations if they were planning to build more than 35 ft. in height.

Resident Richard Cameron stated that they were not against economic development, but it needed accountability, and he expressed concerns

about the construction issues and washing debris and chemicals into the canal.

Resident David Lipps requested not to put areca palms into the berms and that they should be 6ft., not 5ft.. He inquired if they could find out what the changes would be in the future regarding traffic. He also inquired if there had been a school pickup/drop-off established and an evacuation plan.

Resident Cecile Renna stated that the traffic study would be a different scenario and they needed to take it into consideration, and that the parking needed to be more environmentally done.

There being no further public to be heard, Chair Norton closed the Public Hearing.

Per the Board’s questioning, Ms. Miller clarified the mangrove incident and noted that the group responsible for the incident had since been bought out. She also clarified that there was no intent to takeover portions of the preserve for parking. Ms. Miller then discussed being under mandates and permits regarding cleaning and trash in the area.

There being no further discussion, Mr. Spatara moved to recommend approval of P25-158 Sandpiper Bay Resort PUD Amendment No. 2, to the City Council with the condition that the applicant will enter into a Revocable Encroachment Agreement prior to Site Plan approval. Mr. Previte seconded the motion which passed unanimously by voice vote.

9. New Business

There was nothing to be heard under this item.

10. Old Business

There was nothing to be heard under this item.

11. Public to be Heard

There was nothing heard under this item.

12. Adjourn

There being no further business, the meeting adjourned at 8:15 p.m.

\_\_\_\_\_  
Jim Norton, Chair

\_\_\_\_\_  
Jasmin De Freese, Deputy City Clerk

**City of Port St. Lucie**  
**Planning and Zoning Board**  
**Meeting Minutes - Draft**

121 SW Port St. Lucie  
Blvd.  
Port St. Lucie, Florida  
34984

Jim Norton, Chair  
Greg Pettibon, Vice Chair  
Eric Reikenis, Chair Pro-Tem  
Peter Previte, At-Large  
Peter Louis Spatara, At-Large  
Rose Mocerino, At-Large  
Douglas Harvey, Alternate  
Joe Rosen, Alternate

Please visit [www.cityofpsl.com/tv](http://www.cityofpsl.com/tv) for new public comment options.

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**Tuesday, February 3, 2026**

**6:00 PM**

**Council Chambers, City Hall**

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**\*Request to Table Item 7A\* \*Addition of Item 9A\***

1. Meeting Called to Order

A Regular Meeting of the PLANNING AND ZONING BOARD of the City of Port St. Lucie was called to order by Chair Norton at 6:00 p.m., on February 3, 2026, at City Hall, Council Chambers, 121 SW Port St. Lucie Blvd, Port St. Lucie, Florida 34984.

2. Roll Call

Members Present:

James Norton, Chair  
Greg Pettibon, Vice Chair  
Peter Previte  
Peter Spatara  
Rose Mocerino  
Joe Rosen, Alternate

Members Not Present:

Eric Reikenis, Chair Pro Tem  
Doug Harvey, Alternate

3. Determination of a Quorum

Chair Norton confirmed that there was a quorum.

4. Pledge of Allegiance

Chair Norton led the assembly in the Pledge of Allegiance.

5. Approval of Minutes

There was nothing scheduled under this item.

6. Consent Agenda

There was nothing scheduled under this item.

7. Public Hearings - Non Quasi-Judicial

**7.a** P25-215 City of Port St. Lucie - Chapter 153: Definitions and Section 158.233. Reasonable Accommodation Procedures - Text Amendments

[2026-137](#)

This application is a city-initiated text amendment to Chapter 153 and 158 of the City’s Code of Ordinances.

Mr. Previte moved to table P25-215, City of Port St. Lucie, Chapter 153: Definitions and Section 158.233. Reasonable Accommodation Procedures Text Amendments to the March Planning & Zoning Board meeting. Mr. Pettibon seconded the motion, which passed which passed unanimously by voice vote.

8. Public Hearing - Quasi-Judicial

The Deputy City Attorney read the Quasi-Judicial Rules into the record for Items 8 a.) & b.) and the Deputy City Clerk provided the Oath of Testimony to staff and the applicants.

**8.a** P25-169 Southern Grove SG-8 Commercial - Landscape Modification

[2026-133](#)

Location: The property is located at the northwest corner of SW Becker Road and SW Village Parkway.

Legal Description: Tradition SG-8, Parcel Home Improvement (Plat Book 132, Page 34)

This is a request to provide enhanced landscaping in lieu of a six (6) -foot-high wall or fence as required per Section 5(F) of the Southern Grove SG-8 Master Planned Unit Development (MPUD).

Chair Norton inquired if there were any ex-parte communications, to which there were none.

(Clerk’s Note: A PowerPoint was shown at this time.) Sofia Trail, Planner I, stated that she had been sworn in and stated that the file was submitted to the City Clerk’s Office 5 days prior to the meeting and requested that it be entered into the record. She reviewed the property’s history, noting that it included an approved landscape modification along the western perimeter. She explained that the site had an approved plan for a large home improvement store that was currently under construction, and that a

submitted site plan for a multi-family development was located to the north. The applicant was requesting approval to install enhanced landscaping, including a continuous Clusia hedge, in lieu of a wall along the northern perimeter. She advised the board that both the property owner and the developers of the adjacent northern parcel had submitted letters in support of the requested landscape modification. She also presented a map of the northern property line and the proposed landscape plan.

(Clerk's Note: A PowerPoint was shown at this time.) Derrick Phillips, Lucido & Associates, he explained that there is a shared access easement and informed the board that residents preferred landscaping rather than having a wall obstruct their view. Vice Chair Pettibon suggested incorporating a partial wall to mitigate noise from large trucks entering the home improvement store. The board, applicant, and staff discussed the distance between the Lowe's site and the multifamily development, Lowe's site constraints, and the proposed landscaping buffers.

Chair Norton opened the Public Hearing, there being no one to speak, he closed the Public Hearing.

Mr. Pettibon moved to recommend approval of P24-169, Southern Grove SG-8 Commercial Landscape Modification, to the City Council. Mr. Spatara seconded the motion which passed unanimously by voice vote.

**8.b** P25-197 Andrews - David, Joann, Margaret - Children's Gym -  
Special Exception Use

[2026-136](#)

Location: The property is located west of S US Highway 1 and north of SE Veterans Memorial Parkway.

Legal Description: Walton Road Joint Venture, Lot 1 (Plat Book 42, Page 13)

The request is for a Special Exception Use (SEU) to permit 7,114.78 square feet of enclosed assembly space as part of a proposed recreational facility.

Chair Norton inquired if there were any ex-parte communications, to which there were none.

(Clerk's Note: A PowerPoint was shown at this time.) Ivan Betancourt, Planner I, stated that he had been sworn in and stated that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be entered into the record. He provided a brief background on the property. He showed an aerial, an approved site plan and the proposed floor plan.

Marie Rogers, applicant, informed the Board that the gym was inclusive of

everyone, with an environment that is especially supportive of neurodivergent individuals; it would contain rooms where children could receive occupational, speech or physical therapies. She added that they had multiple locations in south Florida and were excited to become part of the Port St. Lucie community.

Chair Norton opened the Public Hearing, there being no one to speak, he closed the Public Hearing.

Mr. Previte moved to recommend approval of P25-197, Andrew David, Joann, Margaret, Children's Gym Special Exception Use, to the City Council. Mr. Pettibon seconded the motion which passed unanimously by voice vote.

9. New Business

- 9.a Review of Torino Regional Park Trail Proposed in Recreational Trails Program Grant

[2026-164](#)

(Clerk’s Note: This item was heard after Item 4.)

(Clerk’s Note: A PowerPoint was shown at this time.) Zak Sherman, Parks & Recreation Project Manager, explained the RTP grant program and showed the Master Plan for Torino Regional Park Phase 1.

Vice Chair Pettibon moved to approve Torino Regional Park Trail Proposed in Recreational Trails Program Grant. Mr. Previte seconded the motion which passed unanimously by voice vote.

10. Old Business

There was nothing scheduled under this item.

11. Public to be Heard

There was nothing heard under this item.

12. Adjourn

There being no further business, the meeting adjourned at 6:42 p.m.

\_\_\_\_\_  
James Norton, Chair

\_\_\_\_\_  
Shanna Donleavy, Deputy City Clerk



## Agenda Summary

2026-137

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**Agenda Date:** 3/3/2026

**Agenda Item No.:** 7.a

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Placement: Public Hearing - Non Quasi Judicial

Action Requested: Motion / Vote

### P25-215 City of Port St. Lucie - Chapter 153: Definitions and Section 158.233. Reasonable Accommodation Procedures - Text Amendments

This application is a city-initiated text amendment to Chapter 153 and 158 of the City's Code of Ordinances.

Submitted By: Marissa Da Breo-Latchman, Environmental Planner II

**Executive Summary:** This application is a city-initiated text amendment to amend the Definitions Chapter (Chapter 153) and the Zoning Code (Chapter 158) of the City of Port St. Lucie Code of Ordinances. The application will add a definition for Certified Recovery Residence as provided in Chapter 397.311 of the Florida Statutes and add a new subsection (K) Supplemental Procedures for Certified Recovery Residences to Section 158.233 as mandated by the State.

**Presentation Information:** Staff will provide a presentation.

**Staff Recommendation:** Move that the Board recommend approval of the text amendment.

**Alternate Recommendations:**

1. Move that the Board amend the recommendation and recommend approval of the text amendment.
2. Move that the Board not recommend approval.

**Background:** Effective July 1, 2025, the State's regulatory framework for certified recovery residences was updated by the enactment of Chapter 2025-182.

**Issues/Analysis:** This new legislation mandates that every municipality adopt a specific ordinance establishing local procedures for the review and approval of certified recovery residences within its jurisdiction. While the City currently has general procedures for processing reasonable accommodation requests under the Fair Housing Act, supplemental procedures must be enacted to achieve full compliance with the new state law.

**Special Consideration:** N/A

**Location of Project:** N/A

**Attachments:** 1. Staff Report, 2. Exhibit A - Chapter 153, 3. Exhibit B- Section 158.233, 4. Sec 397.487, Voluntary Certification of Recovery Residences, 5. Staff Presentation

**City of Port St. Lucie Text Amendment  
Chapter 153: Definitions and Chapter 158: Zoning Code  
P25-215**

**SUMMARY**

<b>Applicant’s Request:</b>	A City initiated text amendment to Chapter 153: Definitions and Section 158.233. Reasonable Accommodation Procedures
<b>Applicant:</b>	City of Port St. Lucie
<b>Project Planner:</b>	Marissa Da Breo-Latchman, Environmental Planner II

**Project Description and Analysis**

This application is a city-initiated text amendment to amend the Definitions Chapter (Chapter 153) and the Zoning Code (Chapter 158,) of the City of Port St. Lucie Code of Ordinances. The application will add a definition for Certified Recovery Residence as provided in Chapter 397.311 of the Florida Statutes and add a new subsection (K) Supplemental Procedures for Certified Recovery Residences to Section 158.233 of as mandated by the State.

Effective July 1, 2025, the State’s regulatory framework for certified recovery residences was updated by the enactment of Chapter 2025-182 and codified in Subsection 397.487(15)(a) of the Florida Statutes. This new legislation mandates that every municipality adopt a specific ordinance establishing local procedures for the review and approval of certified recovery residences within its jurisdiction.

While the City currently has general procedures for processing reasonable accommodation requests under the Fair Housing Act, supplemental procedures must be enacted to achieve full compliance with the new state law.

Key additions to Section 158.233 include:

- Establishing a mandatory timeline for the review of certified recovery residence applications.
- The automatic granting of requests if a final written determination is not issued by the City within the specified timeline.
- Restricting the use of a lapsed certification or licensure as a basis for revoking existing accommodation.

The proposed changes are provided as Exhibits “A” and “B” of the staff report with additions shown as underlined and deletion shown as ~~strikethrough~~.

## STAFF RECOMMENDATION

The Planning and Zoning Department finds the proposed text amendment to be consistent with the intent and direction of the City's comprehensive plan and recommends approval.

### Planning and Zoning Board Action Options:

- Motion to recommend approval to the City Council
- Motion to recommend approval to the City Council with conditions
- Motion to recommend denial to the City Council

Please note: Should the Board need further clarification or information from either the applicant and/or staff, it may exercise the right to *table* or *continue* the hearing or review to a future meeting.

**Sec. 153.01. Definitions.**

(A) For the purpose of the land development regulations, the following terms, phrases, words and their derivations shall have the meaning contained herein, except where the context clearly indicates or requires a different meaning. Supplemental terms and definitions are defined in specific chapters.

(B) Construction of Words and Phrases.

1. Terms not defined in this Chapter shall be construed in accordance their customary usage and meaning.
2. The following general rules of construction shall govern the interpretation of words and phrases.
  - a. The words "shall" or "will" are mandatory.
  - b. The word "may" is permissive.
  - c. The word "includes" shall not limit a term to the specific examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character.
  - d. The words "used" and "occupied" include the words "arranged," "designed," "constructed," "altered," "converted," "rented," "leased," and "intended to be used or occupied."
  - e. The words "lot" includes "plot," "parcel" and "tract."
  - f. The word "structure" includes the word "building" as well as other things or facilities constructed or erected on the ground, underground or requiring construction or erection on the ground or underground.
  - g. The word "land" includes "water surface" and "land under water."

(C) Defined terms:

**ABANDONED SIGN.** A sign is abandoned if a business advertised on that sign is no longer licensed, or is no longer doing business at that location.

**ABUT/ADJACENT.** Properties which are either contiguous or separated by a road or drainage right-of-way.

**ABUTTING PROPERTY.** Any property that is immediately adjacent to or contiguous with property that may be subject to any hearing required to be held under these regulations or that is located immediately across any road or public right-of-way from the property subject to any hearing under these regulations.

**ACCESS.** The means of ingress and egress to a lot from a dedicated public or private street right-of-way.

**ACCESSORY DWELLING UNIT (ADU).** A secondary housing unit located on the same parcel as a primary dwelling, characterized by its independence from the primary unit. An ADU includes one bathroom and a kitchen along with a separate external entrance that allows for private independent access. Guest Houses are not considered ADUs.

**ACCESSORY USE OR STRUCTURE.** A use or structure of a nature customarily incidental and subordinate to the principal use or structure and, unless otherwise provided, on the same lot. On the same lot with respect to accessory uses and structures shall be construed as meaning on the same lot or on a contiguous lot in the same ownership.

**ADD-ON SIGN.** Any additional sign area added to a previously permitted and/or conforming sign.

**ADOPTED LEVEL OF SERVICE.** The Level of Service (LOS) adopted in the Comprehensive Plan as referenced in the Capital Improvements Element. The adopted Levels of Service are the regulatory standards to be used in evaluating development order requests for the purposes set forth in this Concurrency Management System.

**ADVERTISING.** Any form of printed message intended to aid, directly or indirectly, in the sale, use or promotion of a product, commodity, service, activity, or entertainment.

**A-FRAME SIGN.** A moveable sign not secured or attached to the ground. A sign constructed in such a manner as to form an "A" or tent-like shape, hinged or not hinged at the top; each angular face held at an appropriate distance by a supporting member.

**AISLE.** The traveled way by which cars enter and depart parking spaces.

**ALLEY.** A public or approved private way which affords only a secondary means of access to abutting properties and which is not intended for general traffic circulation.

**ALTER OR ALTERATION OF VEGETATION.** To cut, remove, defoliate, or otherwise destroy leaves, limbs, stems, roots, or other plant parts, dead or alive.

**ALTER OR ALTERATION OF STORMWATER SYSTEMS.** Work done on a storm water management system other than that necessary to maintain the system's original design and function.

**ALTERATION.** Any change in size, shape, location, occupancy, character, or use of a building or structure.

**AMATEUR RADIO SERVICE.** A federally licensed radio communication service for the purpose of self-training, intercommunication and technical investigations, carried out by amateurs that are duly authorized persons interested in radio technique solely with a personal aim, and without pecuniary interest particularly with respect to providing emergency communications. (As per Code of Federal Regulations, Title 47, Part 97).

**AMATEUR RADIO ANTENNA.** A conductive material, typically aluminum or copper, designed and formed in specific configurations, to send and receive electromagnetic waves by a station licensed to operate in the amateur radio services.

**AMATEUR RADIO ANTENNA SUPPORT STRUCTURE.** Any permanent structure, such as a mast or tower or any combination thereof, whether ground or roof mounted, freestanding or guyed, used exclusively for supporting an amateur radio antenna.

**AMATEUR RADIO ANTENNA AND SUPPORT STRUCTURE OVERALL HEIGHT.** The total height of the amateur radio antenna support structure and antenna shall be measured from the mean grade to the highest point of the antenna support structure and antenna. A roof-mounted antenna support structure shall be measured from the established grade adjoining the exterior walls of the structure upon which the antenna or support structure is affixed. A ground-mounted amateur radio antenna support structure shall be measured from the established grade adjoining such antenna or support structure.

**AMBIENT LIGHT.** The immediate surrounding light.

**ANIMATED SIGN.** A sign with action or motion using electrical energy, electronic or manufactured sources of supply, or wind actuated elements, including rotating, revolving, or flashing sign against which it is placed, excluding the necessary supports or uprights on which such sign is placed.

**ANNUAL RESIDUAL CAPACITY TRIPS.** Within a designated "Critical Area of Concurrency (CAOC)" up to 100% of the remaining capacity of the potentially deficient road segment's remaining capacity.

**ANNUAL INVENTORY REPORT AND DATA BASE.** (See "YEARLY INFORMATION REPORT (YIR) and DATA BASE.")

**APPLICANT.** Any person or his duly authorized representative who submits plans through any city agency, department or division for the purpose of obtaining approval thereof.

**APPLICATION FOR DEVELOPMENT APPROVAL.** The application form and all accompanying documents submitted to the city requesting the approval of a Development Order.

**AQUATIC AREA.** Aquatic areas include tidal water and wetlands and nontidal sloughs, streams, lakes, and wetlands. The upper limit of aquatic areas is the mean high tide line in tidal areas and the ordinary high water line in nontidal areas.

**AQUATIC PRESERVE.** An exceptional area of submerged lands and its associated waters set aside for being maintained essentially in its natural or existing conditions.

**ARCHAEOLOGICAL SITE.** A property or location which has yielded or may yield information on the city's history or prehistory. Archaeological sites are evidenced by the presence of artifacts and features below the ground surface indicating the past use of a location by people.

**ARCHITECTURAL WALL.** A wall designed to complement adjacent development consisting of masonry block with stucco, fluted block, a finished designer block, poured concrete, or pre-cast concrete with a treatment on top such as a cornice, tile band, or similar accent. A pre-cast concrete wall shall be comparable in visual quality to a block wall.

**ARTERIAL ROAD.** A roadway providing service which is identified as an arterial, major or minor, in the city's Comprehensive Plan.

**ASSISTED LIVING FACILITY (ALF).** Assisted living facility is defined as specified in Chapter 429, Part I, F.S., as may be amended from time to time, and means any building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator. An ALF may include one or more of the following facility types: independent living, assisted living, and skilled nursing care. An ALF providing one or more of such services may also be known as a continuing care facility.

**AUTOMATED TELLER MACHINE (ATM) (stand-alone)** shall mean an automated device that performs banking or financial functions including at remote locations from the controlling financial institution.

**AUTOMATED TELLER MACHINE SIGNS.** Automated teller machine (ATM) signs are all signs located on or architecturally associated with the exterior face of the machine and/or covering.

**AWNINGS.** Any fixed or moveable roof-like structure, cantilevered, or otherwise entirely supported from a building.

**BACKLOGGED ROADWAY FACILITIES.** Those roadways operating below the adopted level of service standard which do not have prohibitive financial or environmental constraints, but are not scheduled for major capacity improvement in the Florida Department of Transportation's Five-Year Work Program, St. Lucie County's Five-Year Schedule of Capital Improvements, or the City of Port St. Lucie's Seven-Year Schedule of Capital Improvements.

**BANNER.** Any sign having the characters, letters, illustrations, or ornamentations applied to cloth, paper, or fabric of any kind with only such material for foundation.

**BANQUET HALL.** A facility or hall available for lease by individuals or groups to accommodate private functions including, but not limited to, banquets, weddings, anniversaries and other similar celebrations. Such a use may or may not include: 1) kitchen facilities for the preparation or catering of food; 2) the sale of alcoholic beverages for on-premises consumption, only during scheduled events that are not open to the general public.

**BARBER OR BEAUTY SHOP.** An establishment primarily engaged in cutting, trimming, tinting and styling hair.

**BARS, LOUNGES, AND NIGHT CLUBS.** A commercial establishment open to the general public primarily devoted to the serving of alcoholic beverages for consumption on premises and in which the service of food and/or entertainment is only incidental to the consumption of such beverages.

**BATH HOUSE. (Outside shower)** An accessory building of structure consisting of a shower or bath and may consist of a dressing area. This accessory use may not include additional rooms for leisure or living space.

**BECKER ROAD OVERLAY DISTRICT DESIGN STANDARDS.** Site design and architectural design standards for new development and redevelopment within the Becker Road Corridor contained in the "Becker Road Overlay District Design Standards Manual" as set forth in section 158.228(B) of the Code.

**BECKER ROAD CORRIDOR.** The property described in the "Becker Road Overlay District Design Standards Manual" as set forth in section 158.228(B) of the Code.

**BENCH SIGN.** A sign located on any part of the surface of a bench or seat.

**BILLBOARD.** Any off-premises sign or framework thereof installed as authorized by the provisions of Section 155.08.

**BINGO HALL.** An establishment primarily for the conduct of bingo games pursuant to Chapter 849.0931, F.S. The conduct of bingo games as an accessory or ancillary use to a church or other house of worship, civic, cultural, club or lodge facility shall not be considered a bingo hall provided said games are limited thereat to two days per week.

**BLOCK.** A group of lots existing within well-defined and fixed boundaries, usually being an area surrounded by street or other physical barriers and having an assigned number, letter or other name through which it may be identified.

**BMPs.** Best management practices.

**BREW PUB.** A limited-production brewery establishment that produces and serves no more than 10,000 kegs of beer per year on the premises and may include a taproom for sale of beer for on-premises consumption or in sealed containers for later consumption off the premises, and may include a restaurant. A brewpub may also, in conjunction with the sale of beer for consumption on the premises, sell wine for consumption on the premises.

**BUFFER.** An area which is established in order to protect or insulate one land use from another.

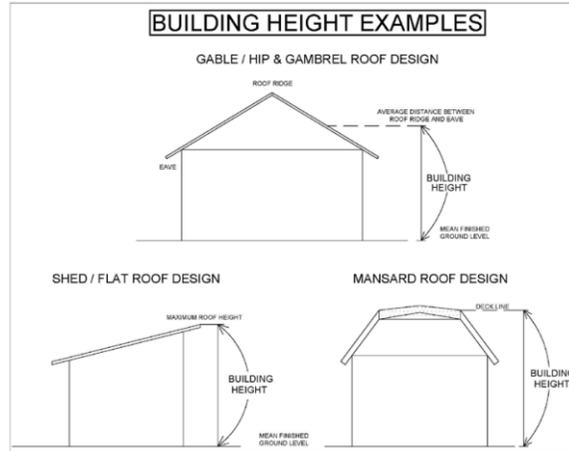
**BUILDING.** Any structure, temporary or permanent, which has a roof impervious to weather, a fixed base on a fixed connection to the ground and is used or built for the shelter or enclosure of persons, animals or property.

**BUILDING COVERAGE.** The combined and total ground area of a lot covered or occupied by buildings or roof portions of structures.

**BUILDING FACADE.** That portion of any exterior elevation of a building extending from grade to the top of the parapet wall or eaves and the entire width of the building elevation, including window area.

**BUILDING HEIGHT.** The vertical distance measured from the mean finished ground level adjoining the front of a building to the level of the highest point of the roof or top surface on a flat or shed roof, the deck level on a mansard roof, and the average distance between the eaves and the ridge level for gable, hip, and gambrel roofs. The average slope shall be greater than or equal to one (1) foot of vertical rise for every three (3) feet of horizontal run.

EXHIBIT A



**BUILDING IDENTIFICATION SIGN.** A sign located on a building with a main entry that depicts only the name of the building.

**BUILDING LINE.** The rear or inner edge of any required front, side or rear yard or the rear or inner edge of any required setback line. Except as specifically provided by this ordinance, no building or structure may be extended to occupy any portion of a lot streetward from the building line.

**BUILDING LINE, ACTUAL.** A line parallel to the street rights-of-way formed by the face of the building.

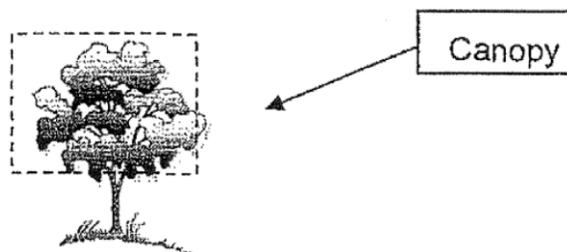
**BUSINESS FRONTAGE.** The lineal distance of the building space occupied by the particular business measured on a straight line parallel to the street. In the event that a building fronts on two (2) or more streets, the property owner shall be given the option of selecting one (1) street frontage for the purpose of computing allowable sign area. Where a business does not parallel a street, the front foot shall be measured along the exterior of the building space occupied by the particular business.

**CABANA.** An accessory building or structure used for leisure and may include a bath house or a dressing area usually in connection with a swimming pool. May be a permanent or temporary structure.

**CALIPER.** A nursery standard measurement of a tree's trunk diameter as measured at a predetermined point of measurement. Trunk caliper for trees up to four inches shall be measured six inches above the soil line. Trees greater than four inches in caliper shall be measured 12 inches above the soil line. Caliper measurements shall be used when measuring nursery trees.

**CANOPY, BUILDING.** A roof like cover, including an awning, that projects from the wall of a building over a door, entrance, or window; or a free-standing or projecting over above an outdoor service area, such as at a gasoline station or ATM kiosk, serving the purpose of protecting pedestrians from rain and sun, covered with fabric, metal or other material.

**CANOPY, TREE.** The area consisting of a tree's branches in all directions from its trunk, the outer edge of which is the dripline.



CANOPY SIGN. A wall sign that is located on the roof, fascia, soffit, or ceiling of a building canopy, and that is otherwise permitted by ordinances.

CAPACITY. Maximum and quantifiable ability for a public facility to provide service to its users. The quantity is calculated relative to a Level of Service (LOS) infrastructure standard compared to the measurable use of the public facility.

CAPACITY. ANNUAL RESIDUAL. (See "ANNUAL RESIDUAL CAPACITY")

CAPITAL FACILITIES. The planning of, engineering for, acquisition of land for, or the construction of drainage and water management facilities, recreation buildings and park equipment, potable water facilities, sanitary sewer facilities, solid waste facilities, and any project eligible for inclusion as a transportation facility, or facilities, of the Capital Improvement Element (CIE) or Transportation Element of the Port St. Lucie Comprehensive Plan, the CIE of St. Lucie County, or the Five-Year Florida Department of Transportation Plan.

CAPITAL IMPROVEMENT. Physical assets constructed or purchased to provide, improve, or replace a public facility, and which are large scale and high in cost. The cost of the capital improvement is generally nonrecurring and may require multi-year financing. For the purposes of the Concurrency Management System, physical assets which have been identified as existing or projected needs in the Comprehensive Plan shall be considered capital improvements.

CARPORT, ATTACHED. An attached roof-like structure not entirely supported from a building and open on two (2) or three (3) sides whose purpose is to provide shelter for one or more motor vehicles.

CARPORT DETACHED. A roof-like structure supported by posts or columns open on two (2) or three (3) sides whose purpose is to provide shelter for one or more motor vehicles.

CAR WASH, FULL SERVICE. A structure containing facilities for washing vehicles using a chain conveyor or other method of moving cars along, and automatic application of cleaner, brushes, rinse water, heat for drying, and wax.

CAR WASH, SELF SERVICE. A structure containing facilities for washing vehicles using a semi-automatic application of cleaner, rinse water, and wax.

CAT CAFÉ. A restaurant, excluding drive-through restaurant, which also houses adoptable cats for clientele to interact with, and which incorporates cat adoption services in addition to the restaurant services for the purpose of helping adoptable cats find homes.

CERTIFICATE OF OCCUPANCY (CO). The official certification that a premises conforms to the provisions of this Code and may be used or occupied.

CERTIFICATE OF CONCURRENCY (COC). The official certification that adequate public facilities are or will be available concurrent with the impact of the proposed development on each public facility (i.e., traffic circulation, parks and recreation, sanitary sewer, potable water, solid waste, and stormwater management facilities and services). Issuance of a final local development order, either final residential subdivision plat approval, or final site plan approval shall be considered a certificate of concurrency.

CERTIFIED RECOVERY RESIDENCE. A recovery residence that holds a valid certificate of compliance and is actively managed by a certified recovery residence administrator. As further defined in Chapter 397.311 Florida Statutes, as amended.

CHANGE OF OCCUPANCY. The discontinuance of an existing use and the substitution therefore of a use of a different kind or class; not including a change of tenants or proprietors unless accompanied by a change in the type of use.

CHANGEABLE COPY SIGN. A sign which has message characters that are not permanently attached to the sign, but which are attached to permit numerous changes of the message.

**CHANNEL LETTERS.** A sign comprising of individual letters that are independently mounted to a wall or other surface and may be internally illuminated with a cover face. The air space between the letters is not part of the sign structure but rather of the building façade. A logo may also be considered a channel letter provided it is clearly distinguishable from other sign elements.

**CHURCH OR OTHER PLACE OF WORSHIP.** A building or group of buildings devoted to the holding of religious services and related religious instruction.

**CITY BUILDING OFFICIAL.** Means the Port St. Lucie Building Official or duly authorized representative (See also "delegation of authority").

**CITY ENGINEER.** Means the Port St. Lucie City Engineer or duly authorized representative (See also "delegation of authority").

**CIVIC OR CULTURAL FACILITY.** A facility operated entirely on a public or nonprofit basis for the purpose of providing education, information, training, and/or entertainment of a civic or cultural nature.

**CLEAR.** Removal or destruction of any vegetation protected by the provisions of the Land Development Regulations.

**CLEAR TRUNK HEIGHT (CT).** The height of a tree measured from the ground to the bottom of the canopy.

**CLUB OR LODGE (PRIVATE).** A noncommercial and nonprofit establishment restricted to and providing service activities to an organization or group of individuals maintaining membership therein and collectively contributing to the maintenance and upkeep of that establishment through membership fees and periodic dues.

**CLUSTER OR CLUSTERING.** A cluster or clustering shall refer to a concentration of a particular type of building within 1,200 feet of the same particular type of building within a particular commercial, industrial and/or residential area.

**COASTAL HIGH HAZARD AREA.** The area subject to, but not limited to, Category I hurricane evacuation.

**CODE COMPLIANCE DIVISION.** The city agency duly authorized to enforce the laws and ordinances of the city.

**COLLECTOR ROAD.** A roadway providing service which is identified as a collector, major or minor, in the city's Comprehensive Plan.

**COMMERCIAL AREA.** Any area zoned commercial or office, including commercial or office areas designated in an approved PUD development plan.

**COMMERCIAL/INDUSTRIAL/RESIDENTIAL COMPLEX.** A land area under unity of title which is designed to accommodate:

1. An office park;
2. A retail shopping center;
3. An industrial center; or,
4. A multiple family residential project of greater than ten units.

**COMMERCIAL LAUNDRY FACILITY AND LINEN SUPPLY.** A facility primarily engaged in laundering of items, including uniforms, gowns, and coats of the type used by doctors, nurses, barbers, beauticians, and waitresses; and table linens, bed linens, towels and toweling, and similar items for commercial establishments.

**COMMON AREA AND FACILITIES.** A parcel of land, together with improvements thereon, the use, enjoyment and maintenance thereof are shared by the owners of a development.

**COMMUNITY RESIDENTIAL HOME.** Is defined as specified in Section 419.001, F.S., as may be amended from time to time. (See Section 158.224, Zoning Code).

**COMPREHENSIVE PLAN.** The Future Land Use Plan and elements thereof as adopted by the City of Port St. Lucie in accordance with the provisions of the Local Government Comprehensive Planning and Land Development Regulation Act.

**CONCEPT PLAN.** A preliminary presentation and attendant documentation of a proposed development of sufficient accuracy to be used for the purpose of discussion and classification. It describes the basic parameters of a major development proposal, rather than giving full engineering details.

**CONGESTION MANAGEMENT SYSTEM STRATEGIES.** Alternative strategies to alleviate congestion and enhance mobility as related to criteria for adequate public facilities.

**CONSTRAINED ROADWAY FACILITIES.** Those roadways that exhibit a level of service lower than the adopted level of service standard which are not able to attain the adopted standard because prohibitive costs and physical or environmental limitations prevent the construction of at least two additional through lanes.

**CONSTRUCTION.** Construction includes the placing of construction materials in a permanent position and fastened in a permanent manner; except that where demolition, excavation, or removal of an existing structure has been substantially begun preparatory for new construction, such excavation, demolition, or removal shall be deemed to be actual construction. Fill and the installation of drainage facilities shall be considered a part of construction.

**CONSTRUCTION AND DEMOLITION DEBRIS.** This debris is "clean debris" which is virtually inert, not water soluble, not a pollution threat and not hazardous in nature and includes steel, glass, brick, concrete, roofing material, pipe, wall board, lumber, clearing debris and other such materials as defined and pursuant to a permit issued by the Florida Department of Environmental Protection.

**CONSTRUCTION PLANS/DETAIL PLANS.** Those detailed engineered drawings, specifications and calculations prepared in accordance with city and other applicable regulations, codes and standards, submitted for approval of a site and/or development plan or preliminary plat or final subdivision plat, which set forth the specific improvements to be made in conjunction with development as they affect the existing site, its boundary conditions, topography, drainage, access, and associated road and other right-of-way and easements.

**CONSTRUCTION SIGN.** A temporary sign erected on the premises on which construction is taking place, during the period of such construction, identifying those engaged in construction on any building site. This includes the builder, contractor, developer, architect, engineer, financing entity, or other persons or artisans involved in said construction.

**CONVENIENCE GOODS.** Foodstuffs, drugs, cosmetics, and incidental household and/or personal articles which are normally purchased and expended on a day-by-day or week-by-week basis.

**CONVENIENCE STORE.** An establishment limited to the sale of convenience goods.

**CONVERSION AREA.** Areas designated in the "City of Port St. Lucie Land Use Conversion Manual" which establishes land assembly requirements for the conversion of single-family residential lots.

**COUNTRY CLUB.** A club for social life and recreation for members and their personal guests.

**CREDIT CARD SIGN.** A sign signifying that goods or services may be purchased on credit by means of an established credit line (Visa, Master Card, American Express, etc.).

**CRITICAL AREA OF CONCURRENCY (CAOC).** Based upon accepted transportation planning practices, an area of influence or significant impact established around any deficient or potentially deficient road segment, where development may be expected to place an unreasonable number of new trips on the deficient or potentially deficient road segment.

**CUL-DE-SAC.** A street with only a single means of ingress and egress and having a turnaround loop at the end, or a "T" type turnaround area.

**DAY CARE CENTER.** An establishment where five or more persons, other than the members of the family occupying the premises, are cared for during daytime hours only, and expressly excluding overnight care. The term includes a day nursery, kindergarten, adult day care service, day care agency, nursery school, or play school.

**DECK LINE.** In case of a flat roof, the uppermost line of the roof of a building; in the case of a pitched roof, the lower edge of the eave; or in the case of an extended façade or parapet, the uppermost height of said façade or parapet.

**DEDICATION.** An act transferring ownership of property or interest thereto.

**DEGRADED ESTUARINE BEACH.** An estuarine beach is degraded when its natural flexible functions are inhibited by pestilent exotic species or shoreline hardening structures.

**DEFICIENT ROAD SEGMENT.** Any city, county or state road segment on the city's major road network system that is operating below the adopted level of service standard, or is located in a Critical Area of Concurrency (CAOC) and specifically allowed to operate at up to five percent above the service volumes listed in Table 1 or 5 for the adopted Level of Service (LOS), or situations where a proposed development's additional impact on such roads could exceed the facility's adopted Level of Service (LOS) standard.

**DELEGATION OF AUTHORITY.** Whenever a provision appears requiring the head of a department or some other city officer or employee to do some act or perform some duty, it is to be construed to authorize the head of the department or some other city officer or employee to designate, delegate and authorize professional level subordinates to perform the required act or duty unless the terms of the provision or section specify otherwise.

**DENSITY.** The number of residential dwelling units permitted per gross acre of land as determined by the City of Port St. Lucie Comprehensive Plan and Code of Ordinances.

**DESIGN REVIEW BOARD.** An individual or group of individuals created by the overall project developer charged with the responsibility of implementing development and design criteria established by the overall project developer to promote unified design concepts.

**DETENTION.** The collection and storage of surface water for subsequent gradual discharge.

**DETENTION AREA.** An area designed to temporarily store and provide controlled release of stormwater runoff.

**DEVELOPER.** Any person including a governmental agency, undertaking any development.

**DEVELOPMENT.** The construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill or land disturbance; or the division of land into two or more parcels.

**DEVELOPMENT AGREEMENT.** (See "ENFORCEABLE DEVELOPMENT AGREEMENT")

**DEVELOPMENT ORDER.** Any action granting, denying, or granting with conditions, an application for a development approval or permit, including approval of preliminary or final site plan, preliminary or final subdivision plat, building permit, temporary use permit, temporary construction and development permit, sign permit, well permit, spot survey, electrical permit, plumbing permit, occupational license, boat dock permit, HVAC permit, septic tank permit, right-of-way permit, blasting permit, excavation permit, construction approval for infrastructure (including water, sewer, grading and paving), development of regional impact (DRI), zoning ordinance amendment, comprehensive plan amendment, flood variance, tree removal permits, rezoning, special exception, PUD amendment, certification, condition use, variance, or any other official action of Port St. Lucie having the effect of permitting development as defined in 380.04, F.S.

**DEVELOPMENT PERMIT.** Any building permit, zoning permit, preliminary subdivision plan, subdivision or other plat approval, site and development plan approval, rezoning, certification, special exception, variance, environmental permit or any other official action of the City of Port St. Lucie or any other state or local government commission, board, agency, department, division or official having the effect of permitting

development of land located with the geographic area subject to the provisions of the Port St. Lucie Land Development Code. Development shall include all activities set forth in Section 380.04, F.S.

**DEVELOPMENT SIGN.** A temporary sign advertising the sale or rental of structures under construction upon land which is under development.

**DIAMETER BREAST HEIGHT (DBH).** The diameter of a tree trunk measured at 4.5 feet above grade. In the case of multi-stemmed trees, the DBH shall be measured at 4.5 feet above grade on each stem and added together to count as one tree.

**DIPOLE ANTENNA.** A wire antenna that is split at its center for connection to a feed line. Its length usually is equivalent to one-half of the wavelength of the frequency for which it has been designed. A typical height for this type of antenna is approximately 35 feet.

**DIRECTIONAL SIGN.** Any sign permanently or temporarily installed on public property by or with approval of the city or any authorized governmental agency. Such directional signs shall be designated to guide or direct vehicles and/or pedestrians to any public building or transportation facility.

**DIRECTORY SIGN.** A sign which lists only the names of individuals or businesses within a building, or contiguous buildings on one (1) premises.

**DOMESTIC ANIMAL.** Dogs, cats, or other animals which are required to obtain a rabies vaccination and are kept primarily for pleasure rather than utility, and that primarily and customarily live within the confines of an owner's home as further defined in Section 92.01 and restricted in number per Section 158.229 Domestic Animal Restrictions.

**DOUBLE-FACED SIGN.** A sign with two faces which are parallel to each other, and back to back. A double-faced sign shall be considered one (1) sign.

**DRAINAGE.** The removal of surface water or groundwater from land by drains, grading or other means.

**DRIPLINE.** An imaginary vertical line extending from the outermost circumference of the branches of a tree to the ground.

**DRI.** Development of Regional Impact. Any development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county.

**DRIVE-THROUGH SERVICE.** A structure in which a customer is permitted or encouraged to, either by design or physical facilities or by service or packaging, to enter into the service area when seated in a motor vehicle.

**DWELLING, SINGLE-FAMILY.** A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. Any expansions, additions, or conversions of garage space must remain ancillary to the primary residential use, shall not create additional dwelling units. The term shall include modular housing and residential design manufactured housing but shall not be construed as including a mobile home, automobile, travel trailer, housing mounted on a self-propelled or drawn vehicle, tent, or other form of temporary or portable housing.

**DWELLING, SINGLE-FAMILY (ZERO LOT LINE OR CLUSTER).** A single-family dwelling designed and located as part of an approved planned complex where all dwellings are placed at or near a lot line or are otherwise arranged in clustered groups so as to create compensating open space for the use and enjoyment of residents.

**DWELLING, MULTIPLE-FAMILY.** A building containing two or more dwelling units.

**DWELLING, TOWNHOUSE.** A narrow, single-family dwelling unit which normally occupies the entire width of its lot, having its open yard space to the front and rear, and which is attached on one or both sides to a similar unit or units, all of which are located on individually platted lots as part of a subdivided group development.

**DWELLING UNIT.** A single unit providing complete, independent living facility for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

**EASEMENT.** An interest in land owned by another person, consisting in the right to use or control the land, or an area above or below it, for a specific limited purpose.

**ELECTRONIC MESSAGE BOARD SIGN.** A sign capable of displaying words, symbols, figures, or images that can be electronically or mechanically changed by remote or automatic means.

**ENCLOSED ASSEMBLY AREA.** Any enclosed area, building or structure where people assemble for a common purpose, such as social, civic, cultural, recreational and/or religious purposes, whether owned and/or maintained by a for-profit or not-for-profit entity, and includes, but is not limited to, public assembly buildings such as auditoriums, theaters, halls, private membership clubs and organizations, fraternal lodges, exhibition halls, convention centers, and places of worship, or other areas, buildings or structures that are used for religious purposes or assembly by persons. Day care centers, private party halls, and banquet halls will be considered an enclosed assembly area.

**ENFORCEABLE DEVELOPMENT AGREEMENT.** Any agreement entered into by a local government with any person having a legal or equitable interest in real property located within its jurisdiction as provided for by Sections 163.3220—163.3243, F.S.

**ENVIRONMENTAL CONSTRAINTS.** Features, natural resources or land characteristics that are sensitive to improvements and may require conservation measures or the application of creative development techniques to prevent degradation of the environment, or may require limited development, or in certain instances may preclude development.

**EROSION.** The detachment and movement of soil or rock fragments, or the weaving away of the land surface by water, wind, ice and gravity.

**ESSENTIAL SERVICES.** Public utility facilities either underground or overhead and related to the transmission or distribution systems of water, sanitary or storm sewerage (including treatment plants), telephone cable, gas, electricity, television cable, and public safety, including poles, wires, mains, hydrants, drains, sewer lift stations, pipes, conduits, police or fire call boxes, warning sirens, traffic signals, and other similar equipment necessary for the furnishing of adequate service.

**ESTUARINE BEACH.** The zone of unconsolidated material that extends landward from the mean low water line of an estuary to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves. Estuarine beaches are sometimes partially vegetated by native saltmarsh vegetation.

**ESTUARY.** A semi-enclosed, naturally existing coastal body of water in which saltwater is naturally diluted by freshwater and which has an open connection with oceanic waters. Estuaries include bays, embayments, lagoons, sounds, and tidal streams.

**EVERGREEN.** Non-deciduous foliage that remains green or living throughout the year.

**FACADE SIGN.** (See "WALL SIGN").

**FACILITY-BASED DAY TREATMENT PROGRAM.** A facility for youth who are placed on probation in a non-residential commitment program and youths participating in post commitment probation services consisting of group counseling, and academic programs.

**FAMILY.** One or more persons related by blood, adoption, or marriage or no more than two unrelated persons occupying the whole of a dwelling unit as a single housekeeping unit.

**FAMILY DAY CARE HOME.** An occupied residence in which child care is regularly provided for children from at least two unrelated families and which received a payment fee or grant for any of the children receiving care, whether or not operated for profit. Household children under 13 years of age, when on the premises of the family day care home or on a field trip with children enrolled in child care, shall be included in the overall capacity of the licensed home. A family day care home shall be licensed or registered as required by the State of Florida. A family

day care home shall be allowed to provide care for one of the following groups of children which shall include household children under 13 years of age:

1. A maximum of four children from birth to 12 months of age.
2. A maximum of three children from birth to 12 months of age, and other children, for a maximum total of six children.
3. A maximum of six preschool children if all are older than 12 months of age.
4. A maximum of 10 children if no more than 5 are preschool age and, of those 5, no more than 2 are under 12 months of age.

FDEP. Florida Department of Environmental Protection.

FEATHER FLAG. A vertical flag affixed to a single pole.

FENCE. A freestanding structure, designed and intended to serve as a barrier or as a means of enclosing a structure, yard, or other area, or to serve as a boundary feature separating two or more properties.

FINAL APPROVAL. The official action of the City Council taken on a preliminary approved subdivision, after all conditions, engineering plans and other requirements have been completed or fulfilled and the required improvements have been installed or guarantees properly posted for their completion or approval conditioned upon the posting of such guarantee.

FINAL DEVELOPMENT ORDER. A "final local development order" or a "final Development of Regional Impact (DRI) development order."

FINAL DRI DEVELOPMENT ORDER. A development order, as amended from time to time, adopted by the City Council and approved by the State pursuant to Section 380.06, F.S., notice of which is recorded pursuant to Section 380.06(15)(f), F.S.

FINAL LOCAL DEVELOPMENT ORDER. Any valid, unexpired approval by the city of a final subdivision plan (including construction plans and plat), final site plan (including construction plans) or building permit.

FINAL PLAT. The final map of all or a portion of a subdivision which is presented for approval, showing all building lots, easements, rights-of-way and other information necessary for providing the detailed description of the subdivision of a parcel of land.

FINAL SITE PLAN. (See "PLAN, FINAL SITE").

FINAL SUBDIVISION PLAN. (See "PLAN, FINAL SUBDIVISION").

FINE ARTS STUDIO. A studio for teaching or displaying any form of fine arts or performing arts. Fine arts will include both visual and performing art forms, such as painting, sculpture, installation, dance, and theatre.

FLAG. A piece of fabric with a color or pattern that represents some country, state, county, city, party, organization, or business activity.

FLASHING SIGN. Any sign with a light or lights which flash, blink, operating on and off intermittently, change in intensity, or otherwise create the illusion of flashing or movement.

FLAT SIGN. (See "WALL SIGN").

FLORIDA-FRIENDLY LANDSCAPING OR XERISCAPE. A landscaping method that uses environmentally sustainable practices, maximizes the conservation of water, utilizes native and suitable non-native trees, shrubs and groundcovers that require minimal maintenance when planted and an efficient watering system.

FLUCCS. Florida Land Use, Cover, and Forms Classified system, published by the Florida Department of Transportation, as amended from time to time.

**FOOD PROCESSING FACILITY.** A commercial establishment in which food is processed or otherwise prepared for human consumption but not consumed or sold at retail on the premises.

**FOSTER CARE HOME.** A facility certified by the State of Florida, whether operated for profit or not, providing housing and collective care and sustenance for no more than five adults or children on a 24-hour basis who are unrelated by blood, adoption, or marriage.

**FREESTANDING EMERGENCY DEPARTMENT.** A freestanding emergency department (FSED) is a facility that receives individuals for emergency care and is structurally separate and distinct from a hospital. Physicians and other medical staff are primarily engaged in providing medical and emergency care services on an outpatient basis. These establishments accept patients by ambulance in the same manner as a hospital emergency room and, typically, have specialized facilities and specialized equipment including a heliport.

**FREE STANDING SIGN.** A sign, including ground signs, pole signs and monument signs, which is supported by one (1) or more columns, uprights or braces anchored into the ground independent of support from any building.

**FRONTAGE, BUILDING.** The face of a building most nearly parallel with the public right-of-way line.

**FUEL PUMP VALANCE SIGN.** Any permanent sign attached to the top of a fuel pump.

**GAS SERVICE FACILITY.** Any structure used for the retail dispensing or sale of vehicular fuels.

**GAZEBO.** A non-habitable roofed detached accessory structure. The structure must be free standing, non-enclosed, and shall be designed for recreational or leisure uses and not for storage uses.

**GEOGRIDS or GEOTEXTILES.** Flat, interlocking shore protection structures which follow the natural slope of the shore.

**GOLF COURSE.** A golf facility capable of being classified as a regulation, executive, or par 3 course, comprised of one or more increments of nine holes, and occupying a minimum of 20 acres per nine-hole increment.

**GOLF COURSE, MINIATURE.** A putt-putt or pitch'n putt golf recreation facility or any like facility not meeting the requirements of a golf course as herein defined.

**GOLF DRIVING RANGE.** A tract of land or water improved with tees for practicing golf.

**GROSS ACREAGE.** Total land area of a parcel including streets, roads, drainage, undevelopable areas, and water bodies.

**GROSS FLOOR AREA.** The sum of the gross horizontal areas of the several floors of a building, measured from the exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading space for motor vehicles, or any space where the floor-to-ceiling height is less than six feet.

**GROUND AREA.** That portion of a lot covered by buildings.

**GROUND COVER.** Low growing plants planted in such a manner as to form a continuous cover over the ground.

**GROUND SIGN.** A sign suspended or supported by one or more uprights or braces anchored in the ground.

**GROUND-MOUNTED AMATEUR RADIO ANTENNA SUPPORT STRUCTURE:** An amateur radio antenna support structure that is not affixed to any building or accessory structure.

**GUEST HOUSE.** A dwelling unit in a building separate from and in addition to the main residential building on a lot, intended for intermittent or temporary occupancy by a nonpaying guest. However, those quarters shall not be rented or otherwise used as a separate dwelling.

**HABITAT CORRIDORS.** A naturally-vegetated transportation route for plants and animals that connects larger natural areas.

**HOME OCCUPATION.** An occupation for gain or support conducted entirely within a dwelling unit, as herein defined, by the occupant residing therein, which occupation is clearly subordinate and incidental to the use of the dwelling as a place of residence, and which complies with all provisions of Section 158.217(F).

**HOSPITAL.** A building or group of buildings having facilities for overnight care of one or more human patients, providing services to in-patients and medical care to the sick and injured, and which may include as related facilities laboratories, out-patient services, training facilities, central service facilities, and staff facilities. However, any said related facility or service shall be clearly incidental and subordinate to the principal hospital use and operation.

**HOTEL or MOTEL.** A building or group of buildings, with or without kitchenettes, in which sleeping accommodations are offered to the public and intended primarily for rental to transients with daily charge, as distinguished from multiple-family dwellings and rooming or boarding houses, where rentals are for periods of a week or longer and occupancy is generally by residence rather than transience.

**ILLUMINATED SIGN.** A sign in which a source of light is used in order to make the message readable and shall include internally and externally lighted signs.

**IMPACT.** Significant and quantifiable effect of use of a public facility. The quantity of use calculated or measured relative to user volume in the facility, compared to calculated capacities of the public facility.

**IMPERVIOUS SURFACE.** All surface area of a lot or parcel, including portions occupied by buildings or structures, where surface drainage waters are unable to freely percolate downward through the natural soils.

**IMPROVEMENT.** Any man-made, immovable item which becomes part of, placed upon, or is affixed to, real estate, such as street pavement, curb and gutter, sidewalk, alley pavement, walkway pavement, water main, sanitary sewer, storm sewer or drain, street name, sign, landscaping, permanent reference monument (PRM), permanent control point (PCP) or any other improvement required by the Site Plan Review Committee.

**INOPERABLE EQUIPMENT.** Equipment which is in a state of disrepair or not in working condition.

**INOPERABLE MOTOR VEHICLE.** A vehicle which cannot be legally driven upon the public streets for any reason including, but not limited to, being unregistered, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

**INSTALL.** To erect, replace, hang, paint, display, apply, or otherwise put in place in any manner whatsoever.

**INSTRUCTIONAL SIGN.** A sign conveying instructions with respect to the premises on which it is maintained, such as, but not limited to, "exit," "entrance," "parking," "carry out," or similar instruction.

**INTENSITY.** The square footage of nonresidential floor area permitted per gross acre of land as determined by the Port St. Lucie Comprehensive Plan and Code of Ordinances.

**JUNKYARD, SALVAGE YARD, or RECYCLING CENTER.** A place, structure, or lot where junk, waste, discarded, salvaged or similar materials such as automobiles, appliances, old metal, wood, slush, lumber, glass, paper, rags, cloth, bagging, cordage, barrels, containers, and the like are brought, bought, sold, exchanged, baled, packed, disassembled, stored, or handled, including used lumber and building material yards, house wrecking yards, heavy equipment, wrecking yards, and yards or places for the storage, sale, or handling of salvaged house wrecking or structural steel materials.

**KENNEL.** An establishment where six or more domesticated animals more than six months, old are housed, bred, or trained.

**KITCHEN.** An area with a sink and permanent provisions for food preparation and cooking.

**LAND DEVELOPMENT CODE OR LAND DEVELOPMENT REGULATIONS.** The ordinances enacted by City of Port St. Lucie pursuant to Section 163.3161 et. seq., F.S., for the regulation of the development of land within the incorporated area of the city.

**LAND SURVEYOR.** A professional land surveyor and mapper registered under Chapter 472, F.S. who is in good standing with the Florida State Board of Professional Regulation.

**LAND USE.** The development activity or use that has occurred on the land or the development that is proposed by a developer of land that will generate demands for services offered by public facilities.

**LAND CLEARING PLAN.** A graphic diagram or aerial showing the areas of land disturbance, areas to be cleared and sediment and erosion control measures.

**LANDSCAPE ISLAND.** A curbed area located at the end of a parking bay and designated for landscaping.

**LANDSCAPE STRIP.** A strip of land designated for landscaping.

**LANDSCAPE BUFFER STRIP.** A strip of land designated to provide a visual buffer between abutting properties that consists of landscaping and an architectural wall.

**LANDSCAPING.** Material such as, but not limited to, grass, ground covers, shrubs, vines, hedges, trees, or palms; and nonliving durable material commonly used in landscaping, such as, but not limited to, rocks, pebbles, sand, walls, or fences, but excluding paving.

**LEVEL OF SERVICE (LOS).** An indicator of the extent or degree of service provided by, or proposed to be provided by, a public facility based on and related to the operational characteristics of the facility. LOS indicates the capacity per unit of demand of each public facility.

**LICENSING ENTITY OR LICENSING ENTITIES.** The Department of Elderly Affairs, the Agency for Persons with Disabilities, the Department of Juvenile Justice, the Department of Children and Families, the Agency for Health Care Administration, or any other state agency with state authorization to license a community residential home to serve residents.

**LISTED SPECIES.** Those species of plants and animals listed as endangered, threatened, rare, or species of special concern by an official state or federal plant or wildlife agency, or the Florida Natural Areas Inventory (FNAI), includes species ranked as S1, S2, or S3). These species are targeted for protection for a number of reasons, e.g. they are in imminent danger of extinction, are rapidly declining in number or habitat, or have an inherent vulnerability to habitat modification, environmental alteration, or human disturbance which puts them at risk of extinction.

**LISTED SPECIES, LIKELY TO OCCUR.** Species listed in "Appendix B," Conservation Element, Port St. Lucie Comprehensive Plan.

**LIVING AREA.** The enclosed area of a dwelling unit which may be heated or air-conditioned, and excluding garages, carports, porches, and breezeways. A living area shall be measured from the exterior faces of the exterior walls excluding any exterior attachment.

**LONG-WIRE ANTENNA.** A wire antenna consisting of a single conductor of a random length, which typically is conducted to a transceiver at one end. It most often is parallel to the ground at a typical height of approximately 35 ft.

**LOT.** A designated parcel, tract, or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

**LOT AREA.** The size of a lot measured within the lot lines and expressed in terms of acres or square feet.

**LOT DEPTH.** The distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

**LOT FRONTAGE.** The lineal distance of a lot measured along abutting public or private rights-of-way.

**LOT OF RECORD.** Land designated as a separate and distinct parcel on a legally recorded subdivision plat.

LOT, NONCONFORMING. A land parcel, however constituted, which does not meet all minimum zoning requirements.

LOT WIDTH. The distance between side lot lines measured on the front building line.

LOW-THC CANNABIS. Any plant(s) or part of a plant(s) of the genus Cannabis, the dried flowers of which contain 0.8 percent or less of tetrahydrocannabinol and more than 10 percent of cannabidiol weight for weight; the seeds thereof; the resin extracted from any part of such plant; or any compound, manufacture, salt, derivative, mixture, or preparation of such plant or its seeds or resin that is dispensed only from a dispensing organization as specified in Section 381.986(1), F.S., as may be amended from time to time.

LUMINANCE. A measurement of the brightness of a sign's face.

MAINTENANCE GUARANTEE. Any security which may be required and accepted by a governmental agency to ensure that necessary improvements will function as required for a specific period of time.

MAJOR ROAD NETWORK SYSTEM. All city, county and state arterial and collector roads within the total incorporated area depicted in the Traffic Circulation Element of the Comprehensive Plan.

MAJOR SUBDIVISION. The division of a lot, tract or parcel of land, whether improved or unimproved, into three (3) or more lots, tracts, parcels or other divisions of land for the purpose, whether immediately or future, of transfer of ownership, development or lease. (Also see SUBDIVISION.)

MANGROVES. Any specimen of the species *Avicenna germinans* (black mangrove), *Laguncularia racemosa* (white mangrove), *Rhizophora mangle* (red mangrove), and *Conocarpus erectus* (buttonwood mangrove).

MANUFACTURED HOUSE. A single-family dwelling which is factory constructed in its entirety in units or components, and then placed or assembled on a building site, and which has been determined to be constructed in compliance with the Federal Manufactured Home Construction and Safety Standards Act. Manufactured houses are further described as being of either residential design or standard design.

1. Residential design manufactured housing has the following characteristics:
  - a. Minimum width of main body. Minimum width of the main body of the residential design manufactured housing as located on the site shall not be less than 20 feet, as measured across the narrowest portion. This is not intended to prohibit the offsetting of portions of the house.
  - b. Minimum roof pitch, minimum roof overhang and roofing materials. Minimum pitch of the main roof shall be not less than one foot to rise for each four feet of horizontal run and the minimum roof overhang shall be one foot. In cases where site built housing generally has been constructed in adjacent or nearby locations with roof pitches less than 1:4 and/or roof overhang of less than one foot, then the residential design manufactured house may have less roof pitch and overhang, similar to the site built houses. In general, any roofing material other than built up composition roof, may be used which is generally used for site built houses in adjacent or nearby locations.
  - c. Exterior finish and light reflection. Any material may be used for exterior finish which is generally acceptable for site built housing which has been constructed in adjacent or nearby locations, provided, however, that reflection for such exterior shall not be greater than from siding coated with clean white gloss exterior enamel.
  - d. Approved foundations required in residential districts. Where approval of homes or model plans does not include approval of type of foundation, no residential design manufactured house shall be placed or occupied for residential use on a site in a residential district until such foundation plans have been submitted and approved by the Building Official as to the appearance and durability of the proposed foundation and whether it is acceptably similar or compatible in appearance to foundations of residences built on adjacent or nearby sites.

- e. Site orientation. Residential design manufactured houses shall be placed on lots in such a manner as to be compatible with and reasonably similar in orientation to the site built housing which has been constructed in adjacent or nearby locations.
- 2. Standard design manufactured houses are manufactured houses certified as meeting the HUD Code, but not meeting the residential design standards contained herein.

**MARINA.** An establishment with a waterfront location providing for the refueling and/or in-water storage of watercraft used for recreational and noncommercial purposes, and including minor repair services for such craft not involving removal of watercraft from the water or removal of inboard or outboard engine from the watercraft.

**MASS GRADING PLAN.** A plan showing the areas to be cleared, stockpile areas, locations of lakes, locations of roads, and anticipated haul routes. These plans are associated with clearing land, road grading, and excavation of lakes within approved DRIs or PUDs prior to review or approvals of site development plans.

**MASTER PLAN.** A comprehensive long-range plan intended to guide the growth and development of a community or region. Includes analysis, recommendations and proposals for the community's population, economy, housing, transportation, community facilities and land use.

**MASTER SIGN PROGRAM.** A comprehensive sign program for projects which promote unified design concepts harmonious with the overall project and adjacent properties.

**MEAN HIGH WATER LINE.** Water line which is the average height of the high waters over a 10-year period. For shorter periods of observation, mean high water means the average height of the high waters after corrections are applied to eliminate known variations and to reduce the result to the equivalent known variations and to reduce the result to the equivalent of mean 19-year value.

**MEDICAL CANNABIS.** All parts of any plant of the genus Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, sale, derivative, mixture, or preparation of the plant or its seeds or resin that is dispensed only from a dispensing organization for medical use by an eligible patient as defined in Section 499.0295, F.S. as specified in Section 381.986(1), F.S., as may be amended from time to time.

**MEDICAL MARIJUANA.** Medical Cannabis and/or Low-THC Cannabis lawfully prescribed to a qualifying patient pursuant to Florida law and the Department of Health's regulations.

**MEDICAL MARIJUANA CULTIVATION FACILITY.** Any area designated to be used for the cultivation of low-THC cannabis and/or medical cannabis.

**MEDICAL MARIJUANA DISPENSING FACILITY OR DISPENSING FACILITY.** A facility where Low-THC and/or Medical Cannabis is dispensed at retail.

**MEDICAL MARIJUANA DISPENSING ORGANIZATION OR DISPENSING ORGANIZATION.** An organization approved by the Florida Department of Health to cultivate, process, transport, and dispense low-THC cannabis or medical cannabis to qualified patients and legal representatives pursuant to this section as specified in Section 381.986(1), F.S., as may be amended from time to time.

**MEDICAL MARIJUANA PROCESSING FACILITY.** Any area to be used for the processing of low-THC cannabis and/or medical cannabis.

**MEDICAL MARIJUANA TREATMENT CENTER(MMTC).** An entity that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their caregivers and is registered by the Florida Department of Health.

**MEDICAL USE.** The acquisition, possession, use, delivery, transfer, or administration of the prescribed amount of low-THC cannabis or medical cannabis not in conflict with Department of Health's applicable rules, or of

related supplies by a qualifying patient or caregiver for use by the caregiver's designated qualifying patient for the treatment of a debilitating medical condition as specified in Article X, Section 29 of the Florida Constitution as may be amended from time to time.

**MENU BOARD.** A wall or permanently mounted sign displaying the bill of fare for a drive-through restaurant.

**MENU OR SANDWICH SIGNS.** A-frame sign on sidewalks in front of the business it applies to. A portable sign displaying the type and price of services in connection with the business.

**MICROBREWERY.** A facility where beer and malt beverages are made on the premises and may include an area for sale of beer for on-premises consumption or in sealed containers for later consumption off the premises. A microbrewery may also, in conjunction with the sale of beer for consumption on the premises, sell wine for consumption on the premises. Food services may be an accessory use in conjunction with the permitted microbrewery primary use.

**MINING or EXCAVATION.** The removal of mineral resources or any earth material in excess of one hundred (100) cubic yards from its natural position upon a lot to another site, other than incidental excavation directly related to foundation preparation for an approved building, structure, or surface drainage.

**MINOR SUBDIVISION.** The division of a lot, tract or parcel of land, whether improved or unimproved, into two (2) tracts, parcels or other divisions of land for the purpose, whether immediately or future, of transfer of ownership, development or lease. (Also see "SUBDIVISION").

**MOBILE FOOD DISPENSING VEHICLE.** Mobile Food Dispensing Vehicle ("MFDV") is defined as set forth in Section 509.102, Florida Statutes, as amended.

**MOBILE HOME.**

1. A detached unit with all the following characteristics:
  - a. Designed for long-term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems;
  - b. Designed for transportation after fabrication on streets and highways on its own wheels or on a flatbed or other trailer;
  - c. Arriving at the site where it is to be occupied as a dwelling complete, including major appliances, and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connection to utilities, and the like; and
  - d. Built prior to the enactment of the Manufactured Home Construction and Safety Standards Act.
2. A recreational vehicle is not to be considered as a mobile home.

**MOBILE HOME PARK.** A lot or parcel developed in accordance with Chapter 158 and maintained under single ownership, where designated sites are offered for rent or lease for the placement and/or occupancy of mobile homes as dwelling units.

**MOBILE VENDING SALES.** Mobile Vending Sales means the sale of prepared food and/or flowers from a vehicle, cart or other mobile, non-fixed structure that is not a Mobile Food Dispensing Vehicle or a Temporary Commercial Kitchen.

**MODULAR HOUSE.** A single-family dwelling which is factory-constructed in its entirety, in units or components, and then placed or assembled on a building site, and which has been approved by the Department of Community Affairs of the State of Florida, or its successor agency.

**MONUMENT SIGN.** A freestanding sign where the base of the sign structure is flush with and anchored into the ground independent of support from any building. The width of the top of the sign structure can be no more than 120 percent of the width of the base.

**MOTOR HOTEL, MOTOR LODGE.** (See "HOTEL OR MOTEL").

**MULCH.** Nonliving, small, aggregate material such as gravel, rock, pebbles, bark, or pine needles spread over exposed soil.

**MULTIPLE-FACED SIGN.** A sign with more than two (2) faces.

**MULTI-FAMILY RESIDENTIAL/INSTITUTIONAL AREAS.** Any area zoned multi-family residential or institutional, including areas designated for multifamily/institutional uses in an approved PUD development plan.

**MULTI-STORY STRUCTURE.** A building or structure or portion thereof with two (2) or more stories measured from the surface of any floor and the surface of the floor directly above it not including basements or underground parking garages.

**MUSIC RECORDING STUDIOS.** A facility for sound recording and mixing.

**NATIVE HABITAT.** The natural abode of a plant or animal that contains the arrangement of food, water, cover and space required to meet the biological needs of a given species which occur indigenously on the land, in the soil, or in the water.

**NATIVE SHORELINE WETLAND VEGETATION.** Indigenous shoreline vegetation typically adapted for life in saturated soil conditions and characterized by wetland species listed in Chapter 17-3, F.A.C., as amended from time to time.

**NATIVE UPLAND HABITAT.** Indigenous vegetation typically adapted for life in non-wetland areas.

**NATIVE WETLAND VEGETATION.** An area that is inundated or saturated by surface water or ground water at a frequency and a duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological, or reproductive adaptations, have the ability to grow, reproduce or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps and other similar areas. Florida wetlands generally do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto.

**NEIGHBORHOOD SIGNAGE.** Signs designating separate and distinct neighborhoods which may be part of a larger subdivision or have distinct characteristics which are unlike those in adjoining areas.

**NIT.** Candela per square meter or  $cd/m^2$  (1 nit =  $1cd/m^2$ )

**NOI.** Notice of Intent. Form sent to FDEP notifying FDEP that clearing or construction activities will occur on the project. The NOI is an application to work under the Generic Permit for Stormwater Discharge from Large and Small Construction Activity.

**NONCONFORMING SIGN.** Any sign which does not comply with the regulations of this Sign Code, or subsequent amendments.

**NONCONFORMING STRUCTURE, USE OF LAND, USE OF LAND AND STRUCTURE, AND THE LIKE.** See Section 158.275 through 158.286.

**NONRESIDENTIAL SUBDIVISION.** A subdivision whose intended use is other than residential, such as commercial or industrial. Such subdivision shall comply with the applicable provisions of these regulations.

**NPDES.** National Pollutant Discharge Elimination System. This is a federal permitting program to regulate stormwater discharges.

**NURSING OR CONVALESCENT HOME.** An extended or intermediate care facility which provides continuous personal care or nursing for three or more persons not related by blood or marriage to the operator who by reason of illness, physical or mental infirmity, or advanced age are unable to care for themselves.

**OCCUPANCY.** The residing of an individual or individuals overnight in a dwelling unit, or the installation, storage or use of equipment, merchandise, or machinery in any public, commercial, or industrial building.

**OFF-PREMISES SIGN.** A sign identifying, advertising or directing the public to a business, merchandise, service institution, residential area, entertainment, or activity which is located, sold, rented, based, produced, manufactured, furnished or taking place at a location other than on the property on which the sign is located.

**OFFICE, BUSINESS.** An office for such activities as real estate agencies, advertising agencies (but not sign shops), insurance agencies, travel agencies and ticket sales, chamber of commerce, credit bureaus, finance companies, abstract and title agencies or insurance companies, stockbrokers, and the like (but not including banking institutions). It is characteristic of a BUSINESS OFFICE that retail or wholesale goods are not shown to or delivered from the premises to a customer.

**OFFICE, PROFESSIONAL.** An office for the use of persons generally classified as professionals, such as architects, engineers, attorneys, accountants, doctors, dentists, veterinarians (but not including boarding of animals on the premises), psychiatrists, psychologists, and the like.

**OFF-STREET PARKING.** A site or a portion of a site, devoted to the off-street parking of vehicles, including parking spaces, aisles, access drives, and landscaped areas.

**ON-PREMISES SIGN.** Any structure, device, display board, screen, surface or wall, characters, letters, or illustrations placed thereto, thereon, or there under by any method or means whatsoever where the matter displayed is used for advertising on the premises, a product or service, actually or actively offered for sale or rent thereon or therein.

**OPEN LOT STORAGE AREA.** An area outside the confines of an enclosed building which is enclosed by an opaque fence or wall and where inoperative vehicles, scrap metal, scrap lumber, building materials, machinery, machinery parts, or other similar items are customarily sold or stored.

**OPEN/OUTSIDE STORAGE.** Non-transitory containment, holding, leaving, or placement of goods or material for longer than 24 hours outside of a fully-enclosed building. It does not include the interim accumulation of a limited amount during processing, maintenance or repair.

**OPEN SPACE.** Land devoid of any structure or buildings except for minor pavilions, landscape structures or terraces and designed and maintained for recreation or leisure-time enjoyment, buffer areas, drainage or conservation.

**OTHER VEHICULAR USE AREAS.** All land upon which vehicles traverse the property as a function of the primary uses.

**OVERALL PROJECT DEVELOPER.** The individual, company or corporation who obtained preliminary approval of a multi-phased project under a single unity of title or an individual, company or corporation who purchased a multi-phased project in its entirety.

**OVERLAY ZONING DESIGN STANDARDS.** Site design and architectural standards for new development and redevelopment in designated areas contained in the "City of Port St. Lucie Citywide Design Standards Manual" as set forth in section 158.288(A) of the Code.

**PAIN MANAGEMENT CLINIC.** Is defined as specified in Section 458.3265(1)(a), F.S., as may be amended from time to time, and includes a privately owned pain-management clinic, facility, or office, which advertises in any medium for any type of pain management services, or employs a physician who is primarily engaged in the

treatment of pain by prescribing or dispensing controlled substance medications; a physician is primarily engaged in the treatment of pain by prescribing or dispensing controlled substance medications for the treatment of chronic nonmalignant pain. Chronic nonmalignant pain is pain unrelated to cancer which persists beyond the usual course of the disease or the injury that is the cause of the pain for more than ninety (90) days after surgery.

The definition shall not include any of the following:

1. A clinic licensed as a facility pursuant to Chapter 395, F.S.;
2. The majority of the physicians who provide services in the clinic primarily provide surgical services;
3. The clinic is owned by a publicly held corporation whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation's most recent fiscal quarter exceeded \$50 million;
4. The clinic is affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows;
5. The clinic does not prescribe or dispense controlled substances for the treatment of pain; or
6. The clinic is owned by a corporate entity exempt from federal taxation under 26 U.S.C. § 510(c)(3).

PAINTED SIGN. Any sign painted on any surface, including the roof of any building.

PARAPET. That portion of the facade which extends above the roof.

PARCEL OF LAND. Any quantity of land capable of being described with such definiteness that its location and boundaries may be established.

PARKING BAY. A single alignment of 12 or fewer parking spaces that is terminated at each end with a landscape island.

PARKING LOT. An off-street, ground level area, usually surfaced and improved, used or intended to be used for the parking of motor vehicles.

PERFORMANCE GUARANTEE. Any security that may be accepted by a municipality as a guarantee that the improvements required as part of an application for development are satisfactorily completed.

PERMANENT REFERENCE MONUMENT. A monument according to Section 177.031, F.S.

PERMANENT SIGN. Any sign permanently affixed to a structure or the ground which cannot be removed without special handling.

PERSON. An individual, corporation, governmental agency, business trust, estate, trust, partnership, association, two or more persons having a point or common interest, or any other entity, and its designated agents, successors or assigns.

PERSONAL SERVICE USE. A use intended primarily to provide direct and personal service to its customers, including such uses as barber shops, beauty shops, tailors, shoe repair shops, laundry pick-up stations, watch repair shops, and the like.

PERVIOUS SURFACE. A surface that permits absorption of storm water.

PESTILENT EXOTIC VEGETATION/SPECIES. Non-native vegetation that is considered a nuisance, invasive, or a pest. Exotic vegetation includes, but is not limited to, Brazilian pepper (*Schinus terebinthifolios*), Australian Pine (*Casuarina equisetifolia*), and Melaleuca (*Melaleuca quinquenervia*).

PHARMACY. Means the same as the definition in Section 465.003(11)(a), F.S., as may be amended from time to time, and includes community pharmacy, internet pharmacy, and special pharmacy, but does not include institutional pharmacy or nuclear pharmacy, as each of those terms are used in that section.

**PLAN, FINAL SUBDIVISION.** Includes the plat to be recorded; final engineering and construction drawings, specifications and calculations; certification of improvements, as-built drawings, or performance guarantee; and other required certifications, bonds, agreements, approvals, and materials for a development phase or the entirety of a parcel of land, meeting the requirements of the Code of Ordinances.

**PLAN, PRELIMINARY SUBDIVISION.** Includes the site plan and preliminary plat; tree location map or aerial photographic overlay; preliminary engineering drawings, specifications and calculations; and other necessary materials for a development phase or the entirety, meeting the requirements of the Code of Ordinances.

**PLAN, SITE AND/OR DEVELOPMENT.** Includes the site plan, statements of use and unified control, preliminary and/or final engineering drawings, specifications and calculations; and other required certifications, as-built drawings, performance guarantees, bonds, agreements, approvals and materials for a development phase or the entirety meeting the requirements of the land development regulations.

**PLANNED RESIDENTIAL COMMUNITY.** A City-approved, planned unit development that is under unified control, is planned and developed as a whole, has a minimum gross lot area of 8 acres, and has amenities that are designed to serve residents with developmental disabilities as defined in Florida Statutes Section 393.063 but that shall also provide housing options to other individuals.

**PLANNING AND ZONING DEPARTMENT.** The city agency duly authorized to review applications and plans for compliance with the land development regulations.

**PLANTING AREA.** Any area designated for landscape planting having a minimum area of ten square feet and having a minimum dimension of 3 feet; except that wherever a tree shall be planted, a minimum area of 25 square feet, with a minimum dimension of at least five feet.

**PLAT.** A map or delineated representation of the subdivision of lands, being complete, exact representation of the subdivision and other information in compliance with the requirement of all applicable statutes and of local ordinances, and may include the terms "replat," "amended plat" or "revised plat."

**PLATTED LOT OF RECORD.** A lot which is part of a subdivision which has been recorded in the office of the Clerk of the Circuit Court of St. Lucie County prior to the effective date of these regulations.

**POLE SIGN.** A freestanding sign that is affixed, attached, or erected on a pole that is not itself an integral part of or attached to a building or structure.

**POTENTIALLY DEFICIENT ROAD SEGMENT.** A city, county or state road segment on the Major Road Network System that is presently operating at [80—90%] of its adopted Level of Service (LOS)S standard.

**PORTABLE SIGN.** Any sign that is designed to be transported, including, but not limited to, signs: with wheels removed; with chassis or support constructed without wheels; designed to be transported by trailer or wheels; menu and sandwich signs, searchlight stands; and tethered inflatable signs.

**PREMISES.** A distinct unit, site, parcel of land, or property, with or without buildings, but including the buildings, which is the subject of a development action.

**PRE-APPLICATION CONFERENCE.** An initial meeting between developers and municipal representatives which affords developers the opportunity to present their proposals informally.

**PRELIMINARY APPROVAL.** The conferral of certain rights prior to final approval after specific elements of a development plan have been agreed upon by the Site Plan Review Committee and the applicant.

**PRELIMINARY SUBDIVISION PLAT.** A map indicating the proposed layout of a development and related information that is submitted for preliminary approval.

**PRINCIPLE.** A broad and basic rule but not measurable. Accompanied by the words "shall" or "will."

**PRINCIPAL USE.** The primary use of any lot or land parcel, with other use or uses thereon being clearly of a secondary or accessory nature.

**PRIVATE PARTY HALL.** An event venue rented exclusively for invited guests, not open to or advertised to the general public. This definition excludes alcohol industry promotional events and any gatherings with a commercial purpose. Events that are broadly advertised, promoted on public platforms (such as social media or public forums), or where attendance is not limited to specifically-invited individuals, shall not be considered private.

**PROJECTING BLADE SIGN.** Any blade sign hung or projecting perpendicular to promote a pedestrian environment.

**PROJECTING SIGN.** A sign projecting at an angle from the outside wall or walls of any building which is supported by only one (1) rigid support, irrespective of the number of guy wires used in connection therewith.

**PROTECTED TREE.** Any tree having a DBH of 12 inches or greater or any native palm with a minimum clear trunk of ten (10) feet or greater. The term "protected tree" shall also apply to any replacement tree and any tree that is represented in a landscape plan, street tree planting plan or other planning document for the purposes of securing an approved building permit, clearing permit, or certificate of occupancy. This excludes the following:

1. Non-native fruit trees cultivated or grown for the specific purpose of producing edible fruit, including, but not limited to: mangos, avocados, or species of citrus.
2. Non-native invasive or undesirable plants listed under Section 154.03(L).
3. All non-native trees in the palm family.

**PSLUSD.** Port St. Lucie Utility Systems Department.

**PUBLIC FACILITIES.** Major capital improvements including, but not limited to, transportation, sanitary sewer, solid waste, drainage, potable water, parks and recreational facilities and services.

**PUBLIC FACILITY OR USE.** Any building or open area publicly owned and operated for the purpose of providing public services.

**PUBLIC SIGN.** A sign placed under the authority of duly authorized government officials, including traffic signs, legal notices, public safety signs, or signs placed by such authorized official for the public health, safety, welfare, or convenience.

**PUBLIC UTILITY FACILITY.** A facility which provides initial generation or major treatment, storage, or distribution with respect to a public utility such as water supply, sewer, gas, telephone, and electricity, but not including wireless communication antennas and towers.

**PUD - PLANNED UNIT DEVELOPMENT.** A land area under unified control which is planned and programmed in a single development operation or in a series of prescheduled phases according to an officially approved final development plan.

**RATE.** Volume per unit of time

**RECOVERY RESIDENCE.** An alcohol and drug-free residential dwelling, for individuals deemed disabled/handicapped by the Fair Housing Act and/or the Americans With Disabilities Act as a result of alcohol and/or drug addictions, that is in compliance with the standards set forth by the National Association of Recovery Residences and the Florida Association of Recovery Residences as much as is practicable.

**RECLAMATION PLAN.** A plan which describes how reclamation, including the restructuring, reshaping, and vegetation of disturbed lands to a form in which the lands may be beneficially used and includes the process of restoration, will take place.

**RECREATIONAL FACILITY.** A place designed and equipped for the conduct of sports, leisure time, fitness and recreational activities, including sports instruction schools.

**RECREATIONAL VEHICLE PARK.** A lot or parcel designed and developed in accordance with the requirements of this chapter and maintained under single ownership, where designated sites are offered for rent, lease or sale

for the temporary placement of recreational vehicles to be utilized for sleeping or eating in conjunction with recreation and/or vacation purposes. RV parks are restricted to temporary occupancy of any individual unit of no more than six months.

**RECREATION VEHICLES.** Any vehicle-type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own mode of power or is mounted on or propelled by another vehicle including: camper, travel trailer, truck camper, and motor homes.

**REPLACEMENT TREE.** Shall mean any tree planted or preserved as a condition of approval of a tree removal permit.

**RESIDENT.** A resident of a community residential home is any of the following: a frail elder as defined by Florida Statutes Section 429.65, a person who is handicapped as defined in Florida Statutes Section 760.22(7)(a), a person who has a developmental disability as defined by Florida Statutes Section 393.063, a nondangerous person who has a mental illness as defined in Florida Statutes Section 394.455, or a child who is found to be dependent as defined in Florida Statutes Section 39.01 or 984.03, or a child in need of services as defined by Florida Statutes Section 984.03 or 985.03.

**RESIDENTIAL COMPLEX.** (See "COMMERCIAL/INDUSTRIAL/RESIDENTIAL COMPLEX").

**RESTAURANT.** An establishment where food and beverage are prepared and served for pay primarily for consumption on the premises.

**RESTAURANT, DRIVE-THROUGH.** An establishment whose is serving food to the public for consumption on the premises by order from and service to vehicular passengers outside the structure.

**RESTAURANT, FULL SERVICE.** A commercial establishment that offers a menu of food and beverages for immediate consumption, primarily on-premises. This type of restaurant provides table, counter, and/or booth service, with wait staff responsible for taking orders and serving meals. Full-service restaurants may also offer takeout service.

**RESUBDIVISION.** A change in a map of an approved or recorded subdivision if such change affects any street layout on such map or area reserved thereon for public use, or any lot line or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions. (Also see "SUBDIVISION").

**RETAIL BUSINESS.** An establishment where goods are displayed and offered for purchase directly by the intended consumer or user of those goods.

**REVOLVING SIGN.** ("See ANIMATED SIGN").

**RIGHT-OF-WAY.** A strip of land dedicated, deeded, occupied or intended to be occupied by a street, walkway, boulevard, road, avenue, alley or other means of ingress or egress, railroad, electric transmission line, gas pipeline, water main, sanitary main, storm water main, swale, drainage canal, ditch or other drainage facility or structure, shade trees or for another special use.

**RIP RAP.** A loose assemblage of unconsolidated boulders, rocks, or clean concrete rubble arranged along the natural slope of the shoreline, often over a porous filter cloth, intended to stabilize the shoreline and reduce erosion. Concrete rubble shall be free to exposed reinforcing rods or similar protrusions, tar, asphalt, and paint.

**ROOF-MOUNTED AMATEUR RADIO ANTENNA SUPPORT STRUCTURE.** An amateur radio antenna support structure that is affixed to any building or accessory structure.

**ROOF LINE.** The highest continuous horizontal line of a roof on a sloping roof, the roof line is the principal ridge line or the highest line common to one (1) or more principal slopes of the roof. On a flat roof, the roof line is the highest continuous line of the roof or parapet, whichever is higher.

**ROOF SIGN.** Any sign, installed, constructed or maintained above the deck line or eave of any building.

**ROOT PROTECTION ZONE.** The pervious area beneath a tree centered on the trunk. For preserved trees, this means the area beneath the drip line of the tree. Root protection zones that include existing impervious area(s) not adversely affecting the viability of the tree, may be acceptable.

**ROTATING SIGN.** (See "ANIMATED SIGN").

**RUNOFF.** A term generally used to describe stormwater that is unable to soak into the ground and which flows over land.

**RUNOFF COEFFICIENT.** Ratio of the amount of rain which runs off a surface to that which falls on it; a factor from which runoff can be calculated.

**SANDWICH SIGN.** (See "A-FRAME SIGN").

**SEDIMENTATION OR SILTATION.** The process by which mineral or organic matter is removed from its site or origin, transported and subsequently deposited by air, water or mechanical activities.

**SELF-SERVICE STORAGE FACILITY.** An enclosed storage facility of a commercial nature containing independent, fully enclosed bays which are leased to persons exclusively for dead storage of their household goods and/or personal property.

**SEMI-PUBLIC FACILITY OR USE.** Any building or open area privately owned and operated for the purpose of providing public services, but not including wireless communication antennas and towers.

**SERVICE AND REPAIR FACILITY.** An establishment whose primary function is to provide service and/or repairs upon personal, household, or small commercial equipment, but excluding automotive or vehicle repair.

**SERVICE STATION.** An establishment utilized principally for the business of fueling and lubricating motor vehicles and for performances of incidental service to motor vehicles such as hand washing, cleaning, polishing, tire changing and repair, battery recharging and replacement, minor repairs and tune-ups, and including the sale of tires, batteries, incidental parts, and accessories. Service permissible in a service station shall not include major mechanical and body work, straightening of frames or body parts, steam cleaning, painting, welding, storage of automobiles not in operating condition, operation of a commercial parking lot or a commercial garage as an accessory use, or other characteristics to an extent greater than normally found in such stations; any establishment performing those services shall be deemed to be an auto repair shop or garage.

**SERVICE VOLUME (ROADS).** (See "CAPACITY (ROADS)").

**SETBACK LINE, BUILDING.** An imaginary line running parallel to a front, side, or rear property line and establishing the rear edge of a yard or open area in which no building, structure, or use may be placed or established, unless otherwise permitted herein. For irregular shaped lots, the Zoning Administrator may interpret from where the setback line is to be measured.

**SFWMD.** South Florida Water Management District.

**SHORELINE.** The immediate interface of land and water; the mean high tide line in non-vegetated areas, and the landward extent of wetland species of vegetation as listed in Chapter 17-4, FAC. where such "Marine Species" constitute the dominant plant community.

**SHORE PROTECTION STRUCTURES.** Shore hardening structures, such as seawalls, bulkheads, revetments, groins, and aggregates of materials other than natural sediments, used to prevent erosion and protect other structures from waves and other hydrodynamic forces.

**SHRUBS.** Any low, self-supporting, multi-stemmed evergreen.

**SIGHT DISTANCE TRIANGLE.** An area adjacent to an intersection or driveway that must be clear of visual obstructions, such as landscaping, to allow drivers to see intersecting traffic. See Section 158.204 of the Zoning Code for visibility at intersections in Zoning Districts.

**SIGN.** Any writing (including letter, word, or numerical), pictorial presentation (including illustration or decoration), emblem (including device, symbol, or logo), flag (including banner or pennant), or any other figure of similar character, that; (1) is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a building or other structure; (2) is used to announce, direct attention to, or advertise; and (3) is visible from outside a building. A sign includes writing, representation, or other figures of similar character, within a building not attached to a window and can be viewed through a glassed wall of a building.

**SIGN HEIGHT.** The vertical distance to the highest point of a sign. Freestanding signs shall be measured from the crown of the nearest abutting street.

**SINGLE-FAMILY RESIDENTIAL AREA.** Any portion of the city divided into lots intended to contain a single dwelling unit designed for occupancy by one family.

**SITE PLAN REVIEW COMMITTEE.** A committee established by Chapter 158 of the city's Code of Ordinances. The Committee reviews, comments and makes recommendations with respect to development applications.

**SNIPE SIGN.** Any off-premises sign of any size, made of any material, including, but not limited to, paper, cardboard, wood, and metal, when such sign is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, fences or other objects, and the advertising matter appearing thereon is not applicable to the premises upon which said sign is located.

**SOLAR ENERGY SYSTEM.** Any device or combination of devices or elements which rely upon direct sunlight as an energy source, including, but not limited to, any substance or device which collects sunlight for use in the heating or cooling of a structure or building, the heating or pumping of water, or the generation of electricity. A solar energy system may be used for purposes in addition to the collection of solar energy. These uses include, but are not limited to, serving as a structural member or part of the roof of a building or structure and serving as a window or wall. A solar energy system may be mounted on the building or on the ground and is not the principal use of the property.

**SOLAR GENERATION STATION.** An energy generation facility comprised of one or more freestanding, ground mounted devices that capture solar energy and convert it to electrical energy for use in locations other than where it is generated. Solar generation stations typically utilize photovoltaic solar cells, but can also be combinations of light reflectors, concentrators, and heat exchangers. A solar generation station is also known as a solar plant, solar generation plant, solar farm, solar power plant, or solar thermal power plant.

**SPECIAL EXCEPTION USE.** Any use so designated within Section 158.260, which use shall be subject to review and approval in accordance with the requirements of this chapter for the particular lot or parcel involved

**SPECIMEN TREE.** A tree which is of high value because of its type, size, age or other relevant criteria.

**SPONSORING AGENCY.** An agency or unit of government, a profit or not for profit agency, or any other person or organization which intends to establish or operate a community residential home.

**SPREAD.** Means the crown diameter measured by taking the average of the widest branch spread and the branch spread perpendicular to it.

**STORMWATER.** The flow of water which results from, and that occurs immediately following, a rainfall.

**STORMWATER MANAGEMENT SYSTEM.** The system, or combination of systems, designed to treat stormwater, or collect, convey, channel, hold, inhibit, or divert the movement of stormwater on, through, and/or from a site.

**STREET.** A public or approved private thoroughfare which affords the principal means of access to abutting property. Street includes a lane, way, place, drive, boulevard, road, avenue, alley or other means of ingress or egress, regardless of the descriptive term used.

**STREET, APPROVED PRIVATE.** A private thoroughfare which affords the principal means of access to abutting property and which has been specifically approved for said access by official action of the City Council, but the maintenance and upkeep of which remains the responsibility of the owner or owners of record.

**STREET, ARTERIAL.** Any street or thoroughfare so designated by official action of the City Council or designated as such within the Comprehensive Plan. Arterial streets and highways are intended to serve moderate to large traffic volumes traveling relatively long distances. Requirements for speed and level of service are usually quite high. Access to arterials should be well-controlled and, in general, limited to collector streets or highways.

**STREET, COLLECTOR.** Any street or thoroughfare so designated by official action of the City Council or designated as such within the Comprehensive Plan. Collectors are intended to serve as the connecting link for local streets and highways and to provide intra-neighborhood transportation. The traffic characteristics generally consist of relatively short trip lengths and moderate speeds and volumes. Access to collectors should be restricted to local streets and highways and major traffic generators.

**STREET, LOCAL.** Any street not designated as a collector or arterial street. The primary function of a local street or highway is to serve the adjacent property by providing the initial access to the highway network. These facilities are characterized by short trip lengths, low speeds and small traffic volumes. The design of the network should be directed towards eliminating through traffic from these facilities.

**STRUCTURAL ALTERATION.** Any change, alteration, or addition to a building or structure which involves bearing walls or supporting members.

**STRUCTURE.** Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground.

**SUBDIVISION.** The division of a lot, tract or parcel of land, whether improved or unimproved, into two (2) or more lots, tracts, parcels or other divisions of land for the purpose, whether immediately or future, of transfer of ownership, development or lease, or, if the establishment of a new street is involved, any division of such lot, tract or parcel. The term includes a resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

**SUBSTANTIAL CONSTRUCTION WORK.** The commencement and continuous prosecution of construction of required improvements toward completion.

**SUBSTANTIAL DAMAGE.** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

**SUBSTANTIAL IMPROVEMENT.** Any extension, repair, reconstruction, or other improvement of a property, the cost of which equals or exceeds fifty (50) percent of the fair market value either before the improvement is started or, if the property has been damaged and is being restored, before the damage occurred.

**SURFACE WATER.** Water above the surface of the ground whether or not flowing through definite channels.

**SWINGING SIGN.** Any sign that swings freely from or on supports regardless of the guy wires used in connection therewith.

**SWPPP.** Stormwater Pollution Prevention Plan. Plan showing the BMPs to reduce storm water runoff from cleared areas or construction sites. Can also be referred to as an Erosion Control Plan.

**TELECOMMUNICATION SWITCHING FACILITIES.** Telecommunication switching facilities will have the following characteristics: Consist of less than four hundred twenty-five (425) square feet of total floor space; not be occupied; have only two (2) parking spaces; and be used for telecommunication switching equipment only.

**TEMPORARY COMMERCIAL KITCHEN.** Temporary Commercial Kitchen ("TCK") is defined as set forth in Section 509.102, Florida Statutes, as amended.

**TEMPORARY INSTALLATIONS.** Those installations of amateur radio antennas and amateur radio support structures that remain in place for a period less than ninety (90) consecutive days and whose manufacturer's specifications do not recommend or require concrete footings

**TEMPORARY SIGN.** Any sign that is not a permanent sign and is intended to be used for less than 12 months.

**TEMPORARY USE.** A use, other than an accessory use, that does not involve the construction or alteration of any permanent structure and that is established for a fixed period of time with the intent to discontinue such use upon the expiration of the established time period.

**TIME AND TEMPERATURE SIGN.** A display containing illuminated numerals flashing alternately to show the time and/or temperature.

**TOWNHOUSE.** A single-family dwelling unit constructed in a series or group of two or more attached units with property lines separating such units in which each unit extends from the foundation to roof and with a yard on not less than two sides.

**TREE.** Any self-supporting, woody plant having at least one well-defined stem that will gain a minimum height of 20 feet when mature.

**TREE PROTECTION BARRIER.** A suitable structure as installed as close as possible to the perimeter of the tree protection area prior to construction, land clearing, or demolition.

**TRAILER SIGN.** Any sign installed on a frame or structure with wheels other than a motor vehicle. Also see "Portable Sign."

**UNDER CANOPY SIGN.** Any sign hung under a canopy perpendicular to the building to promote a pedestrian environment.

**UPLAND.** All land areas not defined as wetlands per Section 157.08.

**USACE.** United States Army Corps of Engineers.

**USE.** The purpose for which land or water or a structure thereon is designated, arranged, or intended to be occupied or utilized or for which it is occupied or maintained. The use of land or water in the various zoning districts is governed by this chapter.

**USE OF LAND OR WATER.** Includes use of land, water surface, and land under water to the extent covered by zoning districts, and over which the city has jurisdiction.

**UTILITIES.** Any publicly or privately operated utility, such as, but not limited to, storm drainage, sanitary sewers, electric power, water service, gas service, telephone and television cable systems.

**VSHAPED SIGN.** Any sign which has two (2) faces which are not parallel.

**VARIABLE MESSAGE BOARD.** Portable electronic devices which may be used for providing information to motorists about construction schedules, alternate routes, expected delays, detours, and any other public message for the health, safety or welfare of the traveling public and residents. Use limited to government agencies.

**VARIANCE.** A relaxation of the terms of this zoning code where a variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the petitioner or applicant, a literal enforcement of the requirements of this chapter would result in unnecessary and undue hardship on the land.

**VEHICLE SIGN.** A sign affixed to or painted on a transportation vehicle or trailer for the purpose of identification or advertisement. Vehicle signs shall not include political signs, bumper stickers, or signs required by law, ordinance, or regulations.

**VERTICAL ANTENNA.** A vertically polarized conductor of radio waves that is perpendicular to the ground and that has an omni-directional pattern.

VETERINARY HOSPITAL OR CLINIC. Any structure or premises used primarily and essentially for the medical and surgical care of ill, disabled, or injured animals.

VINES. Any of a group of woody or herbaceous plants which may climb by twining, by means of aerial rootlets or tendrils, or which may simply sprawl over the ground.

VIRTUAL AUTO SALES. A business that primarily sells new or used vehicles online, enabling customers to browse inventory, secure financing and complete their purchase remotely. The operation may include a physical office and display as required by the Florida Administrative Code (FAC) 15C-7.003.

WALL SIGN (FACADE SIGN). Any sign fastened to, painted on, or incorporated into the structure or architecture of the outside facade of a building. Such signs, located on the exterior of a building are considered wall signs and are calculated as part of the total façade signage permitted.

WATER REFUSE PLAN. A plan which describes how water used in the mining process will be conserved through a reuse program.

WETLANDS. Hydrologically sensitive areas which are identified as being inundated or saturated by surface or ground water with a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

WHOLESALE TRADE. Establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for such individuals or companies.

WILDLIFE CORRIDORS. Areas of open space, preferably well vegetated, which connect conservation areas and allow wildlife traffic between different vegetative communities.

WINDOW SIGN. Any sign which is attached or painted, either permanently or temporarily, on the interior or exterior of a window, glass door, glass wall, or which is placed within 12 inches of the window, glass door, or glass wall.

WIRELESS COMMUNICATION ANTENNAS. An antenna designed to transmit or receive communications as authorized by the Federal Communications Commission.

WIRELESS COMMUNICATION TOWERS.

1. A structure or ground-mounted tower which:
  - a. Is greater than 35 feet in height, as measured from the base of the structure as provided in Section 158.213(M)(2);
  - b. Does not exceed 300 feet in height (including antenna); and
  - c. Is principally intended to support communication (transmission or receiving) equipment for radio, TV, microwave, cellular, and similar communication purposes.
2. The term COMMUNICATION TOWER shall not include amateur radio operators' equipment licensed by the Federal Communications Commission (FCC). Communication towers are generally described as either monopole (free-standing), guyed (anchored with guy wires), or self-supporting (square, triangular, or pyramidal in plan view and constructed of steel lattice, tubular steel, reinforced concrete, or wood.).

YAGI ANTENNA. Often referred to as a beam antenna, the yagi is directional and typically results in a gain in signal strength. It is very similar in appearance to a traditional outdoor television antenna in that its elements or radiators are parallel to the ground.

YARD.

1. A required open space which is unobstructed from the ground upward except as otherwise allowed in this chapter, and except for fences, poles, posts, permitted signs, children's play equipment, other customary yard accessories, driveways, ornaments, statuary, and furniture which will not violate height limitations and requirements limiting obstruction of visibility.
2. The depth of any yard shall be measured at right angles to the appropriate lot line so that the yard established is a strip the minimum depth required by district regulations.

**YARD, FRONT.** A yard extending between side lot lines across the front of a lot adjoining a street; except that on lots fronting on more than one street, the front yard will be determined by the Zoning Administrator based on the location of any abutting arterial or collector streets, the prevailing patterns and the lot depth requirements of the zone.

**YARD, REAR.** A yard extending across the rear of the lot between side yards. The rear yard shall be at the opposite end of the lot from the front yard, unless otherwise specified by the Zoning Administrator.

**YARD, SIDE.** A yard extending from the interior (rear) line of the front yard to the rear lot line along any side lot line.

**YARD, SPECIAL.** A yard so placed or oriented that neither the term side yard nor the term rear yard clearly applies. In those cases, the Zoning Administrator shall require a yard with minimum dimensions as generally required for a side yard or rear yard in the district, determining which shall apply by the relation of the portion of the lot on which the yard is located to the adjoining lot or lots, with due regard to the orientation and location of structures and buildable areas thereon.

**YEARLY INFORMATION REPORT (YIR) AND DATA BASE.** An annual report prepared by the Director of Planning and Zoning which determines the existing condition of public facilities, determines and summarizes the available capacity of the public facilities based on their Level of Service (LOS), and forecasts the capacity of existing and planned public facilities identified in the Five-Year Capital Improvement Schedule.

**ZONING ADMINISTRATOR.** (See Section 158.350 of the Zoning Code).

**ZONING DISTRICT.** Any of the designated districts established within Section 158.020, for which delineation may be shown on the zoning map and for which specific regulations and requirements are included herein.

**ZONING REGULATIONS.** City of Port St. Lucie Code, as may be amended, which controls and regulates zoning for the incorporated portion of the city.

**ZONING MAP.** The official map described within Section 158.022(A), upon which the delineation of the several zoning districts are shown for locations within the city.

(Ord. No. 15-84, § 1, 12-7-15; Ord. No. 17-16, § 1, 3-13-17; Ord. No. 17-48, § 2, 8-14-17; Ord. No. 17-79, § 2, 11-27-17; Ord. No. 18-26, § 2, 5-29-18; Ord. No. 18-44, § 2, 9-10-18; Ord. No. 23-17, § 2, 2-27-23; Ord. No. 23-83, § 2, 1-8-24; Ord. No. 24-82, § 3, 1-13-25; Ord. No. 25-06, § 2(Exh. A), 1-27-25; Ord. No. 25-24, § 2(Exh. A), 5-12-25)

**Sec. 158.233. Reasonable accommodation procedures.**

- (A) **Purpose and Applicability:** It shall be the policy of the City of Port St. Lucie to provide reasonable accommodation in the application of its ordinances, rules, policies, and procedures for persons with disabilities as provided by the federal Fair Housing Amendments Act (42 U.S.C. 3601, et seq.) ("FHA") and Title II of the Americans with Disabilities Act (42 U.S.C. Section 12131, et seq.) ("ADA"). For purposes of this section, a "disabled" individual or person is an individual that qualifies as disabled and/or handicapped under the FHA and/or ADA.
- (B) **Requirements for Filing a Reasonable Accommodation Request:**
- (1) Any person who is disabled (or qualifying entity) (collectively "Applicant") may request a reasonable accommodation with respect to the City's land use or zoning laws, rules, policies, practices and/or procedures as provided by the FHA and the ADA pursuant to the procedures set forth in this section. It is the obligation of the Applicant to establish that they, or those on whose behalf the request is made, are protected under the FHA and/or ADA by demonstrating that they, or those on whose behalf the request is made, are disabled/handicapped as defined by the FHA and/or ADA and that the proposed accommodation is both reasonable and necessary to afford the Applicant, or those on whose behalf the request is made, an equal opportunity to use and enjoy the residential dwelling.
  - (2) A request by an Applicant for a reasonable accommodation under this section shall be in writing by completion of a reasonable accommodation request form, which form is maintained by (and shall be submitted to) the City Attorney's Office. The reasonable accommodation request form shall contain such questions and requests for information as are necessary for processing the reasonable accommodation request.
  - (3) If the request for a reasonable accommodation is made by a qualifying entity on behalf of disabled individuals: (i) it is the continuing obligation of the qualifying entity to submit Verification of Disability Status forms on behalf of each of the disabled individuals. The Verification of Disability Status Form is maintained by (and shall be submitted to) the City Attorney's Office and (ii) the reasonable accommodation request form must be signed by both the owner and the Applicant of the residential dwelling (if different individuals).
  - (4) Should the information provided by the disabled individual(s) or qualifying entity to the City include medical information or records, including records indicating the medical condition, diagnosis or medical history of the disabled individual(s), such individual(s) may, at the time of submitting such medical information, request that the City, to the extent allowed by law, treat such medical information as confidential information of the disabled individual(s). The City shall thereafter endeavor to provide written notice to the disabled individual(s) and/or their representative, of any request received by the City for disclosure of the medical information or documentation, which the disabled individual(s) has previously requested be treated as confidential by the City. The City will cooperate with the disabled individual(s), to the extent allowed by law, in actions initiated by such individual(s) to oppose the disclosure of such medical information or documentation, but the City shall have no obligation to initiate, prosecute or pursue any such action, or to incur any legal or other expenses (whether by retention of outside counsel or allocation of internal resources) in connection therewith, and may comply with any judicial order without prior notice to the disabled individual(s) or qualifying entity.
- (C) **Spatial Considerations:** If the clustering of Recovery Residences would occur by the granting of an Applicant's reasonable accommodation request, it shall be the obligation of the Applicant to establish that such clustering would not create a fundamental alteration of a residential neighborhood and will best meet the needs of the Applicant.

**(D) Reasonable Accommodation Decision Making Process:**

- (1) The City Manager, or his/her designee, shall have the authority to consider and act on requests for reasonable accommodation. When a reasonable accommodation request form has been completed and submitted to the City Attorney, it will be referred to the City Manager, or designee, for review and consideration. The City Manager, or designee, shall issue a written determination within thirty (30) days of the date of receipt of a completed application and may, in accordance with federal law:
  - (i) Grant the accommodation request;
  - (ii) Grant a portion of the request and deny a portion of the request, and/or impose conditions upon the grant of the request; or
  - (iii) Deny the request, in accordance with federal law.

Any such denial shall be in writing and shall state the grounds therefor. All written determinations shall give notice of the right to appeal. The notice of determination shall be sent to the Applicant by certified mail, return receipt requested. If reasonably necessary to reach a determination on the request for reasonable accommodation, the City Manager, or designee, may, prior to the end of said thirty (30) day period, request additional information from the Applicant, specifying in sufficient detail what information is required. The Applicant shall have fifteen (15) days after the date of the request for additional information to provide the requested information. In the event a request for additional information is made, the thirty (30) day period to issue a written determination shall no longer be applicable, and the City Manager, or designee, shall issue a written determination within thirty (30) days after receipt of the additional information. If the Applicant fails to provide the requested additional information with said fifteen (15) day period, the City Manager, or designee, shall issue a written notice advising that the Applicant had failed to timely submit the additional information and therefore the request for reasonable accommodation shall be deemed abandoned and/or withdrawn and no further action by the City with regard to said reasonable accommodation request shall be required.

- (2) Within thirty (30) days after the City Manager's, or designee's, determination on a reasonable accommodation request is mailed to the Applicant, such Applicant may appeal the decision. All appeals shall contain a statement containing sufficient detail of the grounds for the appeal. Appeals shall be to the Special Magistrate who shall, after public notice and a quasi-judicial public hearing, render a determination as soon as reasonably practicable, but in no event later than thirty (30) days after an appeal has been filed. An appeal of a decision by the Special Magistrate shall be handled exclusively in the Nineteenth Judicial Circuit in and for St. Lucie County, Florida. Such appeal shall be taken by filing a petition for writ of certiorari within thirty (30) days from the date of filing of the written order by the City Clerk.

- (E) Reapplication after Denial of a Reasonable Accommodation Request:** No reasonable accommodation request shall be considered by the City if the Applicant's same or substantially similar reasonable accommodation request was denied, and not overturned by subsequent order, within the previous twelve (12) months absent a material and substantial change in circumstances from the date of the denial. It shall be in the City Attorney's sole discretion to determine whether a material and substantial change in circumstances has occurred.

**(F) Revocation of an Approved Reasonable Accommodation Request:**

- (1) **Grounds for Revocation.** The City Manager, or designee, may initiate an action to revoke an approval for a reasonable accommodation request, when he or she finds by competent and substantial evidence that:
  - (i) The Applicant provided false or misleading information on the reasonable accommodation request;

- (ii) The property subject to the reasonable accommodation request has been found to be in violation the conditions of approval of the reasonable accommodation request;
  - (iii) Any applicable state or federal certification has expired or been revoked; or
  - (iv) Since the granting of the reasonable accommodation request, the reasonable accommodation has become injurious to the health, safety or welfare of the public.
- (2) **Revocation Procedures.**
- (i) **Notice of Intent to Revoke.** If the City Manager, or designee, finds cause exists to revoke a reasonable accommodation, he or she shall cause to be served upon the Applicant a written notice of intent to revoke which shall contain the grounds upon which such revocation is proposed. The applicant shall have ten (10) days in which to respond.
  - (ii) **Notice of Hearing.** If the Applicant fails to show compliance with the order approving the reasonable accommodation request, City Manager, or designee, shall schedule a publicly noticed quasi-judicial hearing to occur no later than thirty (30) days from the date the Notice of Intent to Revoke was served upon the Applicant before the Special Magistrate and shall cause to be served upon the Applicant a Notice of Hearing.
  - (iii) The Special Magistrate shall, after public notice and a quasi-judicial public hearing, render a determination as soon as reasonably practicable, but in no event later than thirty (30) days after the Notice of Hearing has been filed. An appeal of a decision by the Special Magistrate shall be handled exclusively in the Nineteenth Judicial Circuit in and for St. Lucie County, Florida. Such appeal shall be taken by filing a petition for writ of certiorari within thirty (30) days from the date of filing of the written order by the City Clerk.
- (G) **Annual Renewal:** An approval of a reasonable accommodation request shall be valid for twelve (12) months. An Applicant may renew the reasonable accommodation request approval by completion of a renewal reasonable accommodation request form, which form is maintained by (and shall be submitted to) the City Attorney's Office. The renewal reasonable accommodation request form shall contain such questions and requests for information as are necessary for processing the reasonable accommodation renewal request. Said form must be received by the City Attorney no later than the last day of the eleventh month from when the last approval was granted. All forms submitted after that date shall result in a denial.
- (H) **Fees:** There shall be no fee imposed by the City in connection with a request for reasonable accommodation under this section or an appeal of a determination of such request to the Special Magistrate, and the City shall have no obligation to pay an Applicant's (or an appealing party's, as applicable) attorneys' fees or costs in connection with the request, or an appeal.
- (I) **Pending Application or Appeal and Enforcement of Zoning Code:** While an application for reasonable accommodation, or appeal of a determination of same, is pending before the City, the City will not enforce the subject zoning ordinance, rules, policies, and procedures against the Applicant.
- (J) **General Provisions:**
- (1) The City shall display a notice on the City's webpage (and shall maintain copies available for review in P&Z, the Building/Permitting Division, and the City Clerk's Office), advising the public disabled individuals (and qualifying entities) may request reasonable accommodation as provided herein.
  - (2) A disabled individual may apply for a reasonable accommodation on his/her own behalf or may be represented at all stages of the reasonable accommodation process by a person designated by the disabled individual.
  - (3) The City shall provide such assistance and accommodation as is required pursuant to FHA and ADA in connection with a disabled person's request for reasonable accommodation, including without

limitation, assistance with reading application questions, responding to questions, completing the form, filing an appeal, and appearing at a hearing, etc., to ensure the process is accessible.

**(K) Supplemental Procedures for Certified Recovery Residences:**

- (1) Pursuant to Section 397.487, Florida Statutes, supplemental procedures apply to reasonable accommodation applications for certified recovery residences.
- (2) This subsection shall be interpreted in accordance with Chapter 397, Florida Statutes.
- (3) To the extent not in direct conflict with this subsection, the general procedures of this Section shall apply to reasonable accommodation requests pertaining to certified recovery residences. However, the Applicant must identify, at the time of initial application, that it is an application for a certified recovery residence for the provisions of this subsection to apply.
- (4) Upon receipt of an application to operate a certified recovery residence, the application shall be date-stamped. If additional information is required, the Applicant must be notified in writing within 30 days after receipt of the application and allow the Applicant at least 30 days to respond.
- (5) The City Manager must issue a final written determination on the application within 60 days after receipt of a completed application. The determination must:
  - (a) Approve the request in whole or in part, with or without conditions; or
  - (b) Deny the request, stating with specificity the objective, evidence-based reasons for denial and identifying any deficiencies or actions necessary for reconsideration.
- (6) If a final written determination is not issued within 60 days after receipt of a completed application, the request is deemed approved unless the parties agree in writing to a reasonable extension of time.
- (7) The application shall utilize the forms maintained by the City Attorney's Office for other reasonable accommodation requests. At minimum, the application must include:
  - (a) The name and contact information of the Applicant or the Applicant's authorized representative;
  - (b) The property address and parcel identification number; and
  - (c) A description of the accommodation requested and the specific regulation or policy from which relief is sought.

The above requirements shall not be interpreted to limit the information an Applicant is obligated to provide in order for the application to be deemed complete.
- (8) A reasonable accommodation for a certified recovery residence may be revoked pursuant to the provisions of subsection (F) above. However, a lapse, revocation, or failure to maintain certification or licensure required under Section 397.487, Florida Statutes, may not provide a basis for revocation unless such certification or licensure has not been reinstated within 180 days of the initial lapse or revocation.

(Am. Ord. 13-04, § 1, passed 1-22-13; Ord. No. 17-79, § 3, 11-27-17)

## The 2025 Florida Statutes

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[Title XXIX](#)  
PUBLIC HEALTH

[Chapter 397](#)  
SUBSTANCE ABUSE SERVICES

[View Entire Chapter](#)

### **397.487 Voluntary certification of recovery residences.—**

(1) The Legislature finds that a person suffering from addiction has a higher success rate of achieving long-lasting sobriety when given the opportunity to build a stronger foundation by living in a recovery residence while receiving treatment or after completing treatment. The Legislature further finds that this state and its subdivisions have a legitimate state interest in protecting these persons, who represent a vulnerable consumer population in need of adequate housing. It is the intent of the Legislature to protect persons who reside in a recovery residence.

(2) The department shall approve at least one credentialing entity by December 1, 2015, for the purpose of developing and administering a voluntary certification program for recovery residences. The approved credentialing entity shall:

- (a) Establish recovery residence certification requirements.
- (b) Establish procedures to:
  1. Administer the application, certification, recertification, and disciplinary processes.
  2. Monitor and inspect a recovery residence and its staff to ensure compliance with certification requirements.
  3. Interview and evaluate residents, employees, and volunteer staff on their knowledge and application of certification requirements.
- (c) Provide training for owners, managers, and staff.
- (d) Develop a code of ethics.
- (e) Establish application, inspection, and annual certification renewal fees. The application fee may not exceed \$100. Any onsite inspection fee shall reflect actual costs for inspections. The annual certification renewal fee may not exceed \$100.

(3) A credentialing entity shall require the recovery residence to submit the following documents with the completed application and fee:

- (a) A policy and procedures manual containing:
  1. Job descriptions for all staff positions.
  2. Drug-testing procedures and requirements.
  3. A prohibition on the premises against alcohol, marijuana, illegal drugs, and the use of prescribed medications by an individual other than the individual for whom the medication is prescribed. For the purposes of this subsection, “marijuana” includes marijuana that has been certified by a qualified physician for medical use in accordance with s. [381.986](#).
  4. Policies to support a resident’s recovery efforts.
  5. A good neighbor policy to address neighborhood concerns and complaints.
- (b) Rules for residents.
- (c) Copies of all forms provided to residents.
- (d) Intake procedures.
- (e) Sexual predator and sexual offender registry compliance policy.
- (f) Relapse policy.
- (g) Fee schedule.
- (h) Refund policy.

- (i) Eviction procedures and policy.
- (j) Code of ethics.
- (k) Proof of insurance.
- (l) Proof of background screening.
- (m) Proof of satisfactory fire, safety, and health inspections.

(4) A certified recovery residence must be actively managed by a certified recovery residence administrator. All applications for certification must include the name of the certified recovery residence administrator who will be actively managing the applicant recovery residence.

(5) Upon receiving a complete application, a credentialing entity shall conduct an onsite inspection of the recovery residence.

(6) All owners, directors, and chief financial officers of an applicant recovery residence are subject to level 2 background screening as provided under s. 408.809 and chapter 435. A recovery residence is ineligible for certification, and a credentialing entity shall deny a recovery residence's application, if any owner, director, or chief financial officer has been found guilty of, or has entered a plea of guilty or nolo contendere to, regardless of adjudication, any offense listed in s. 408.809(4) or s. 435.04(2) unless the department has issued an exemption under s. 435.07. Exemptions from disqualification applicable to service provider personnel pursuant to s. 397.4073 or s. 435.07 shall apply to this subsection. In accordance with s. 435.04, the department shall notify the credentialing agency of an owner's, director's, or chief financial officer's eligibility based on the results of his or her background screening.

(7) A credentialing entity shall issue a certificate of compliance upon approval of the recovery residence's application and inspection. The certification shall automatically terminate 1 year after issuance if not renewed.

(8) Onsite followup monitoring of a certified recovery residence may be conducted by the credentialing entity to determine continuing compliance with certification requirements. The credentialing entity shall inspect each certified recovery residence at least annually to ensure compliance.

(a) A credentialing entity may suspend or revoke a certification if the recovery residence is not in compliance with any provision of this section or has failed to remedy any deficiency identified by the credentialing entity within the time period specified.

(b) A certified recovery residence must notify the credentialing entity within 3 business days after the removal of the recovery residence's certified recovery residence administrator due to termination, resignation, or any other reason. The certified recovery residence has 90 days to retain a certified recovery residence administrator. The credentialing entity must revoke the certificate of compliance of any certified recovery residence that fails to comply with this paragraph.

(c) If a certified recovery residence's administrator has been removed due to termination, resignation, or any other reason and had been previously approved to actively manage more than 50 residents pursuant to s. 397.4871(8)(b), the certified recovery residence has 90 days to retain another certified recovery residence administrator pursuant to s. 397.4871. The credentialing entity must revoke the certificate of compliance of any certified recovery residence that fails to comply with this paragraph.

(d) If any owner, director, or chief financial officer of a certified recovery residence is arrested and awaiting disposition for or found guilty of, or enters a plea of guilty or nolo contendere to, regardless of whether adjudication is withheld, any offense listed in s. 435.04(2) while acting in that capacity, the certified recovery residence must immediately remove the person from that position and notify the credentialing entity within 3 business days after such removal. The credentialing entity must revoke the certificate of compliance of a certified recovery residence that fails to meet these requirements.

(e) A credentialing entity shall revoke a certified recovery residence's certificate of compliance if the certified recovery residence provides false or misleading information to the credentialing entity at any time.

(f) Any decision by a department-recognized credentialing entity to deny, revoke, or suspend a certification, or otherwise impose sanctions on a certified recovery residence, is reviewable by the department. Upon receiving an adverse determination, the certified recovery residence may request an administrative hearing pursuant to ss.

120.569 and 120.57(1) within 30 days after completing any appeals process offered by the credentialing entity or the department, as applicable.

(9) A person may not advertise to the public, in any way or by any medium whatsoever, any recovery residence as a “certified recovery residence” unless such recovery residence has first secured a certificate of compliance under this section. A person who violates this subsection commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(10)(a) A certified recovery residence may allow a minor child to visit a parent who is a resident of the recovery residence, provided that a minor child may not visit or remain in the recovery residence between the hours of 9 p.m. and 7 a.m. unless:

1. A court makes a specific finding that such visitation is in the best interest of the minor child; or
2. The recovery residence is a specialized residence for pregnant women or parents whose children reside with them. Such recovery residences may allow children to visit or reside in the residence if the parent does not yet have a time-sharing plan pursuant to s. 61.13, provided that the parent files with the court for establishment of a plan within 14 days of moving into the residence.

(b) A certified recovery residence may not allow a minor child to visit a parent who is a resident of the recovery residence at any time if any resident of the recovery residence is currently required to register as a sexual predator under s. 775.21 or as a sexual offender under s. 943.0435.

(11) Notwithstanding any landlord and tenant rights and obligations under chapter 83, a recovery residence that is certified under this section and has a discharge policy approved by a department-recognized credentialing entity may immediately discharge or transfer a resident in accordance with that policy under any of the following circumstances:

- (a) The discharge or transfer is necessary for the resident’s welfare.
- (b) The resident’s needs cannot be met at the recovery residence.
- (c) The health and safety of other residents or recovery residence employees is at risk or would be at risk if the resident continues to live at the recovery residence.

(12) Any person discharged from a recovery residence under subsection (11) who willfully refuses to depart after being warned by the owner or an authorized employee of the recovery residence commits the offense of trespass in a recovery residence, a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(13) Beginning January 1, 2025, a certified recovery residence may not deny an individual access to housing solely on the basis that he or she has been prescribed federally approved medication that assists with treatment for substance use disorders by a licensed physician, a physician’s assistant, or an advanced practice registered nurse registered under s. 464.0123.

(14) A local ordinance or regulation may not further regulate the duration or frequency of a resident’s stay in a certified recovery residence located within a multifamily zoning district after June 30, 2024. This provision shall expire July 1, 2026.

(15)(a) By January 1, 2026, the governing body of each county or municipality shall adopt an ordinance establishing procedures for the review and approval of certified recovery residences within its jurisdiction. The ordinance must include a process for requesting reasonable accommodations from any local land use regulation that serves to prohibit the establishment of a certified recovery residence.

- (b) At a minimum, the ordinance must:
  1. Be consistent with the Fair Housing Amendments Act of 1988, 42 U.S.C. ss. 3601 et seq., and Title II of the Americans with Disabilities Act, 42 U.S.C. ss. 12131 et seq.
  2. Establish a written application process for requesting a reasonable accommodation for the establishment of a certified recovery residence, which application must be submitted to the appropriate local government office.
  3. Require the local government to date stamp each application upon receipt. If additional information is required, the local government must notify the applicant in writing within the first 30 days after receipt of the application and allow the applicant at least 30 days to respond.

4. Require the local government to issue a final written determination on the application within 60 days after receipt of a completed application. The determination must:

- a. Approve the request in whole or in part, with or without conditions; or
- b. Deny the request, stating with specificity the objective, evidence-based reasons for denial and identifying any deficiencies or actions necessary for reconsideration.

5. Provide that if a final written determination is not issued within 60 days after receipt of a completed application, the request is deemed approved unless the parties agree in writing to a reasonable extension of time.

6. Require that the application include, at a minimum:
- a. The name and contact information of the applicant or the applicant's authorized representative;
  - b. The property address and parcel identification number; and
  - c. A description of the accommodation requested and the specific regulation or policy from which relief is sought.

(c) The ordinance may establish additional requirements for the review or approval of reasonable accommodation requests for establishing a certified recovery residence, provided such requirements are consistent with federal law and do not conflict with this subsection.

(d) The ordinance may not require public hearings beyond the minimum required by law to grant the requested accommodation.

(e) The ordinance may include provisions for the revocation of a granted accommodation of a certified recovery residence for cause, including, but not limited to, a violation of the conditions of approval or the lapse, revocation, or failure to maintain certification or licensure required under this section, if not reinstated within 180 days.

(f) The ordinance and establishment of a reasonable accommodation process does not relieve the local government from its obligations under the Fair Housing Amendments Act of 1988, 42 U.S.C. ss. 3601 et seq., and Title II of the Americans with Disabilities Act, 42 U.S.C. ss. 12131 et seq. The regulation for which the applicant is seeking a reasonable accommodation must not facially discriminate against or otherwise disparately impact the applicant.

(16) The application of this section does not supersede any current or future declaration or declaration of condominium adopted pursuant to chapter 718; any cooperative document adopted pursuant to chapter 719; or any declaration or declaration of covenant adopted pursuant to chapter 720.

**History.**—s. 2, ch. 2015-100; s. 2, ch. 2017-80; s. 7, ch. 2019-159; s. 2, ch. 2020-38; s. 3, ch. 2021-128; s. 10, ch. 2021-156; s. 4, ch. 2023-298; s. 15, ch. 2024-71; s. 3, ch. 2024-176; s. 27, ch. 2025-156; s. 1, ch. 2025-182.



Text Amendment to Chapters 153 and Section 158.233  
(P25-215)  
Planning and Zoning Board Meeting February 3, 2026

# Request Summary

Request:	A City initiated text amendment to Chapter 153: Definitions and Section 158.233. Reasonable Accommodation Procedures of the Zoning Code.
Applicant:	City of Port St. Lucie
Strategic Plan	This application supports Goal 7 of the Strategic Plan: High Performing Government Organization

# Reason for the Proposed Changes

Effective July 1, 2025, the State's regulatory framework for certified recovery residences was updated by the enactment of Chapter 2025-182 and codified in Subsection 397.487(15)(a) of the Florida Statutes. This new legislation mandates that every municipality adopt a specific ordinance establishing local procedures for the review and approval of certified recovery residences within its jurisdiction.

# Proposed Amendment

Sec. 153.01. Definitions.

CERTIFIED RECOVERY RESIDENCE. A recovery residence that holds a valid certificate of compliance and is actively managed by a certified recovery residence administrator. As further defined in Chapter 397.311 Florida Statutes, as amended.

# Proposed Amendment

- Adds a new subsection (K) at the end of Section 158.233 Reasonable accommodation procedures regarding Certified Recovery Residences.

Key additions to include:

- Establishing a mandatory timeline for the review of certified recovery residence applications.
- The automatic granting of requests if a final written determination is not issued by the City within the specified timeline.
- Restricting the use of a lapsed certification or licensure as a basis for revoking existing accommodation.

# Recommendation

The Planning and Zoning Department finds the proposed text amendment to be consistent with the intent and direction of the City's comprehensive plan and recommends approval.



## **MEMORANDUM**

**TO:** Planning and Zoning Board Members

**FROM:** Marissa Da Breo-Latchman, Environmental Planner II

**DATE:** January 28, 2026

**RE:** Zoning Text Amendment – Chap 153 Definitions and Section 158.233  
Reasonable Accommodations Procedures-Request to Table Application  
(P25-215)

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- Staff is requesting to **table this application to the March 3<sup>rd</sup>, 2026, Planning and Zoning Board meeting.**
- The Planning and Zoning Department advertised this application for the February 3, 2026, meeting where the item was to be heard.



## Agenda Summary

2026-197

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**Agenda Date:** 3/3/2026

**Agenda Item No.:** 7.b

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Placement: Public Hearing - Non Quasi Judicial

Action Requested: Motion / Vote

### P26-008 Verano South POD G - Future Land Use Amendment.

Location: The property is located at the northwest corner of the intersection of Crosstown Parkway and Verano Parkway.

Legal Description: Parcels 1, 2, 3, and 4, Central Park Commercial Plat, as recorded in Plat Book 135, Pages 39 through 41, inclusive, of the Public Records of St. Lucie County, Florida, in the City of Port St. Lucie, Florida  
This is a request to amend the Future Land Use from Residential Golf Course (RGC) to General Commercial (CG).

Submitted By: Daniel Robinson, Planner III

Executive Summary: The applicant requests a future land use designation of General Commercial for 8.03 acres of the Verano POD G development that is currently planned for commercial uses such as retail and office. The purpose of this request is to support more intense commercial uses on this site like those that would be permitted with the General Commercial Land Use. These proposed uses are not permitted under the restriction of retail and office commercial only in the Residential Golf Course Land Use.

Presentation Information: Staff will provide a presentation.

Staff Recommendation: Move that the Board recommend approval of the Future Land Use Amendment to the City Council.

#### Alternate Recommendations:

1. Move that the Board amend the recommendation and recommend approval with conditions.
2. Move that the Board recommend denial to the City Council and provide an explanation of the recommendation.

Background: PGA Village DRI (P02-322) approved by City Council on October 27, 2003, established the Verano DRI and providing the designation of Residential Golf Course Land Use. The Planned Unit Development application (P18-162) approved by City Council on March 11, 2019, established the Verano South POD G PUD of 1,181.05 acres which included the 8.03-acre commercial designated area. The fourth amendment of the Verano South POD G PUD (P26-007) is currently in review and proposes to include further commercial uses that would not be permitted without this land use change. The Comprehensive Plan Amendment and PUD amendment will allow the existing approved site plan (P24-095) to be amended to include the desired commercial uses.

Issues/Analysis: The General Commercial Land Use provides for the ability to submit a site plan amendment for any permitted uses listed in the amended PUD. Unless exempt within the approved PUD all special exception uses listed in the General Commercial Zoning District will require the approval of the use prior to a site plan amendment.

Special Consideration: N/A

Location of Project: The property is located at the northwest corner of the intersection of Crosstown Parkway and Verano Parkway.

Attachments:

- Staff Report
- Cover Letter Deed
- Application
- Staff Presentation

**City of Port St. Lucie  
Small-Scale Comprehensive Plan Amendment  
P26-008 Verano South POD G**



## SUMMARY

<b>Applicant's Request:</b>	This is a request to amend the Future Land Use from Residential Golf Course (RGC) to General Commercial (CG).
<b>Applicant/Owner:</b>	DK Central Park LLC & Shops at Port St. Lucie, LLC
<b>Location:</b>	The property is located at the northwest corner of the intersection of Crosstown Parkway and Verano Parkway.
<b>Project Planner:</b>	Daniel Robinson, Planner III

**Project Description** The applicant requests a future land use designation change from Residential Golf Course (RGC) to General Commercial (CG) for 8.03 acre of the Verano POD G development. The purpose of this request is so that more commercial uses that may have a greater intensity such as retail uses allowed under General Commercial zoning can be proposed on this parcel.

The RGC Land Use is a mix-use designation that requires a minimum of one 18-hole golf course, allows a maximum density of 5 dwelling units per gross acre, and permits up to ten percent of the land area to have a non-residential use. The non-residential use area may include hotel, conference center, recreational, specific institutional, retail, and office uses. The retail and office uses within RGC Land Use are intended to be designed to accommodate the internal RGC development as low intensity commercial development.

**Background** PGA Village (Verano) DRI (P02-322-Resolution 03-R68) approved by City Council on October 27, 2003, established the Verano DRI and providing the designation of Residential Golf Course Land Use and a section for General Commercial Land Use. The original DRI has been amended and the regulating DRI resolution is 21-R01.

The Verano DRI consists of five separate properties with a planned commercial use (four with RGC land use and one with CG land use designations). The properties add up to 1,725,847 square feet of commercial land.

The DRI entitlements allow for 848,500 Square Feet of retail/service and 100,000 square feet of office space. The Comprehensive Plan permits 40% building coverage for commercial land use areas. 40% is 690,339 square feet of commercial building coverage. This is 258,161 square feet less than the DRI entitlements.

The Planned Unit Development application (P18-162) approved by City Council on March 11, 2019, established the Verano South POD G PUD of 1,181.05 acres which included the 8.03 acre commercial designated area. The fourth amendment of the Verano South POD G PUD (P26-007) is currently under review and proposes commercial uses of greater intensity, which is why the land use change has been proposed.

### **Public Notice Requirements**

Public notice was sent to owners within 750 feet.

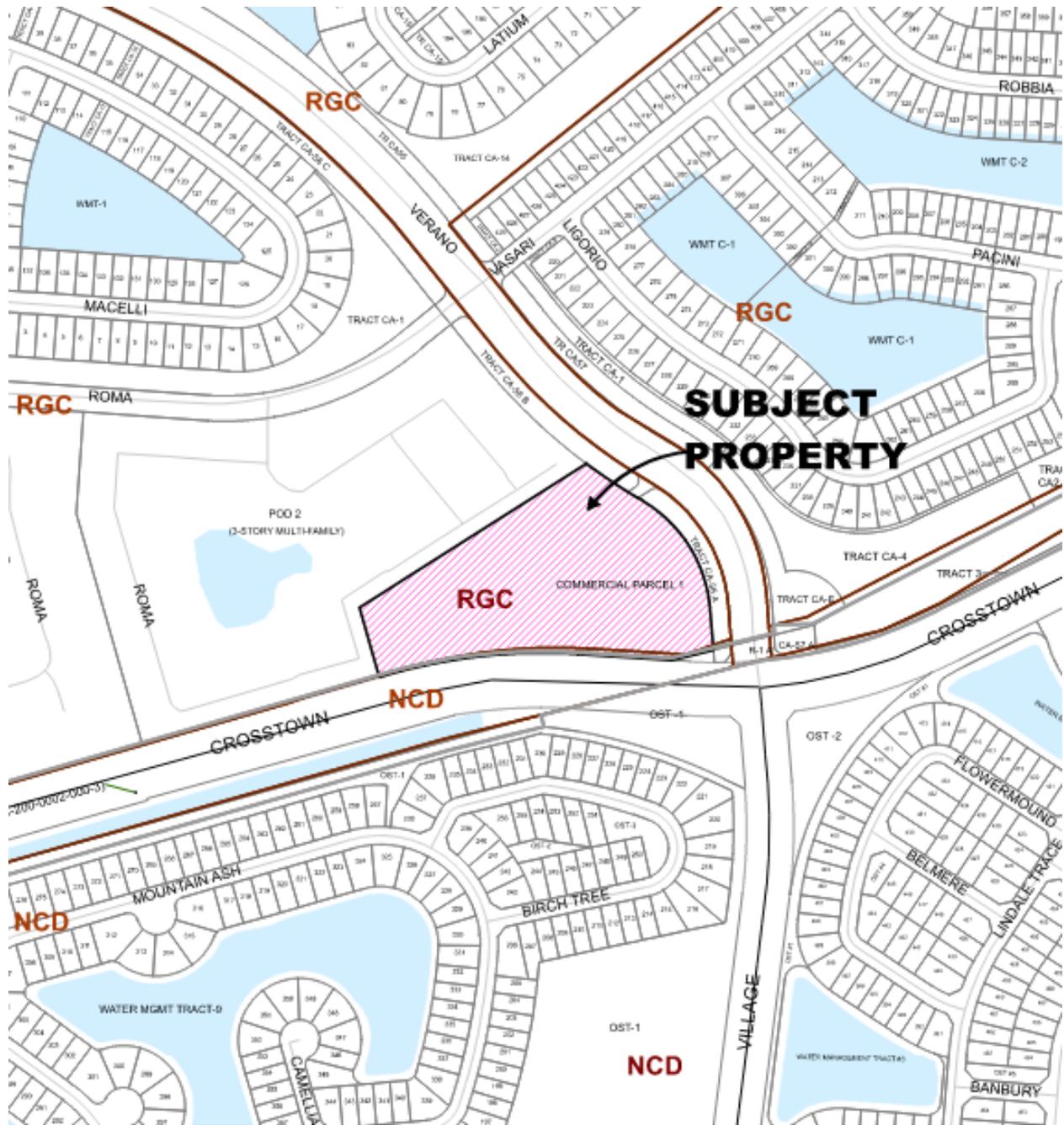
**Location and Site Information**

<b>Parcel Number:</b>	430450900010004, 430450900040005, 430450900030008, & 430450900020001
<b>Property Size:</b>	8.03 Acres (349,965 square feet)
<b>Legal Description:</b>	Parcels 1, 2, 3, and 4, Central Park Commercial Plat, as recorded in Plat Book 135, Pages 39 through 41, inclusive, of the Public Records of St. Lucie County, Florida
<b>Current "Future Land Use:"</b>	Residential Golf Course (RGC)
<b>Existing Zoning:</b>	Planned Unit Development (PUD)
<b>Existing Use:</b>	Vacant
<b>Requested "Future Land Use:"</b>	General Commercial (CG)
<b>Requested Zoning:</b>	N/A
<b>Proposed Use:</b>	General Commercial Development

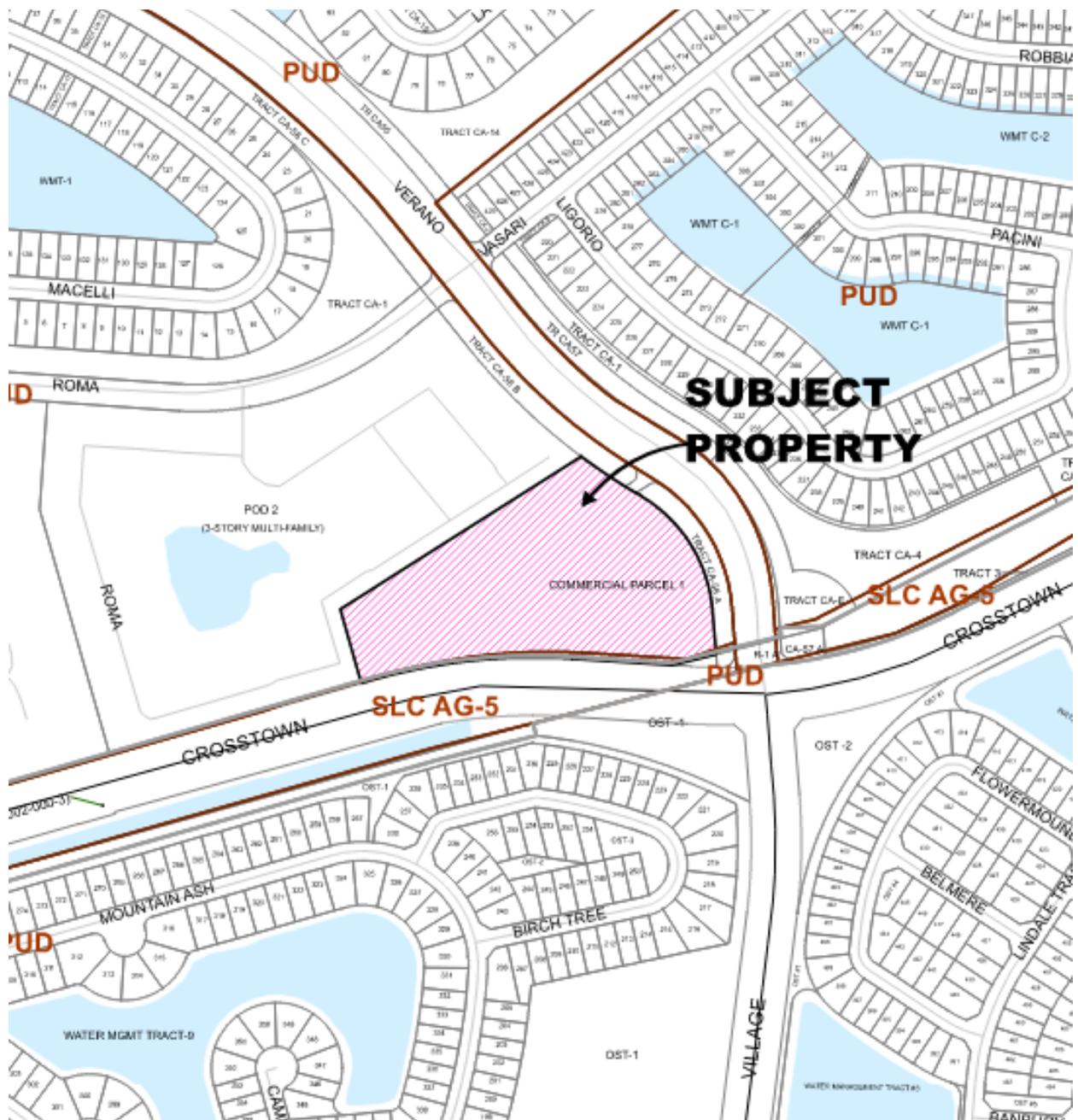
**Surrounding Uses**

<b>Direction</b>	<b>Future Land Use</b>	<b>Zoning</b>	<b>Existing Use</b>
North	Residential Golf Course (RGC)	PUD	Residential Development
South	New Community Development (NCD)	MPUD	Residential Development
East	Residential Golf Course (RGC)	PUD	Residential Development
West	Residential Golf Course (RGC)	PUD	Residential Development

**Planned Unit Development (PUD) Master Planned Unit Development (MPUD)**



Existing Land Use



Existing Zoning

## COMPREHENSIVE PLAN REVIEW AND ANALYSIS

**Justification:** The small-scale future land use amendment is proposed to provide commercial development that does not only service the Verano DRI but the neighboring communities.

**Land Use Consistency (GOAL 1.1):** Provide an appropriate mix of land uses which meet the needs of current and future residents of Port St. Lucie in a way which is environmentally acceptable; and developed concurrent with needed facilities and services.

**Staff Analysis:** The proposed future land use map amendment is General Commercial which supports the intended development of the General Commercial development and is consistent with the character of nearby land uses.

**Policy 1.1.7.1:** Future Land Use Map Amendment will be reviewed based on consistency with the goals, objectives, and policies of all elements of the comprehensive plan and other considerations such as:

Criteria	Consistent with criteria (Y/N or N/A)
Satisfy a deficiency or mix of uses in the Plan map	Y
Accommodate projected population or economic growth	Y
Diversify the housing choices	N/A
Enhance or impede provision of services at adopted LOS Standards	N/A
Compatibility with abutting and nearby land uses	Y
Enhance or degrade environmental resources	N/A
Job creation within the targeted industry list	N/A

**Adequate Public Facilities Review (Objective 1.1.3):**

The project has been reviewed for consistency with the adopted level of service standards in the Comprehensive Plan and documented as follows:

**Potable Water/Sanitary Sewer:** With the change in Future Land Use designation from Residential Golf Course to General Commercial, there is expected to be no net change in potable water or wastewater demand, measured in gallons per day (gpd).

This comparison considers the most intense proposed land use based on the existing and proposed land uses and the total building coverage permitted per use as shown below:

Existing Future Land Use	Acreage	Maximum Coverage	Level of Service	Projected Demand Potable Water (gpd)	Projected Demand Wastewater (85%)
RGC	8.03	174,983 SF (50%)	115 gpd (per 1000 sq ft)	20,123	17,105
<b>Total Existing FLU</b>					
Proposed Future Land Use	Acreage	Maximum Coverage	Level of Service	Projected Demand Potable Water (gpd)	Projected Demand Wastewater (85%)
CG	8.03	139,986 SF (40%)	125 gpd (per 1000 sq ft)	17,498	14,873
<b>Net Change in gpd</b>				<b>(-) 2,625 gpd</b>	<b>(-) 2,232 gpd</b>

**Transportation:** The proposed amendment is not expected to have an adverse impact on traffic impact, since the proposed land use will generate the same Average Daily Traffic (ADT) and PM Peak Hour (PM) Traffic. Comparison of existing traffic impacts and proposed based on the maximum amount of development allowed and documented as follows:

Trip Generation (Maximum Development per Land Use)

Existing Future Land Use	Acreage	Maximum Covered & Proposed Use	Trip Generation Average Rate (ITE Code)	Average Daily Trips	PM Peak Hour
RGC	8.03	Shopping Center (>150k) 139,986 SF (40%)	820	10,188	1,076
Proposed Future Land Use	Acreage	Maximum Covered & Proposed Use	Trip Generation Average Rate (ITE Code)	Average Daily Trips	PM Peak Hour
CG	8.03	Shopping Center (>150k) 139,986 SF (40%)	820	10,188	1,076
<b>Total Trips (No Net Change)</b>				<b>(+/-) 0</b>	<b>(+/-) 0</b>

**Parks/Open Space:** The level of service for parks is measured and planned in conjunction with population growth on an annual basis. This application is not expected to have any impact on the level of service for parks since the application is for non-residential land use.

**Solid Waste:** Solid waste impacts are measured and planned based on population projections on an annual basis. There is adequate capacity available.

**Public School Concurrency Analysis:** N/A

**Environmental:** As satisfied in the Verano DRI Development Order. Section 6B of Resolution 12-R102, approved on 10/22/12, the City acknowledged that Verano has previously exceeded the 25% upland preservation requirement of the City of Port St Lucie Code for the Verano DRI. The existing Verano Conservation Area Management Plan and conservation easement includes a surplus 11.4 acres of protected upland habitat beyond what is required for the original Verano development order. In addition to the original conservation area, Verano deeded 22.86 acres of land, for open space conservation purposes. All upland habitat portions of the 22.86-acre parcel of land counts toward the required upland habitat within the DRI.

**Flood Zone:** The flood map for the selected area is number 12111C0275J and is located in Zone X and Zone X is determined to be located outside the 100-year and 500-year floodplains.

**Fire District:** St. Lucie County Fire District stated that Station 17 at 10240 Village Parkway will be the responding fire station. The fire district does not list response times for each individual station because of the necessity of responding with another station.

**Police:** The department’s response time is approximately seven (7) minutes for emergency calls. This proposed comprehensive plan is not expected to change the increasing impact to response time that the PGA Verano Development is creating. To address these impacts of the development an agreement between the City and Verano for the conveyance of land within Verano Development has been approved. The land will be designated for a police mini-substation to be located within Verano South POD H.

## **STAFF RECOMMENDATION**

The Planning and Zoning Department staff finds the petition to be consistent with the intent and direction of the City’s comprehensive plan and recommends approval.

**Planning and Zoning Board Action Options:**

- Motion to recommend approval to the City Council
- Motion to recommend approval to the City Council - with conditions
- Motion to recommend denial to the City Council

Please note: Should the Board need further clarification or information from either the applicant and/or staff, it may exercise the right to *table* or *continue* the hearing or review to a future meeting.

January 7, 2026

City of Port St. Lucie  
Planning & Zoning Department  
121 SW Port St. Lucie Boulevard  
Port St. Lucie, Florida 34984

## Verano South Pod G Planned Unit Development Amendment

### Introduction

#### **Project Overview**

The proposed Future Land Use Map Amendment applies to an approximately **8-acre commercial node within Verano South Pod G**, located along the Crosstown Parkway corridor. The amendment proposes to change the Future Land Use designation from **Residential Golf Course (RGC)** to **Commercial General**.

This amendment is intended to align the City's Future Land Use Map with the **development program previously approved and analyzed** through the Verano South Development of Regional Impact (DRI) and the existing Planned Unit Development (PUD). The proposal does **not** introduce new development entitlements, increase density or intensity, or generate impacts beyond those already reviewed and mitigated.

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#### **Purpose and Need**

The Verano South DRI and associated PUD approvals contemplated limited commercial development at key locations along Crosstown Parkway to serve the Verano community and surrounding area. Commercial development within Pod G was assumed and evaluated as part of the DRI approval using **ITE Land Use Code 820 (Shopping Center)**, which inherently includes a mix of retail, service, restaurant, and outparcel-type uses.

While these uses were fully contemplated and mitigated through the DRI process, the existing **RGC Future Land Use designation is more narrowly defined** and does not clearly reflect the range of commercial activity already assumed in the approved development program. This has resulted in a technical inconsistency between the DRI entitlements, the PUD framework, and the Future Land Use Map.

The proposed amendment resolves this inconsistency by redesignating the Pod G commercial node to **Commercial General**, thereby providing clarity and alignment across the City's Comprehensive Plan, the Future Land Use Map, the DRI Development Order, and the Pod G PUD.

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#### **Consistency with the Comprehensive Plan**

The Commercial General Future Land Use designation is consistent with the City's long-range planning objectives, which encourage the concentration of commercial uses along major transportation corridors such as Crosstown Parkway. The subject site's location, access characteristics, and surrounding development pattern make it appropriate for commercial use.

Compatibility with surrounding residential areas is addressed through the existing PUD framework, which establishes development standards, buffering, access management, and site plan review requirements. The amendment does not alter these standards and does not change the overall character of the Verano South development.

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### **RGC Framework and Strengthening of Intent**

The RGC Future Land Use category is intended to accommodate primarily residential development supported by open space and golf-related uses, with a limited allowance for non-residential activity. By redesignating this specific commercial node to **Commercial General**, the amendment **removes the acreage from the RGC accounting altogether**, thereby reinforcing the residential and golf-oriented intent of the remaining RGC lands.

Rather than expanding non-residential activity within RGC, the amendment clearly delineates where commercial development is intended to occur and eliminates reliance on the RGC non-residential allowance for uses that are more appropriately classified as commercial.

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### **DRI Consistency and Development Impacts**

The proposed amendment is fully consistent with the Verano South DRI Development Order. Commercial development within Pod G was previously approved, analyzed, and mitigated through the DRI process, including transportation and infrastructure planning.

From a transportation standpoint, commercial traffic associated with this node was already assumed as part of the DRI approval, and the amendment does not create additional traffic impacts or require changes to adopted levels of service. The amendment represents a clarification and alignment of land use designations rather than an expansion of development intensity or trip generation.

Public facilities and services, including water, wastewater, stormwater, solid waste, and emergency services, have likewise been planned for and coordinated through the DRI and PUD approvals.

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### **Environmental Conditions**

#### **Wetlands and Upland Preservation**

*(Application Requirement #10)*

All environmental resource protection requirements associated with the Verano South development, including wetlands and upland habitat preservation, were comprehensively evaluated and addressed as part of the **original Verano Development of Regional Impact (DRI) approval** and have been implemented through recorded conservation easements and approved management plans.

As acknowledged by the City in **Section 6B of Resolution No. 12-R102 (approved October 22, 2012)**, Verano has exceeded the City's **25 percent upland preservation requirement**, including a surplus **11.4 acres of protected upland habitat** beyond that required under the original Development Order. In addition, Verano deeded **22.86 acres of land for open space conservation purposes**, with all upland habitat portions credited toward the DRI's required preservation.

The subject Pod G site is located within an area where **all required environmental mitigation and preservation obligations were previously satisfied at the DRI level**, and **the site has already been cleared, filled, and graded** in accordance with the approved DRI and PUD entitlements. No jurisdictional wetlands are located on the site, and no new wetland impacts are proposed as part of this Future Land Use Map Amendment.

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#### **Existing Vegetation**

*(Application Requirement #11)*

Environmental conditions and existing vegetation within the Verano South development were evaluated and classified as part of the DRI environmental review and conservation planning process. Required preservation and mitigation measures have been implemented through the approved **Verano Conservation Area Management Plan** and recorded conservation easements.

The Pod G site has been **previously cleared, filled, and graded** and does not contain intact native vegetation communities requiring preservation. As a result, no additional site-specific vegetation mapping

or Florida Land Use and Cover Classification System (FLUCCS) analysis is required to support this Future Land Use Map Amendment.

Any future development within Pod G will remain subject to applicable City land clearing, landscaping, and site plan requirements; however, the proposed amendment does not alter or affect previously approved environmental protections or mitigation commitments.

### **Relationship to the Pod G PUD**

The Future Land Use Map Amendment is accompanied by a concurrent amendment to the Pod G PUD to align permitted uses with the Commercial General designation and to clarify how certain operational characteristics, such as drive-through service, are reviewed and regulated. All development will continue to be subject to site plan review, City Code standards, and the Citywide Design Guidelines.

### **Small-Scale Future Land Use Amendment Findings**

1. **Consistency with the Comprehensive Plan**  
The proposed Commercial General designation is consistent with the goals, objectives, and policies of the Comprehensive Plan.
2. **Compatibility with Surrounding Development**  
The site's location within an approved PUD and along Crosstown Parkway makes it appropriate for commercial use, with compatibility ensured through existing PUD standards.
3. **Public Facilities and Services**  
Adequate public facilities and services are available and were previously evaluated through the Verano South DRI.
4. **Transportation Impacts**  
Traffic associated with the site was previously assumed and mitigated through the DRI approval. No additional impacts are created.
5. **Scale and Scope**  
The amendment affects approximately **8 acres** and qualifies as a small-scale Future Land Use Map Amendment.
6. **Public Interest**  
The amendment promotes orderly growth, regulatory clarity, and internal consistency among adopted planning documents.

### **Conclusion**

The proposed small-scale Future Land Use Map Amendment for Verano South Pod G is appropriate, consistent with the Comprehensive Plan, and supported by the existing DRI and PUD framework. Approval of the amendment will improve clarity and consistency without increasing development intensity or impacts and is in the public interest.

### **Summary**

In summary, the proposed Pod G PUD Amendment is intended to clarify and align the governing land use and development framework with the approved Verano DRI and the City's Commercial General zoning structure, without increasing development intensity or introducing new impacts. The amendment updates the permitted use framework in a targeted manner, recognizes the substantial overlap between PUD approval and Special Exception Use review, and preserves the City's ability to address site-specific operational considerations through established site plan review and applicable Code requirements. Taken together, these changes provide a clearer, more predictable regulatory structure for commercial

January 7, 2026

Pod G PUD Amendment

development within Pod G while remaining fully consistent with the Comprehensive Plan, the Land Development Code, and prior approvals.

Should you have any questions or need clarification about this project, please do not hesitate to contact me at [phofheinz@coteleur-hearing.com](mailto:phofheinz@coteleur-hearing.com) or 561-406-1012.

Sincerely,

A handwritten signature in black ink that reads "Pete Hofheinz". The signature is written in a cursive, flowing style.

Peter Hofheinz, Coteleur & Hearing  
1934 Commerce Lane, Suite 1  
Jupiter, FL 33458

TYPE	STATUS	BUILDING TYPE	
CP	AWAITING CUSTOMER RESPONSE		
<b>ASSIGNED TO</b>			
Daniel Robinson; Anne-Marie Ludlum			
<b>ADDRESS</b>			
SECTION	BLOCK	LOT	
	VeranoSouth	POD "G"	
<b>LEGAL DESCRIPTION</b>			
Please see the attached Legal Description			
<b>SITE LOCATION</b>			
SW Crosstown Parkway and SW Verano Parkway			
<b>PARCEL #</b>			
4304-509-0001-000-4	4304-509-0004-000-5	4304-509-0003-000-8	4304-509-0002-000-1
CURRENT LANDUSE	PROPOSED LANDUSE	CURRENT ZONING	PROPOSED ZONING
RGC	CG	PUD	PUD
ACREAGE	NON-RESIDENTIAL SQ. FOOTAGE	NO. OF RESIDENTIAL UNITS	
8			
NO. OF LOTS OR TRACTS	NO. OF SHEETS IN PLAT		
0	0		
<b>UTILITY PROVIDER</b>			
CITY OF PORT ST. LUCIE			
<b>DESCRIBE REQUEST</b>			
Verano South Pod G Comprehensive Plan Amendment			
<b>Primary Contact Email</b>			
Clane@coteleur-hearing.com			
<b>AGENT/APPLICANT</b>			
FIRST NAME	LAST NAME		
Cristina	Lane		
<b>Business Name</b>			
Coteleur & Hearing			
<b>ADDRESS</b>			
1934 Commerce Lane - Suite 1			
CITY	STATE	ZIP	
Jupiter	FL	33458	
EMAIL	PHONE		
clane@coteleur-hearing.com	5614061027		
<b>AUTHORIZED SIGNATORY OF CORPORATION</b>			
FIRST NAME	LAST NAME		
<b>ADDRESS</b>			
CITY	STATE	ZIP	

---

**EMAIL**

**PHONE**

---

**PROJECT ARCHITECT/ENGINEER**

**FIRST NAME**

**LAST NAME**

---

**Business Name**

---

**ADDRESS**

---

**CITY**

**STATE**

**ZIP**

---

**EMAIL**

**PHONE**

---

**PROPERTY OWNER**

**Business Name**

DK Central Park LLC

**ADDRESS**

105 NE 1st St.

**CITY**

**STATE**

**ZIP**

Delray Beach

FL

33411

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**EMAIL**

Jseifel@brookfieldkolter.com

**PHONE**

(561) 385-3311

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**FINAL PERMIT INSPECTION REQUIRED BY:**

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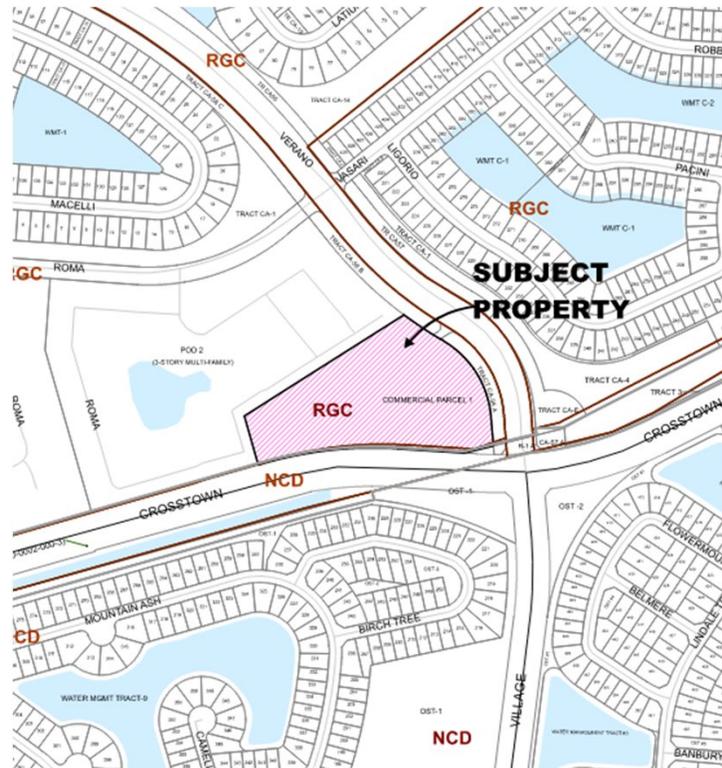


Verano South POD G  
Small-Scale Comprehensive Plan Amendment  
Planning & Zoning Board Meeting  
March 3, 2026

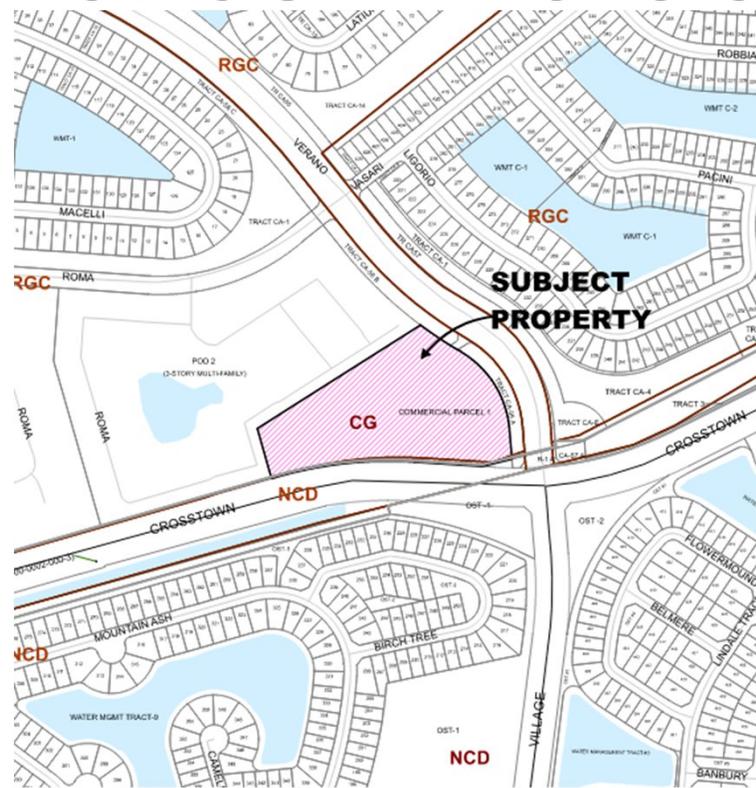
# Request Summary

Applicant's Request:	This is a request to amend the Future Land Use from Residential Golf Course (RGC) to General Commercial (CG).
Applicant/Property Owner:	DK Central Park LLC & Shops at Port St. Lucie, LLC
Location:	The property is located at the northwest corner of the intersection of Crosstown Parkway and Verano Parkway.

# Existing Land Use Designation Residential Golf Course (RGC)



# Proposed Land Use Designation General Commercial(CG)



# Site Location



# Surrounding FLU & Zoning

Direction	Future Land Use	Zoning	Existing Use
North	Residential Golf Course (RGC)	PUD	Residential Development
South	New Community Development (NCD)	MPUD	Residential Development
East	Residential Golf Course (RGC)	PUD	Residential Development
West	Residential Golf Course (RGC)	PUD	Residential Development

# Background

PGA Village DRI (P02-322) approved by City Council on October 27, 2003, established the Verano DRI and provided the designation of Residential Golf Course Land Use and one area with General Commercial Land Use.

Verano South POD G PUD consists of 1,181.05 acres which includes a 8.03-acre parcel with a land use designation of RGC for commercial development.

The land use change from RGC to CG is necessary because the applicant wishes to provide commercial uses that may be more intensive uses and that are typically found on property zoned CG (retail with drive through service, restaurants, automotive service).

# Comprehensive Plan Analysis

Land Use Consistency (Goal 1.1): Provide an appropriate mix of land uses which meet the needs of current and future residents of Port St. Lucie in a way which is environmentally acceptable; and developed concurrent with needed facilities and services.

# Summary of Change

The type of commercial uses on this property are changing in nature from uses that were to support a residential golf course development, to a commercial plaza that serves the more than just the immediate neighborhood.

At buildout the entire DRI will not likely develop all of the commercial entitlements originally granted so the overall land use mix and composition of the DRI is not changing substantially.

# Staff Recommendation

The Planning and Zoning Department staff finds the petition to be consistent with the intent and direction of the City's comprehensive plan and recommends approval.

## Planning and Zoning Board Action Options:

- Motion to recommend approval to the City Council
- Motion to recommend approval to the City Council - with conditions
- Motion to recommend denial to the City Council

Please note: Should the Board need further clarification or information from either the applicant and/or staff, it may exercise the right to table or continue the hearing or review to a future meeting.



Agenda Summary  
2026-207

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**Agenda Date:** 3/3/2026

**Agenda Item No.:** 7.c

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Placement: Public Hearing - Non Quasi Judicial

Action Requested: Motion / Vote

P26-030 - City of PSL Chapter 158 - Zoning Code, Section 158.100 - Open Space Recreational Zoning District (OSR) Text Amendment

Location: Citywide (OSR Zoning District)

Legal Description: N/A

This is a request to add Enclosed Assembly, without an alcoholic beverage license for on-premises consumption of alcoholic beverages in accordance with Chapter 110, as a Special Exception Use in the OSR Zoning District.

Submitted By: Bethany Grubbs, AICP, Senior Planner/Public Art Program

Executive Summary: This application is a city-initiated text amendment to add “Enclosed Assembly” uses, without alcoholic beverage sales, as a Special Exception within the Open Space Recreational (OSR) Zoning District. The OSR district is intended to provide areas uniquely suited for public open space, recreational activities, and related public or semi-public facilities that promote the public welfare and ensure land use compatibility.

Presentation Information: Staff will provide a presentation.

Staff Recommendation: Recommend the City Council approve the amendment as recommended by the Planning and Zoning Department.

Alternate Recommendations:

1. Recommend the City Council approve the amendment with changes.
2. Recommend the City Council not approve the amendment.

Background: Currently, OSR zoning permits parks or playgrounds, or other recreational or cultural facilities (public) with or without an alcoholic beverage license, public and private golf courses, the Botanical Gardens, and public drainage facilities. This amendment would allow a broad range of enclosed assembly uses in the OSR zoning district as a Special Exception Use, while prohibiting alcoholic beverage sales. This amendment allows more opportunities for reuse of existing buildings by allowing additional enclosed assembly uses in existing or proposed buildings on land zoned OSR.

Definition (Per Zoning Code)

- **Enclosed Assembly Area:** Any enclosed area, building or structure where people assemble for a common purpose, such as social, civic, cultural, recreational and/or religious purposes, whether owned

and/or maintained by a for-profit or not-for-profit entity, and includes, but is not limited to, public assembly buildings such as auditoriums, theaters, halls, private membership clubs and organizations, fraternal lodges, exhibition halls, convention centers, and places of worship, or other areas, buildings or structures that are used for religious purposes or assembly by persons. Day care centers, private party halls, and banquet halls will be considered an enclosed assembly area.

Issues/Analysis: Enclosed assembly uses will require City Council approval through the Special Exception process to ensure they are appropriate for the location. The review includes a conceptual site plan and evaluation of traffic impacts, parking adequacy, site access, and compliance with buffering. Conditions may be imposed to address operational impacts. The OSR zoning designation provides the regulations for building coverage, height, setbacks, and impervious area, ensuring that the proposed enclosed assembly use is consistent with the OSR district's intent.

The proposed changes are shown in Exhibit "A" with additions shown as underlined and deletion shown as strikethrough.

Special Consideration: N/A

Location of Project: Citywide (OSR Zoning District)

Attachments:

1. Staff Report
2. Exhibit "A"
3. Staff Presentation

City of Port St. Lucie Zoning Text Amendment  
Chapter 158 – Zoning Code, Section 158.100 – Open Space Recreational Zoning District (OSR)  
Project No. P26-030

**SUMMARY**

<b>Applicant’s Request:</b>	This application is a city-initiated text amendment to add “Enclosed Assembly” uses, without an alcoholic beverage license for on-premises consumption of alcoholic beverages in accordance with Chapter 110, as a Special Exception Use in the OSR Zoning District.
<b>Applicant:</b>	City of Port St. Lucie
<b>Project Planner:</b>	Bethany Grubbs, AICP, Senior Planner/Public Art Program

**Project Description**

This application is a city-initiated text amendment to add “Enclosed Assembly” uses, without alcoholic beverage sales, as a Special Exception within the Open Space Recreational (OSR) Zoning District. The OSR district is intended to provide areas uniquely suited for public open space, recreational activities, and related public or semi-public facilities that promote the public welfare and ensure land use compatibility.

- Currently, OSR zoning permits parks or playgrounds, or other recreational or cultural facilities (public) with or without an alcoholic beverage license, public and private golf courses, the Botanical Gardens, and public drainage facilities. This amendment would allow a broad range of enclosed assembly uses in the OSR zoning district as a Special Exception Use, while prohibiting alcoholic beverage sales. This amendment allows more opportunities for reuse of existing buildings by allowing additional enclosed assembly uses in existing or proposed buildings on land zoned OSR.

**Definition (Per City Code)**

- **Enclosed Assembly Area:** Any enclosed area, building or structure where people assemble for a common purpose, such as social, civic, cultural, recreational and/or religious purposes, whether owned and/or maintained by a for-profit or not-for-profit entity, and includes, but is not limited to, public assembly buildings such as auditoriums, theaters, halls, private membership clubs and organizations, fraternal lodges, exhibition halls, convention centers, and places of worship, or other areas, buildings or structures that are used for religious purposes or assembly by persons. Day care centers, private party halls, and banquet halls will be considered an enclosed assembly area.

**Analysis**

Enclosed assembly uses require City Council approval through the Special Exception process to ensure they are appropriate for the location. The review includes a conceptual site plan and evaluation of traffic impacts, parking adequacy, site access, and compliance with buffering. Conditions may be imposed to address operational impacts. The OSR zoning designation provides the regulations for building coverage, height, setbacks, and impervious area, ensuring that the proposed enclosed assembly use is consistent with the OSR district’s intent.

### **Comprehensive Plan Consistency**

The proposed text amendment is consistent with Goal 1.1 of the Future Land Use Element, which seeks to provide an appropriate mix of land uses which meet the needs of current and future residents of Port St. Lucie in a way which is environmentally acceptable; and developed concurrent with needed facilities and services.

### **Proposed Amendment**

The proposed changes are shown below and in Exhibit “A” of the associated ordinance with additions shown as underlined and deletion shown as ~~strikethrough~~.

Sec. 158.100. – Open Space Recreational (OSR).

(C) Special Exception Uses. The following uses may be permitted only following the review and specific approval thereof by the City Council:

- (1) Marina (public or private);
- (2) Wireless communication antennas and towers, as set forth in section 158.213.
- (3) Billboards, on sites with OSC or OSR land use and as set forth in Chapter 155.
- (4) Enclosed Assembly without an alcoholic beverage license for on-premises consumption of alcoholic beverages in accordance with Chapter 110. New construction shall meet the Commercial Building Design Development Standards of the CityWide Design Standards.

## **STAFF RECOMMENDATION**

The Planning and Zoning Department finds the proposed text amendment as depicted in Exhibit “A” to be consistent with the intent and direction of the City’s comprehensive plan and recommends approval.

### **Planning and Zoning Board Action Options:**

- Motion to recommend approval to the City Council
- Motion to recommend approval to the City Council with conditions
- Motion to recommend denial to the City Council

Please note: Should the Board need further clarification or information from either the applicant and/or staff, it may exercise the right to *table* or *continue* the hearing or review to a future meeting.

# EXHIBIT "A"

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## Sec. 158.100. Open Space Recreational Zoning District (OSR).

- (A) **Purpose.** The purpose of the open space recreational zoning district (OSR) shall be to locate and establish areas within the City which are deemed to be uniquely suited for the development and maintenance of public open space and recreational activities, and other public and semi-public facilities necessary to provide services to the citizens of Port St. Lucie and to promote the public welfare; to designate those uses and services deemed appropriate and proper for location and development within said zoning district; and to establish development standards and provisions as are appropriate to ensure proper development and a high degree of land use compatibility.
- (B) **Permitted Principal Uses and Structures.** The following principal uses and structures are permitted:
- (1) Park or playground, or other recreation or cultural facility-(public) with or without an alcoholic beverage license for sale of alcoholic beverages to members and guests in accordance with Chapter 110;
  - (2) Golf course (public and private) with or without an alcoholic beverage license for sale of alcoholic beverages to members and guests in accordance with Chapter 110;
  - (3) Port St. Lucie Botanical Gardens including the sales of alcoholic beverages for on premises consumption in accordance with Chapter 110;
  - (4) Public drainage facilities.
- (C) **Special Exception Uses.** The following uses may be permitted only following the review and specific approval thereof by the City Council:
- (1) Marina (public or private);
  - (2) Wireless communication antennas and towers, as set forth in section 158.213.
  - (3) Billboards, on sites with OSC or OSR land use and as set forth in Chapter 155.
  - (4) Enclosed Assembly without an alcoholic beverage license for on-premises consumption of alcoholic beverages in accordance with Chapter 110. New construction will be required to meet the Commercial Building Design Development Standards of the Citywide Design Standards.
- (D) **Accessory Uses.** As set forth within section 158.217. Accessory uses within this district shall be construed to include incidental retail uses such as cafeterias, gift or variety shops, soda bars, and similar use activities conducted solely for the convenience of patrons or visitors.
- (E) **Minimum Lot Requirements.** Site of adequate size and proportions to accommodate the intended use, but not less than twenty thousand (20,000) square feet and having a minimum width of one hundred (100) feet.
- (F) **Maximum Building Coverage.** Thirty-five (35) percent, provided that the combined area coverage of all impervious surfaces shall not exceed fifty (50) percent.
- (G) **Maximum Building Height.** Thirty-five (35) feet.
- (H) **Minimum Living Area.** Not applicable.
- (I) **Setback Requirements and Landscaping.** All yard requirements shall be established for each specific use as part of the site plan review process, provided that the minimum building setback line shall be twenty-five (25) feet abutting property zoned residential. Landscaping and buffering requirements are subject to Chapter 154.
- (J) **Off-Street Parking and Service Requirements.** As set forth in subsection 158.221.

# EXHIBIT "A"

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(K) **Site Plan Review.** All permitted and special exception uses shall be subject to the provisions of sections 158.235 through 158.245.

(Ord. No. 98-84, § 1, 3-22-99; Am. Ord. 02-130, § 1(Exh. A), 2-10-03; Ord. No. 10-33, § 1, passed 6-14-10; Am. Ord. 10-61, § 1, 8-23-10; Am. Ord. 11-79, § 1(Exh. A), 11-14-11; Ord. No. 15-85, § 1, 12-7-15)



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City of Port St. Lucie  
Zoning Text Amendment  
(P26-030)

Planning and Zoning Board March 3, 2026

## Project Background

- City-initiated text amendment to Chapter 158 – Zoning Code, Section 158.100 Open Space Recreational Zoning District (OSR)
- The OSR District is intended to preserve public open space and provide recreational activities.
- Adds “Enclosed Assembly” uses (without alcoholic beverage license) as a Special Exception in the OSR Zoning District

## Request Summary

- OSR zoning permits parks, playgrounds, golf courses and the Botanical Gardens.
- Proposed Change: Add enclosed assembly without the sale of alcohol as a Special Exception use.
- Supports additional public and private uses in existing or proposed buildings on land zoned OSR while maintaining the open space and recreational character.

## Definition

- **Enclosed Assembly Area:** *Any enclosed area, building or structure where people assemble for a common purpose, such as social, civic, cultural, recreational and/or religious purposes, whether owned and/or maintained by a for-profit or not-for-profit entity, and includes, but is not limited to, public assembly buildings such as auditoriums, theaters, halls, private membership clubs and organizations, fraternal lodges, exhibition halls, convention centers, and places of worship, or other areas, buildings or structures that are used for religious purposes or assembly by persons. Day care centers, private party halls, and banquet halls will be considered an enclosed assembly area.*

## Proposed Amendment

Sec. 158.100. – open Space Recreational (OSR).

(C) Special Exception Uses. The following uses may be permitted only following the review and specific approval thereof by the City Council:

- (1) Marina (public or private);
- (2) Wireless communication antennas and towers, as set forth in section 158.213.
- (3) Billboards, on sites with OSC or OSR land use and as set forth in Chapter 155.
- (4) Enclosed Assembly without an alcoholic beverage license for on-premises consumption of alcoholic beverages in accordance with Chapter 110. New construction shall meet the Commercial Building Design Development Standards of the Citywide Design Standards.

## Analysis

The proposed text amendment is consistent with Goal 1.1 of City's Comprehensive Plan, which seeks to provide an appropriate mix of land uses which meet the needs of current and future residents of Port St. Lucie in a way which is environmentally acceptable; and developed concurrent with needed facilities and services.

## Staff Recommendation

The Planning and Zoning Department staff finds that the petition is consistent with the intent and direction of the City's comprehensive plan and therefore recommends approval.



## Agenda Summary

2026-211

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**Agenda Date:** 3/3/2026

**Agenda Item No.:** 8.a

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Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

### P25-204 Navarro, Yuraima Garcia - Variance

Location: The property is located at 455 SW Kestor Drive.

Legal Description: Port St Lucie, Section 34, Block 2378, Lot 25

This is a request to grant a variance of seven (7) feet, to allow a side yard setback of eight (8) feet for a 331-square-foot existing roofed patio with an outdoor kitchen, and a variance of four (4) feet, to allow a side yard setback of 11 feet for a 118-square-foot existing roofed patio.

Submitted By: Sofia Trail, Planner I, Planning and Zoning Department

**Executive Summary:** The applicant/property owner, Yuraima Garcia Navarro, has submitted a variance application to the side setback requirements for two existing accessory structures. A variance of seven (7) feet to allow a side setback of eight (8) feet for a 331-square-foot roofed patio with an outdoor kitchen, and a variance of four (4) feet to allow a side setback of 11 feet for a 118-square-foot roofed patio.

**Presentation Information:** Staff will provide a presentation.

**Staff Recommendation:** Move that the Board review the variance request and make a motion to approve, approve with conditions, or deny.

**Background:** See staff report.

**Issues/Analysis:** N/A

**Special Consideration:** N/A

**Location of Project:** The property is generally located south of SW Becker Road on the northwest corner of SW Kestor Drive and SW Stacy Court.

#### Attachments:

1. Staff Report
2. Survey
3. Application and Variance Responses
4. Quitclaim Deed
5. Staff Presentation
6. Public Comment

**Navarro, Yuraima Garcia**  
**Variance**  
**P25-204**

**Aerial Map**



**SUMMARY**

Applicant's Request:	A request to grant a variance of seven (7) feet, to allow a side yard setback of eight (8) feet for a 331-square-foot existing roofed patio with an outdoor kitchen, and a variance of four (4) feet, to allow a side yard setback of 11 feet for a 118-square-foot existing roofed patio.
Application Type:	Variance, Quasi-Judicial
Applicant / Property Owner:	Yuraima Garcia Navarro
Address:	455 SW Kestor Drive
Location:	The property is generally located south of SW Becker Road on the northwest corner of SW Kestor Drive and SW Stacy Court.
Project Planner:	Sofia Trail, Planner I

**Project Description**

The applicant/property owner, Yuraima Garcia Navarro, has submitted a variance application to the side yard setback requirements for two existing accessory structures. A variance of seven (7) feet to allow a side yard setback of eight (8) feet for a 331-square-foot roofed patio with an outdoor kitchen, and a variance of four (4) feet to allow a side yard setback of 11 feet for a 118-square-foot roofed patio. Section 158.203(A) of the City of Port St. Lucie Code of Ordinances requires any corner residential lot having a width of less than 90 feet at its front property line shall have a side setback requirement of 15 feet adjacent to the side street. The subject property is located at 455 SW Kestor Drive and is legally described as Port St. Lucie, Section 34, Block 2378, Lot 25.

**Background**

A code compliance case with the Building Department was created in October 2025 for the two structures being built without permits by the owner. A recent survey of the property was conducted on January 13, 2026, to show the locations of the existing roofed patios.

**Review Criteria**

An application of a variance is reviewed for consistency with Article XV of the Zoning Code, Sections 158.295 through 158.299.

**Public Notice Requirements**

Public notice was mailed to owners within 750 feet on February 19, 2026, and the file was included in the ad for the Planning & Zoning Board’s agenda.

**Location and Site Information t**

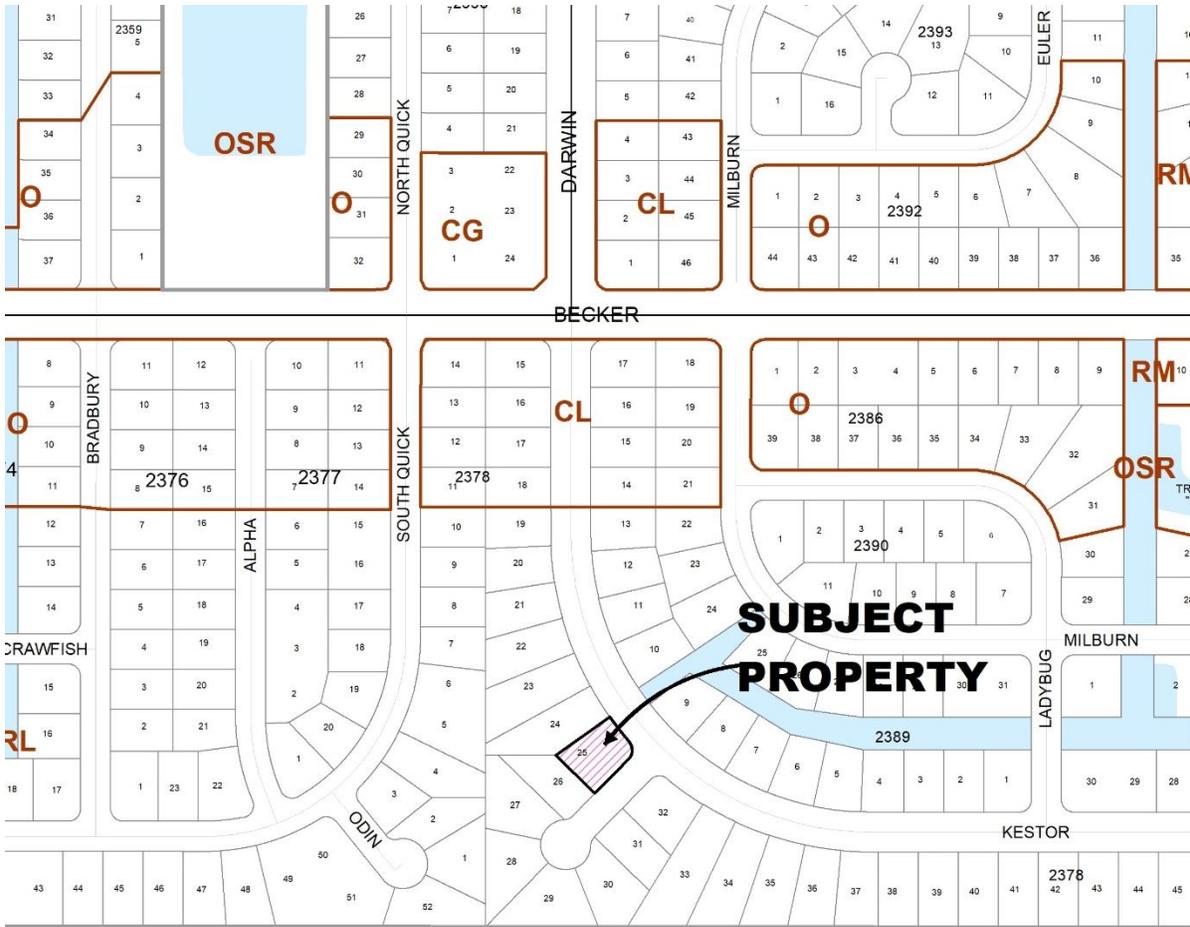
Parcel Number:	3420-665-1340-000-4
Property Size:	0.26-acres
Legal Description:	Port St Lucie, Section 34, Block 2378, Lot 25
Future Land Use:	RL
Existing Zoning:	RS-2
Existing Use:	Single-family Residence

**Surrounding Uses**

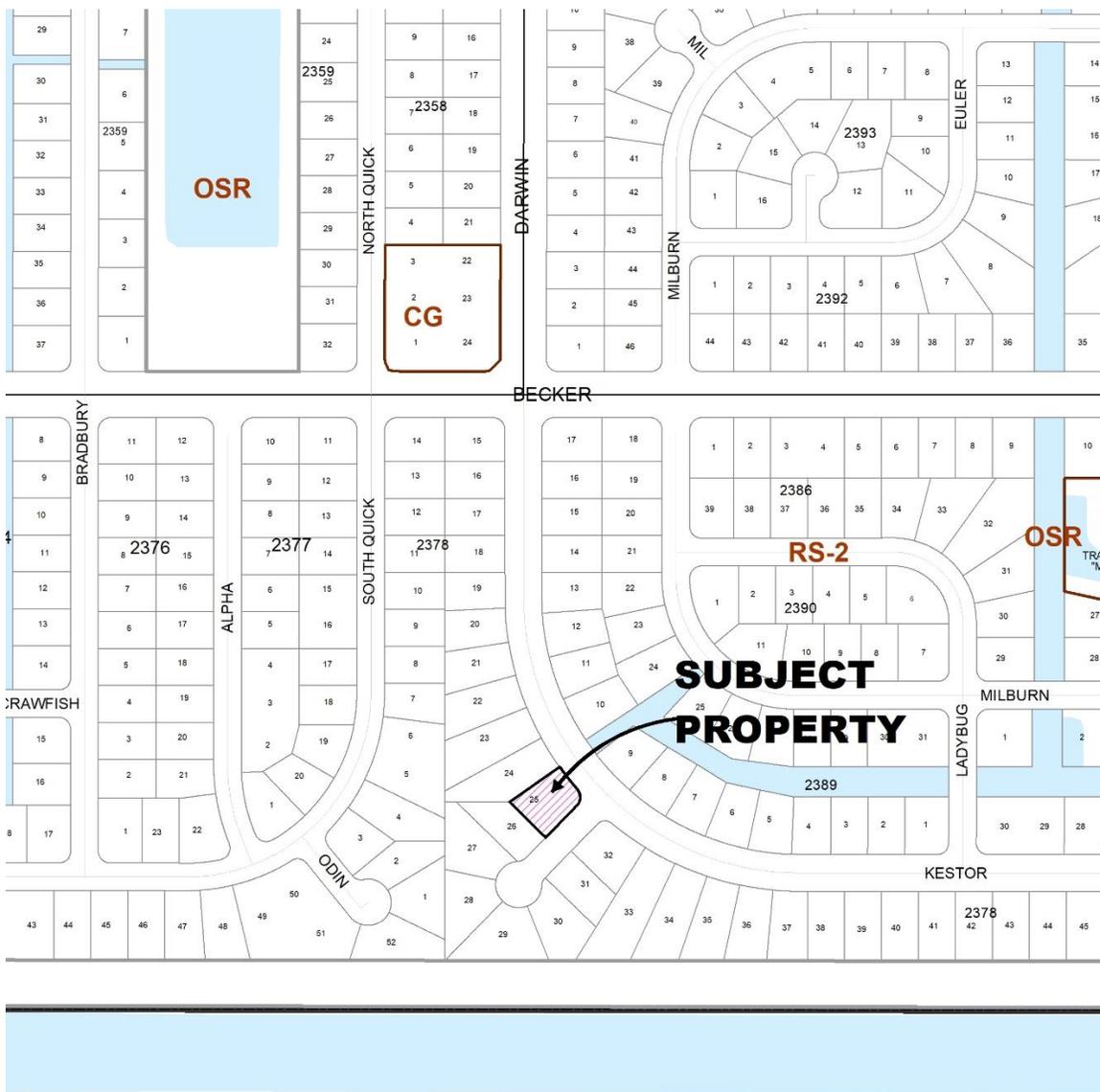
Direction	Future Land Use	Zoning	Existing Use
North	RL	RS-2	Single-family Residence
South	RL	RS-2	Single-family Residence
East	RL	RS-2	Single-family Residence
West	RL	RS-2	Single-family Residence

RL – Low-Density Residential, RS-2 – Single Family Residential

**Future Land Use**



# Zoning



## IMPACTS AND FINDINGS

Section 158.295 (B) of the Zoning Code establishes the duties of the Planning and Zoning Board in authorizing a variance. The Planning and Zoning Board may authorize the variance from the provisions of the Zoning Code as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. Pursuant to Section 158.296, a variance is authorized only for height, area, and size of the structure, yard size, building setback, lot size requirements, and other applicable development regulations, excluding use. To authorize a variance, the Planning and Zoning Board should consider the criteria listed under Section 158.295 (B) (1) through (7). The applicant's response to this criterion is attached to the application. Staff's review is provided below.

**See the applicant's responses that are included in the Variance application.**

### **Compatibility with variance criteria Section 158.295 (B).**

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.
  - Applicant's Response: While the property has adequate overall space, the layout and existing placement of the home makes it difficult to utilize the backyard efficiently.
  - Staff Findings: *There are no special conditions that are peculiar to this house that are not applicable to other RS-2 zoned lots. The subject property is a corner lot within the Single-Family Residential (RS-2) Zoning District. Per Section 158.203(A) of the City of Port St. Lucie Code of Ordinances, any corner residential lot having a width of less than 90 feet at its front property line shall have a side setback requirement of 15 feet adjacent to the side street. The width of this lot at the 25-foot front yard setback is approximately 91 feet. The existing house is located at the minimum 10-foot side yard setback from the Internal side lot line (adjacent to Lot 24). The house is 60 feet in width, which will fit within the required setbacks on a corner lot with a width of 90 feet, while still having an additional 5 feet of space. In addition, this lot widens as it extends to the rear and the rear yard setback of the house well exceeds the 25-foot rear yard setback. There is adequate space for accessory structures in the back yard.*
2. That the special conditions and circumstances do not result from any action of the applicant.
  - Applicant's Response: It was assembled by the owner without knowledge that it required permission.
  - Staff Findings: *See the response to criterion No. 1.*
3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district.
  - Applicant's Response: Granting this variance will not be contrary to the public interest. The pergolas are an open air, non-enclosed structure that does not block light, air, or visibility.
  - Staff Findings: *Granting the variance will confer on the applicant special privileges denied to other corner lots within single-family zoning districts in regards to accessory structure placement. All accessory structures are required to meet setback requirements and are reviewed at the time of building permit application.*

4. That literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant.
  - Applicant's Response: The need for this variance is not self created as it results from original placement of the home and lot configuration determined by the developer. The limited yard depth leaves little flexibility for placing outdoor improvements.
  - Staff Findings: *There is adequate space in the backyard for the placement of accessory structures.*
5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
  - Applicant's Response: The requested reduction of feet from the property line on my corner lot is the minimum variance necessary to allow for a functional and aesthetically pleasing pergola while maintain open space.
  - Staff Findings: *The requested variance to the side setback requirements is the minimum distance needed for the existing roofed patios and outdoor kitchen to remain.*
6. That the granting of the variance will be in harmony with the general intent and purpose of the chapter and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
  - Applicant's Response: Granting this variance will be in harmony with the general intent and purpose of the zoning ordinance. The requested variance provides minimal encroachment that does not impair access or privacy for adjacent properties. The structure will continue to function as a typical residential accessory structure and will not alter the character of the surrounding neighborhood. It will allow reasonable use of the property, not affect traffic safety or utilities, and will not be detrimental to the public health, safety, or welfare and the same will not create safety concerns.
  - Staff Findings: *The granting of the variance will not be injurious to the area or detrimental to the public welfare as the accessory structures are within the property's boundaries and the backyard is enclosed with a six-foot high fence.*
7. That there will be full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits within which the action for which variance is required shall be begun or completed, or both.
  - Applicant's Response: Acknowledged.
  - Staff Findings: Acknowledged.

## PLANNING AND ZONING BOARD ACTION OPTIONS

The Board may choose to approve, deny or table the proposed variance. If the Board finds that the variance application is consistent with the criteria as listed in Section 158.295 (B) (1) through (7) of the City code (listed above), then the Board may:

- Motion to approve the variance
- Motion to approve the variance with conditions

If the Board finds that the variance application is inconsistent with the criteria as listed in Section 158.295 (B) (1) through (7) of the City code, then the Board may:

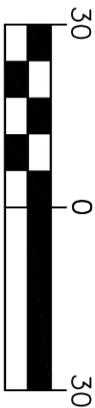
- Motion to deny

Should the Board need further clarification or information from either the applicant and/or staff, the Board may:

- Motion to table or continue the hearing or review to a future meeting.

***(NOTE TO APPLICANTS: Any request for a variance that is denied by the Planning and Zoning Board may be appealed to the Board of Zoning Appeals. Appeal applications are made through the City Clerk's office and must be submitted within 15 days after the Planning and Zoning Board hearing).***

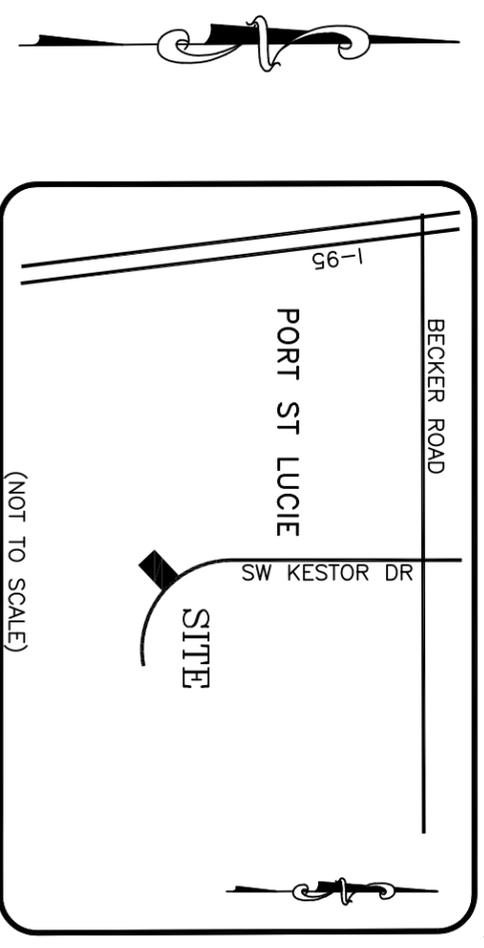
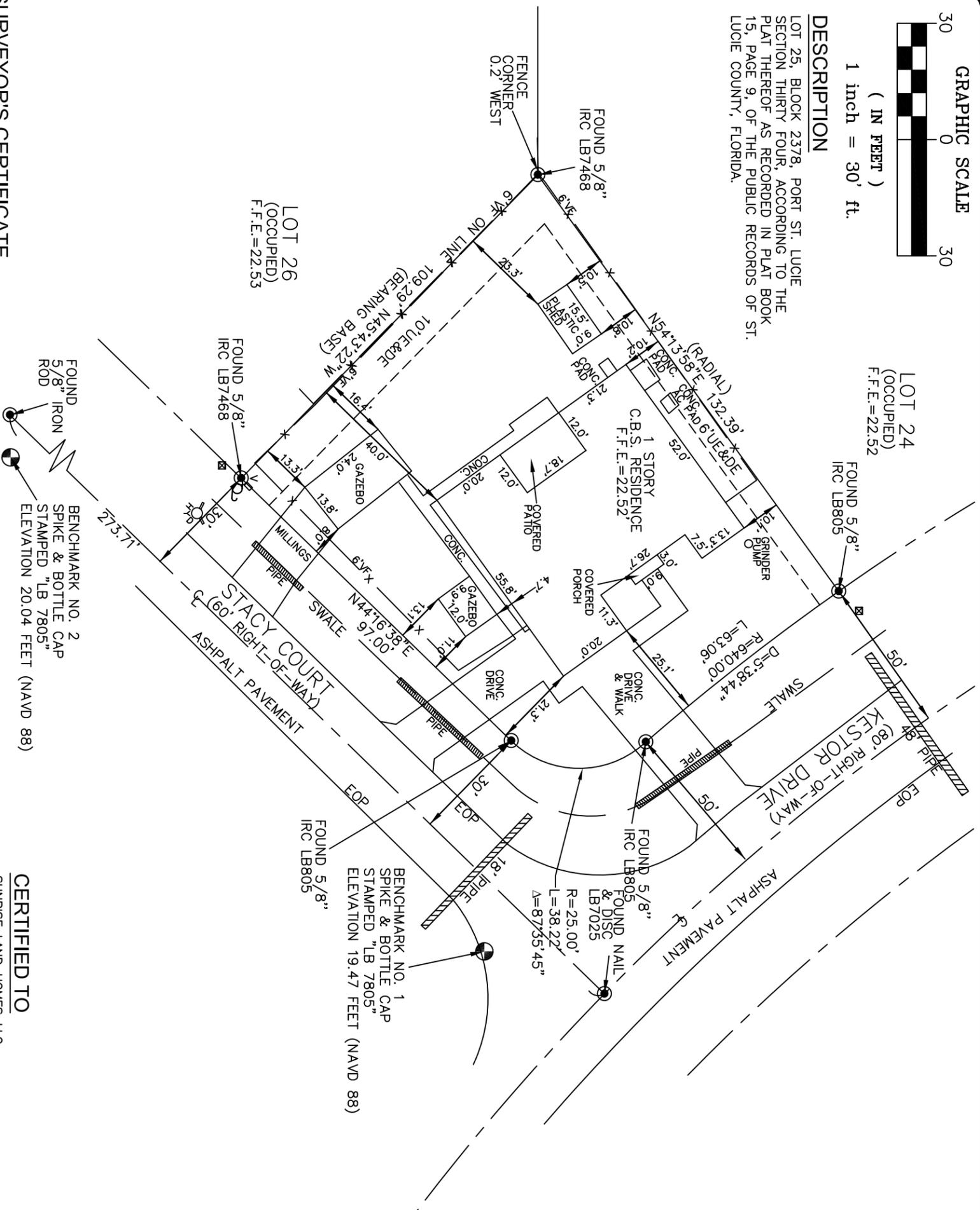
**GRAPHIC SCALE**



( IN FEET )  
1 inch = 30' ft.

**DESCRIPTION**

LOT 25, BLOCK 2378, PORT ST. LUCIE SECTION THIRTY FOUR, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 9, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.



**LOCATION MAP  
LEGEND & ABBREVIATIONS**

- (NOT TO SCALE)
- O.R.B. - OFFICIAL RECORDS BOOK
  - F.F.E. - FINISH FLOOR ELEVATION
  - U.E. - UTILITY EASEMENT
  - D.E. - DRAINAGE EASEMENT
  - Q - CENTERLINE
  - (P) - PLAT
  - (M) - MEASURED
  - (C) - CALCULATED
  - C.M.F. - CORRUGATED METAL PIPE
  - L.B. - LICENSED BUSINESS
  - C.B.S. - CONCRETE BLOCK & STUCCO CONCRETE
  - EL - ELEVATION
  - ⊙ - WOOD POWER POLE
  - ⊙ - FIRE HYDRANT
  - VF - VINYL FENCE
  - EOP - EDGE OF PAVEMENT
  - V - VAULT
  - - SET 5/8" IRON ROD & CAP STAMPED "LB 7805"
  - ⊗ - WATER METER

**SURVEYORS NOTES**

1. REPRODUCTIONS OF THIS MAP ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
3. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
4. UNDERGROUND IMPROVEMENTS, IF ANY, WERE NOT LOCATED EXCEPT AS SHOWN.
5. DESCRIPTION SHOWN HEREON AS PROVIDED BY CLIENT.
6. FIELD SURVEY LAST CONDUCTED ON JANUARY 12, 2026.
7. SYMBOLS SHOWN HEREON ARE NOT TO SCALE.
8. THE SOUTHERLY LINE OF LOT 25 IS ASSUMED TO BEAR NORTH 45°43'22" WEST AND ALL OTHER BEARINGS SHOWN HEREON ARE RELATIVE THERETO.
9. OVERALL PARCEL CONTAINS 12,129 SQUARE FEET OR 0.27 ACRES, MORE OR LESS.
10. HORIZONTAL RELATIONSHIPS, AS SHOWN HEREON, ARE BASED ON THE FLORIDA STATE PLANE COORDINATE GRID, EAST ZONE, USING THE NORTH AMERICAN DATUM OF 1983 WITH THE 2011 ADJUSTMENT (NSRS 2011).
11. BY GRAPHIC PLOTTING ONLY, SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A FLOOD ZONE DESIGNATION OF "X", ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ON FLOOD INSURANCE RATE MAP (FIRM) PANEL NUMBER 12111C0405K, HAVING AN EFFECTIVE DATE OF FEBRUARY 19, 2020. THIS INFORMATION SHOULD BE CONFIRMED WITH THE APPROPRIATE COUNTY PRIOR TO CONSTRUCTION.
12. ELEVATIONS SHOWN HEREON ARE RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).

**CERTIFIED TO**

SUNRISE LAND HOMES LLC  
YURAIMA GARCIA NAVARRO

1/13/26 Update Survey  
5/30/23 ADD DRIVEWAY, PAD AND WALKS

**SURVEYORS CERTIFICATE**

I HEREBY CERTIFY THAT THE AS-BUILT SURVEY AS SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A FIELD SURVEY MADE UNDER MY DIRECTION AND CHARGE AND SAID SURVEY IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT SAID SURVEY COMPLIES WITH THE APPLICABLE STANDARDS OF PRACTICE FOR SURVEYS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5S-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

CIVILSURV DESIGN GROUP, INC.

BY: BRIAN C. KIERNAN  
PROFESSIONAL SURVEYOR & MAPPER  
STATE OF FLORIDA REGISTRATION NO. 6101

DATE OF SIGNATURE

COPYRIGHT © 2025  
ALL RIGHTS RESERVED  
CIVILSURV DESIGN GROUP, INC.

PHONE (772)323-2244  
**CIVILSURV**  
A Tradition of Innovative Engineering  
1680 S.W. BAYSHORE BOULEVARD  
PORT ST LUCIE, FLORIDA 34984

**File & Drawing No.** 455 SW Kestor Dr. Boundary Survey  
**Scale:** 1" = 30'  
**Date:** 12/01/22  
**Drawn By:** SW  
**Sheet:** 1 of 1

AS-BUILT SURVEY & FORM BOARD TIE IN  
SUNRISE LAND HOMES LLC  
455 SW KESTOR DRIVE  
PORT ST. LUCIE, FLORIDA

<b>TYPE</b>	<b>STATUS</b>	<b>BUILDING TYPE</b>	
VAR	P&Z MEETING SCHEDULED	RES	
<b>ASSIGNED TO</b>			
Sofia Trail			
<b>ADDRESS</b>			
455 SW Kestor Drive			
<b>SECTION</b>	<b>BLOCK</b>	<b>LOT</b>	
34	2378	25	
<b>LEGAL DESCRIPTION</b>			
port st lucie section 34 BLK2378 lot 25 MAP 44/35			
<b>SITE LOCATION</b>			
BACK YARD			
<b>PARCEL #</b>			
3420-665-1340-000-4			
<b>CURRENT LANDUSE</b>	<b>PROPOSED LANDUSE</b>	<b>CURRENT ZONING</b>	<b>PROPOSED ZONING</b>
RL		RS-2	
<b>ACREAGE</b>	<b>NON-RESIDENTIAL SQ. FOOTAGE</b>	<b>NO. OF RESIDENTIAL UNITS</b>	
0.23			
<b>NO. OF LOTS OR TRACTS</b>	<b>NO. OF SHEETS IN PLAT</b>		
0	0		
<b>UTILITY PROVIDER</b>			
<b>DESCRIBE REQUEST</b>			
I requesting a variance to allow the permit installation of two back yard gazebo size 10x10 and 14x 24 they were installed whit_in the city set back the pergolas are open and decorative structure intended for shade and out door enjoyment.			
<b>Primary Contact Email</b>			
yuraimagn83@gmail.com			
<b>AGENT/APPLICANT</b>			
<b>FIRST NAME</b>	<b>LAST NAME</b>		
YURAIMA	GARCIA NAVARRO		
<b>Business Name</b>			
OWNER			
<b>ADDRESS</b>			
455 SW KESTOR DR			
<b>CITY</b>	<b>STATE</b>	<b>ZIP</b>	
PSL	FL	34953	
<b>EMAIL</b>	<b>PHONE</b>		
yuraimagn83@gmail.com	5025102320		
<b>AUTHORIZED SIGNATORY OF CORPORATION</b>			
<b>FIRST NAME</b>	<b>LAST NAME</b>		
<b>ADDRESS</b>			

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<b>CITY</b>	<b>STATE</b>	<b>ZIP</b>
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<b>EMAIL</b>	<b>PHONE</b>
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**PROJECT ARCHITECT/ENGINEER**

<b>FIRST NAME</b>	<b>LAST NAME</b>
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**Business Name**

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**ADDRESS**

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<b>CITY</b>	<b>STATE</b>	<b>ZIP</b>
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<b>EMAIL</b>	<b>PHONE</b>
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**PROPERTY OWNER**

**Business Name**

YURAIMA GARCIA NAVARRO

---

**ADDRESS**

455 SW KESTOR DR

---

<b>CITY</b>	<b>STATE</b>	<b>ZIP</b>
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PSL	FL	34953
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<b>EMAIL</b>	<b>PHONE</b>
--------------	--------------

yuraimagn83@gmail.com	(502) 510-2320
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**FINAL PERMIT INSPECTION REQUIRED BY:**

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**VARIANCE APPLICATION**

**FOR OFFICE USE ONLY**

CITY OF PORT ST. LUCIE  
Planning & Zoning Department  
121 SW Port St. Lucie Blvd.  
Port St. Lucie, Florida 34984  
(772)871-5213

Planning Dept \_\_\_\_\_  
Fee (Nonrefundable) \$ \_\_\_\_\_  
Receipt # \_\_\_\_\_

Refer to "Fee Schedule" for application fee. Make check payable to the "City of Port St. Lucie. Fee is nonrefundable unless application is withdrawn prior to advertising for the Planning and Zoning Board meeting. **Attach two copies of proof of ownership (e.g.: warranty deed, affidavit), a copy of recent survey and a statement addressing each of the attached criteria.**

**PRIMARY CONTACT EMAIL ADDRESS:** Yuraimagn83@gmail.com

**PROPERTY OWNER:**

Name: Yuraima Garcia Navarro  
Address: 455 SW Kestor Dr Port St Lucie FL 34953  
Telephone No. 502 510 2320

**APPLICANT (IF OTHER THAN OWNER, ATTACH AUTHORIZATION TO ACT AS AGENT):**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone No. \_\_\_\_\_ Email \_\_\_\_\_

**SUBJECT PROPERTY:**

Legal Description: Port St. Lucie - Section 34-BLK 2378 lot 25 MAP 44/25  
Parcel I.D. Number: 3420 -665- 1340- 0004  
Address: 455 SW Kestor Dr Port St Lucie 34953  
Current Zoning Classification RS-2 PSL

Description of requested variance and applicable conditions/circumstances justifying request (continue on separate sheet, if necessary): Provide documentation that the attached variance criteria have been met.

I'm requesting a variance to allow the permit installed of two backyard gazebo (Size 14x24 and 10x10) they were installed with-in city set-back.

[Signature]  
Signature of Applicant

Yuraima Garcia  
Hand Print Name

11/30/20  
Date

**NOTE:** Signature on this application acknowledges that a certificate of concurrency for adequate public facilities as needed to service this project has not yet been determined. Adequacy of public facility services is not guaranteed at this stage in the development review process. Adequacy for public facilities is determined through certification of concurrency and the issuance of final local development orders as may be necessary for this project to be determined based on the application material submitted.

03/02/20

## VARIANCES

The Planning and Zoning Board and Zoning Administrator may authorize the variance from the provisions of this chapter as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Planning and Zoning Board or Zoning Administrator will consider the variance criteria in § 158.295 (C) 1-7 and consider your responses to the following when making a determination.

(1) Please explain special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

While the property has adequate overall space, the layout and existing placement of the home make it difficult to utilize the backyard efficiently. The location of the terraces are the most practical area

(2) Please explain if these conditions and circumstances result from actions by the applicant;

It was assembled by the owner without knowledge that it required permission

(3) Please explain how granting the variance requested will not confer on the applicant special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district;

Granting this variance will not be contrary to the public interest. The pergolas are on an open air, non-enclosed structure that does not block light, air, or visibility

(4) Please explain how a literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant;

The need for this variance is not self-created as it results from original placement of the home and lot configuration determined by developer. The limited rear yard depth leave little flexibility for placing outdoor improvement.

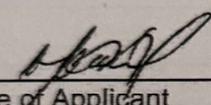
(5) Please illustrate and explain if the variance requested is the minimum variance that will make possible the reasonable use of the land, building, or structure;

The requested reduction of feet from property line on my owner lot the minimum variance necessary to allow them for a functional and estetically pleasing pergola while maintaining open space.

(6) Please indicate how granting variance will be in harmony with the general intent and purpose of the chapter and that granting the variance will not be injurious to the area involved or otherwise detrimental to the public welfare; *Granting this variance will be in harmony with the general intent and purpose of the zoning ordinance. That the requested variance provides minimal encroachment that does not impair access or privacy for adjacent properties. The structure will continue to function as a typical residential accessory structure and will not alter the character of the surrounding neighborhood. Will allow reasonable use of the property, not affect traffic safety or utilities, and will not be detrimental to the public health safety or welfare, and the same not will it create safety concern*

<sup>172</sup> (7) Please indicate that there will be full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits within which the action for which variance is required shall be begun or completed, or both.

*"Acknowledged"*

  
\_\_\_\_\_  
Signature of Applicant

*Yuraima Garcia*  
\_\_\_\_\_  
Hand Print Name

*11/20/25*  
\_\_\_\_\_  
Date

Prepared by:  
Moira Feely Rekus  
Address: 9700 Reserve Blvd  
Port St. Lucie  
State: Florida Zip Code: 34986  
After Recording Return to:  
Name: Yuraima Garcia Navarro  
Address: 455 SW Kestor Drive  
State: Florida Zip Code: 34953

TAX PARCEL ID #3420-665-1340-000-4

### QUIT CLAIM DEED

This Indenture made this 20th day of October, 2023, Imilce Navarro Pupo, whose post office address is 455 SW Kestor Dr. County of St. Lucie, City of Port St. Lucie, State of Florida, Grantor\*, and Yuraima Garcia Navarro, whose post office address is 455 SW Kestor Dr. Grantor County of St. Lucie, City of Port St. Lucie, State of Florida, Grantee\*

**WITNESSETH**, That the said first party, for and in consideration of the sum of TEN AND 00/100 (\$10.00) Dollars in hand paid by second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of St. Lucie State of Florida, to-wit:

Site Address: 455 SW Kestor Drive  
Parcel ID: 3420-665-1340-000-4  
Jurisdiction: Port Saint Lucie  
Legal Description: PORT ST LUCIE-SECTION 34-BLK 2378 LOT 25 (MAP 44/32S)

Subject to easements, restrictions, and reservations and taxes for the year 2023 and thereafter.

**NOTE:** This deed was prepared based upon information provided by the parties hereto and without the benefit of title examination or a survey. By the delivery (by Grantor) and acceptance (by Grantee) of this deed, the Grantor and Grantee agree to indemnify and hold harmless the preparer of this deed from any and all liability arising from matters which would have been revealed by a search of the public records. This is a conveyance between family members and there is not an open mortgage therefore only minimum documentary tax stamps are attached accordingly.

TO HAVE AND TO HOLD, the same together with all and singular the appurtenances thereunto belonging or in any way appertaining, and all the estate, right, title, interest lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behalf of the said second party forever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Maura Feely Rekus  
Witness Signature Above

Witness Signature Above

Maura Feely Rekus  
Printed Name Above

Printed Name Above

Diana Jijon Fadulis  
Witness Signature Above

Witness Signature Above

Diana Jijon Fadulis  
Printed Name Above

Printed Name Above

[Signature]  
Grantor

Grantor

[Signature]  
Grantee

Grantee

STATE OF FLORIDA  
COUNTY OF ST. LUCIE

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 20<sup>th</sup> day of October, 2023 by Maura Feely Rekus who are personally known to me or have produced Drivers License as identification.

[SEAL]



Maura Feely Rekus  
Notary Public

Maura Feely Rekus  
(Please print name of Notary)

My Commission Expires: Sept. 20, 2025



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Navarro, Yuraima Garcia

Variance

Project No. P25-204

Planning and Zoning Board Meeting

Sofia Trail, Planner I

March 3, 2026

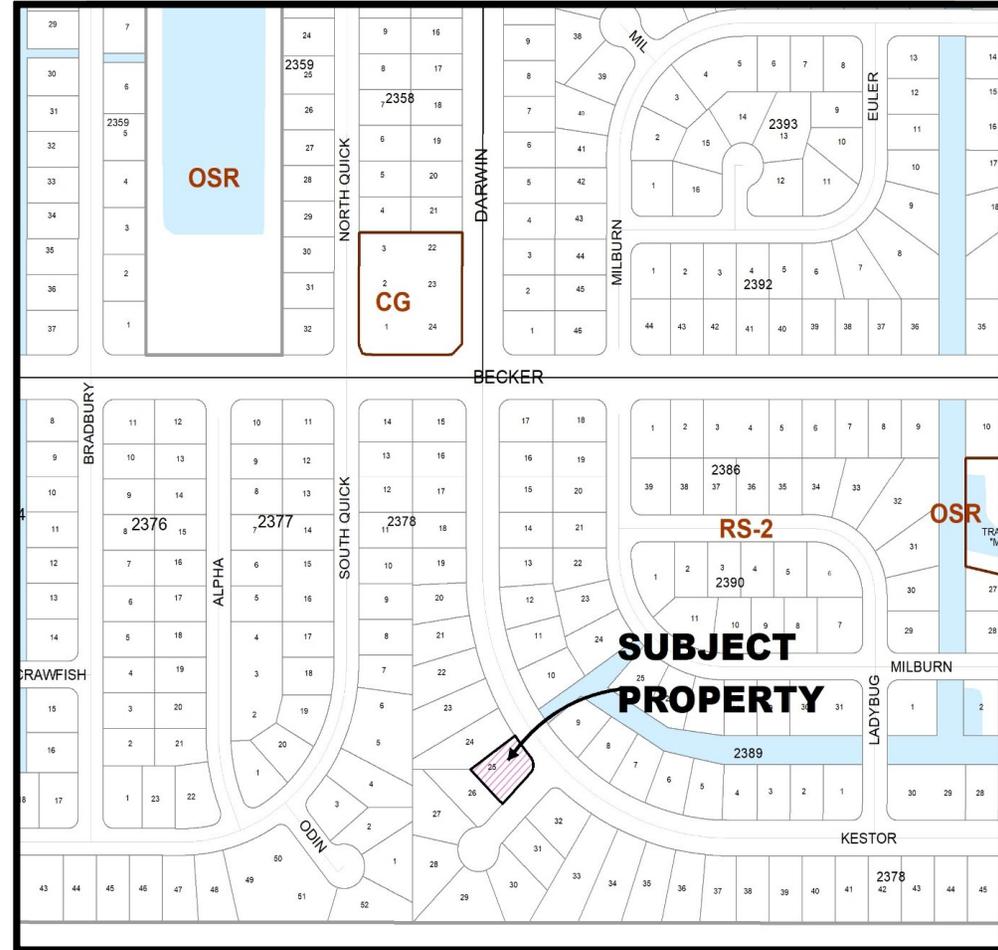
## Request Summary

Owner/Applicant:	Yuraima Garcia Navarro
Property Address:	455 SW Kestor Drive
Location:	South of SW Becker Road on the northwest corner of SW Kestor Drive and SW Stacy Court
Request:	A variance of seven (7) feet, to allow a side setback of eight (8) feet for a 331-square-foot existing roofed patio with an outdoor kitchen, and a variance of four (4) feet, to allow a side setback of 11 feet for a 118-square-foot existing roofed patio.

# Surrounding Areas

Direction	Existing Use	Future Land Use	Zoning
North	Single-family Residence	RL	RS-2
South	Single-family Residence	RL	RS-2
East	Single-family Residence	RL	RS-2
West	Single-family Residence	RL	RS-2

RL – Low-Density Residential, RS-2 – Single-Family Residential



## Background

- A code compliance case with the Building Department was created in October 2025 for the two structures being built without permits.
- The applicant is requesting a variance to keep the accessory structures so that they may apply for building permits.





## Planning and Zoning Board Action Options

If the Board finds that the variance application is consistent with the criteria as listed in Section 158.295 (B) (1) through (7) of the City code, then the Board may:

- Motion to approve the variance for both accessory structures

If the Board finds that the variance application is inconsistent with the criteria as listed in Section 158.295 (B) (1) through (7) of the City code, then the Board may:

- Motion to deny

Should the Board need further clarification or information from either the applicant and/or staff, the Board may:

- Motion to table or continue the hearing or review to a future meeting.

## Concern of Variance request P25-204

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From sparky443@comcast.net <sparky443@comcast.net>

Date Mon 2/23/2026 11:39 AM

To Sofia Trail <strail@cityofpsl.com>

Cc Mermaid <mermaidmsjs@comcast.net>; sw1019@bellsouth.net <sw1019@bellsouth.net>

Members of the zoning board,

I appreciate you taking the time to deal with this matter. I have reservations about granting or permitting this variance because I live with in 500 feet to this property.

When I called the zoning department and asked what this what this is about, I was told something that I would like to clarify. They claimed that because the resident is not from the area, he was unaware that he required permits.

This resident is requesting a variance so that concrete slab shelters or pergolas that were constructed without permits can stay in place within the 15-foot setbacks. Also, other concerns are they structurally built and fastened to the ground to meet current wind load, building code requirements, due to hurricanes, if permits were not pulled. Who inspects this?

Clarification:

This resident is in the construction business and built the house and pergolas on his property alone, doing all the labor himself with sub-contractors. His brother works in and around our neighborhood as a state-certified contractor based in Miami. They would therefore be more aware.

Being a Port St. Lucie resident who lives within 500 feet of this resident, I am concerned. I've lived at this address since 1995, and I think it's unacceptable for someone to seek forgiveness without first getting permission.

Our local government agencies put a lot of effort into enforcing these regulations for a reason, and allowing this one incident to be approved will allow others to follow suit around the city, establishing a negative norm.

With Regards,  
John Kneip  
443 SW Stacy Ct.  
Port St. Lucie, FL 34953

---

## Variance Application (P25-204)

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From Sandi Weikert <sw1019@bellsouth.net>

Date Tue 2/24/2026 9:39 AM

To Sofia Trail <strail@cityofpsl.com>

Dear Planning and Zoning Board:

I am writing to you concerning the abovementioned Application for Variance as I strongly oppose this being granted. I appreciate the opportunity to explain my reasoning. This property owner clearly knew that the City of Port St. Lucie has permitting requirements. This is proven by:

- The husband works in the construction field.
- The homeowner stated when building his third driveway (gravel driveway) that he has a cousin who works in the Code Enforcement or Building Dept for PSL and the cousin stated that he did not require a permit to add the gravel driveway.
- This homeowner previously obtained a fence permit in PSL, so he knows of permitting.

Furthermore, this matter should not be approved as this homeowner has a history of ignoring the City of PSL codes/ordinances by:

- The home construction on the lot began while unpermitted until the City Building Dept. noticed.
- This homeowner continuously ignores PSL noise ordinances as the police have responded to this home numerous times due to noise complaints and this homeowner continues to violate.

Some of the issues that I see by not requiring the proper setbacks are that this property is very close to my property line and with strong wind, hurricanes etc. and with an outdoor kitchen with electricity (installed unpermitted as well) and heat or cooking fire risk, this poses unnecessary risks to my home, my fence and the vehicles in my driveway. Secondly, I feel that without proper setbacks, the market value of properties within 750 ft. of the subject property will decrease. In addition, the ongoing noise violations will continue to be an issue as this homeowner has shown previously with numerous nearby homeowners filing noise complaints to the police dept.

This request by the homeowner is merely an attempt to try and ignore the codes of the City of PSL and is a self-created issue. This is not a unique hardship – this is personal preference and to approve this application it would be setting a negative precedence to the codes that the City of PSL works so hard to enforce. A message needs to be sent that by ignoring proper codes/permitting does NOT get you what you want.

For these reasons, I ask the Planning and Zoning Board to **DENY** this request.

Thank you.

Sandi Weikert and Michael Swartz  
453 SW Stacy Ct PSL (Lot #26)

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**Variance application (P25-204)**

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**From** Terri T <tat3969@hotmail.com>  
**Date** Tue 2/24/2026 11:05 AM  
**To** Sofia Trail <strail@cityofpsl.com>

My address is 449 SW Stacy Court. I am against granting this person from allowing a variance on their property. The "husband" Luis has disregarded all PSL rules and regulations from the beginning. He started construction on the home at 455 Kestor Drive without a permit. He installed electricity from his home to an outdoor kitchen which abuts VERY close to the neighbors Vinyl fence without a permit. He has 2 Pergolas in the backyard which he erected without a permit. The variance is supposed to be 15 feet, his 2 outdoor patios are not 15'.

There should be no leniency for a person who knowingly has broken the law in every conceivable way. Claiming ignorance is a ruse. He claimed his brother works for the zoning board. Luis is supposedly in the construction industry and would know the regulations and requirements.

We have witnesses him pouring oil on the ground next to his boat parked on Stacy court and across the street in the empty lot.

They have repeatedly broken the noise ordinance with amplified music on about 50 occasions and the police were called out every time. 15 minutes later after the police have left they resume the loud music. We have no peace and quiet.

The building dept. Was notified in person several months ago of the issues with aerial photography proof of the violations in their backyard.

Ignorance is not the issue here; it is out and out willfulness to evade the required permits and follow the law. NO LENANCY!

Theresa Turner

Lot 28

Thank you and I hope you take this seriously.



Agenda Summary  
2026-219

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**Agenda Date:** 3/3/2026

**Agenda Item No.:** 8.b

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Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

**P26-019 Kells, Michael - Rezoning**

Location: The properties are located at 1892 SW Biltmore Street & 481 SW Voltair Terrace.

Legal Description: Port St. Lucie Section 13, Block 626, Lots 15 & 16.

This is a request to rezone 0.55 acres from Single-Family Residential (RS-2) Zoning District to the Service Commercial (CS) Zoning District.

Submitted By: Francis Forman, Planner III

Executive Summary: The city received a rezoning request from Raeann Sells Florida, LLC, acting agent on behalf of the applicant, Michael Kells/EKIM Enterprises, LLC, requesting the rezoning of two parcels, totaling 0.55 acres, from the Single-Family Residential (RS-2) Zoning District to the Service Commercial (CS) Zoning District. The property is legally described as Port St. Lucie Section 13, Block 626, Lots 15 & 16. Each property currently contains a single-family residence, and the Applicant proposes to change the zoning district to bring the properties into uniformity to the surrounding area and allow a different set of uses on the property.

Presentation Information: Staff will provide a presentation.

Staff Recommendation: Move that the Board recommend approval of the rezoning request.

Alternate Recommendations:

1. Move that the Board amend the recommendation and recommend the rezoning request.
2. Move that the Board recommend denial of the rezoning request.

Background: N/A

Issues/Analysis: The rezoning classification complies with the direction and intent of the City of Port St. Lucie Comprehensive Plan. The Service Commercial (CS) Zoning District is compatible with the Light Industrial/Service Commercial (LI/CS) future land use classification per Policy 1.1.4.13 of the Future Land Use Element.

Special Consideration: The subject site is located within Area 25 of the Land Use Conversion Manual which lays out additional requirements for properties to be rezoned. Such requirements include minimum frontage and depth of the area being rezoned. For Conversion Area 25, any property wishing to rezone must have a minimum frontage of 160 feet and depth of 240 feet, with an exception to the depth requirement if the entire rear lot line is bounded by a major drainage right-of-way, canal or non-residential use and sufficient frontage

exists for development. The two parcels that make up the subject site are the last remaining lots in the area to be rezoned to the Service Commercial (CS) zoning district and the rear lot lines are completely bounded by existing non-residential warehousing uses. The lots also provide sufficient frontage along SW Biltmore Street to allow for future redevelopment of the site, therefore, the subject properties meet the exception to the depth requirements of Conversion Area 25.

Location of Project: 1892 SW Biltmore Street & 481 SW Voltair Terrace

Attachments:

1. Staff Report
2. Rezoning Application
3. Warranty Deed
4. Agent Authorization
5. Staff Presentation



**Kells, Michael**  
**Rezoning**  
**P26-019**



**Project Location Map**

**SUMMARY**

Applicant's Request:	Rezoning from the Single-Family Residential (RS-2) Zoning District to the Service Commercial (CS) Zoning District
Applicant:	Raeann Laratro, Raeann Sells Florida, LLC
Property Owner:	Michael Kells
Location:	The property is located at the northwest corner of SW Biltmore Drive & SW Voltair Terrace
Address:	1892 SW Biltmore Street & 481 SW Voltair Terrace
Project Planner:	Francis Forman, Planner III

**Project Description**

The city has received a request from Raeann Larato, acting as agent on behalf of the applicant, Michael Kells to rezone two parcels, totaling 0.55 acres, from the Single-Family Residential (RS-2) Zoning District to the Service Commercial (CS) Zoning District. The property is legally described as Port St. Lucie Section 13, Block 626, Lots 15 & 16. Each property currently contains a single-family residence.

**Public Notice Requirements**

Public notice was mailed to owners within 750 feet of the property, and the item was included in the ad for the **March 3, 2026**, Planning & Zoning Board meeting.

**Location and Site Information**

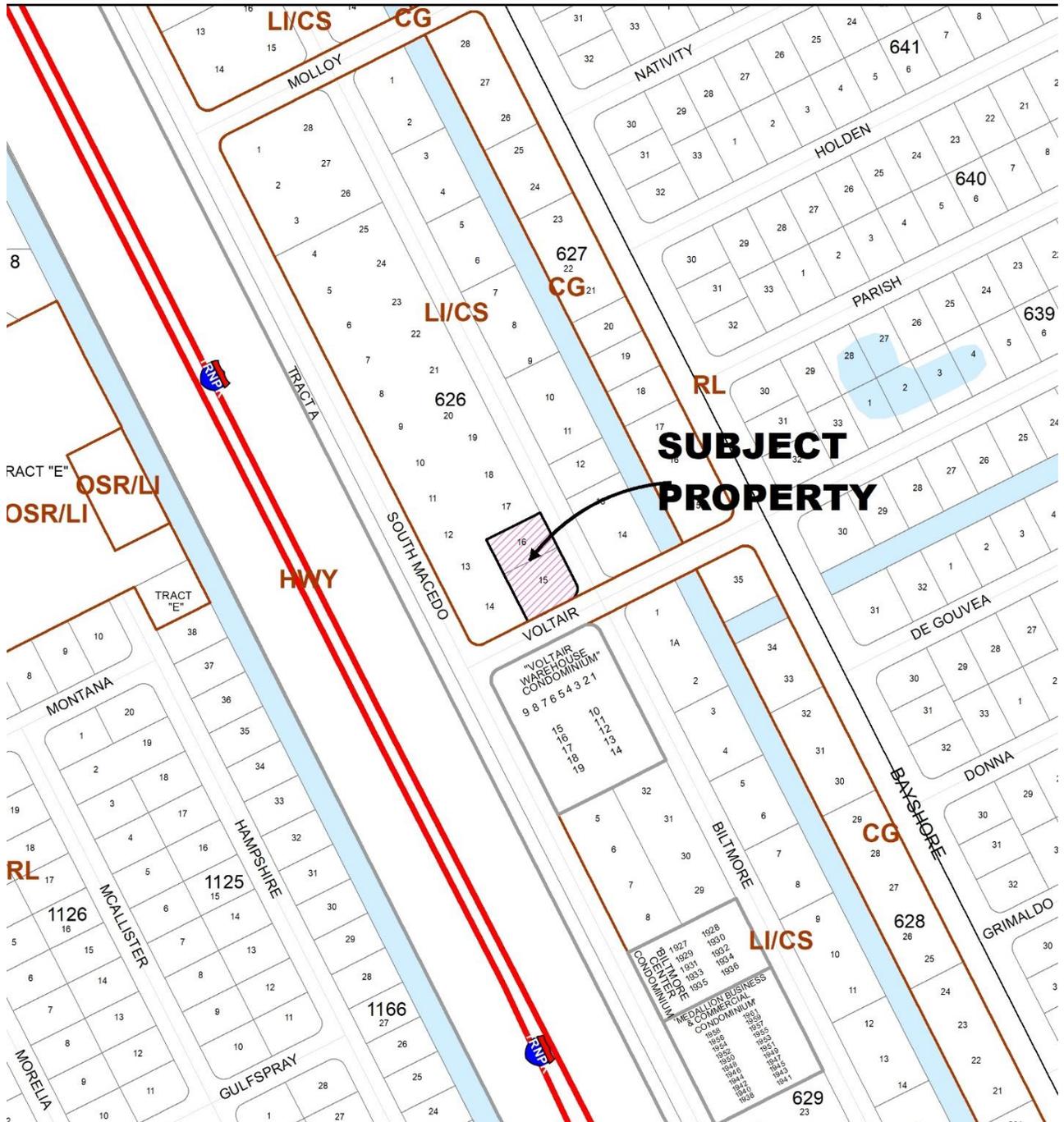
Parcel Number:	3420-560-2370-000-8 & 3420-560-2369-000-8
Property Size:	0.55 acres
Legal Description:	Port St. Lucie Section 13, Block 626, Lots 15 & 16
Future Land Use:	Light Industrial/Service Commercial (LI/CS)
Existing Zoning:	Single-Family Residential (RS-2)
Existing Use:	Single-Family Residences
Requested Zoning:	Service Commercial (CS)
Proposed Use:	Use consistent with the CS zoning district

**Surrounding Uses**

Direction	Future Land Use	Zoning	Existing Use
North	LI/CS	CS	Warehouse
South	LI/CS	CS	Warehouse
East	LI/CS	CS	Warehouse
West	LI/CS	CS	Warehouse

CS - Service Commercial, LI/CS - Light Industrial/Service Commercial

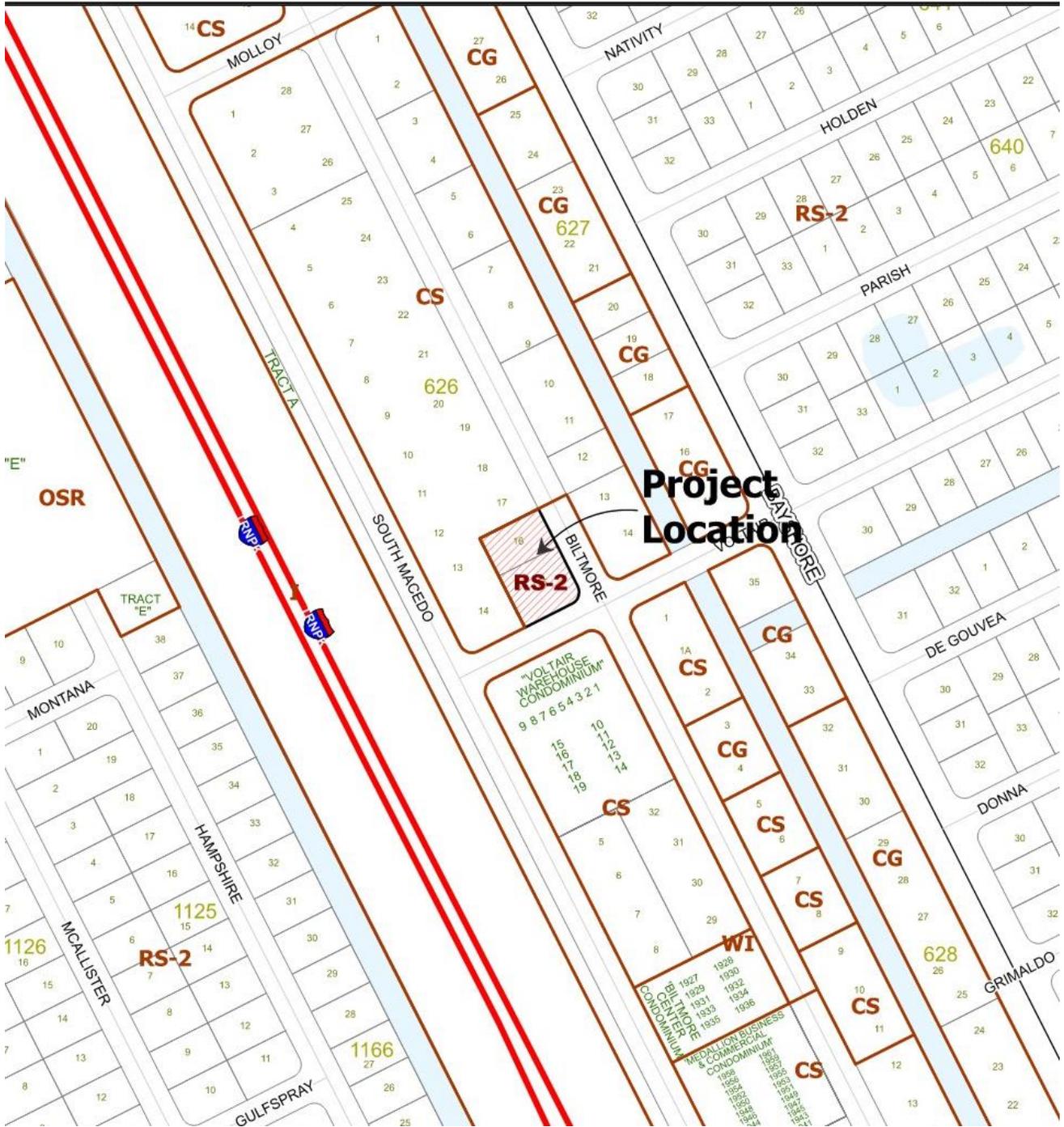
# FUTURE LAND USE



Future Land Use Map

- Zoning
- Project Boundary

# ZONING



Zoning Map

## IMPACTS AND FINDINGS

### COMPREHENSIVE PLAN REVIEW

**Land Use Consistency:** Proposed zoning of Service Commercial (CS) is compatible with Policy 1.1.4.13 and future land use classification of Light Industrial/Service Commercial (LI/CS).

### ZONING REVIEW

**Justification Statement:** The property owner is requesting the rezoning to CS since the subject property is the last remaining lots still zoned Single-Family Residential in the area. The applicant intends to sell the property and CS Zoning District is compatible with all of the surrounding properties, which are zoned CS. The area is not conducive to single-family residential uses.

**Staff Analysis:** The rezoning classification complies with the direction and intent of the City of Port St. Lucie Comprehensive Plan. The Service Commercial Zoning District (CS) is compatible with the Light Industrial/Service Commercial (LI/CS) future land use classification per Policy 1.1.4.13 of the Future Land Use Element.

### Compliance with Conversion Area Requirements

<b>Planning Area location per Conversion Manual</b>	25	
<b>Is all property within planning area?</b>	Yes	
<b>Type of Conversion Area</b>	CS	
<b>Proposed rezoning</b>	CS	
<b>Will rezoning result in isolation of lots?</b>	No	
<b>Has Unity of Title been submitted?</b>	Submitted into Legal intake	
	<b>Required</b>	<b>Proposed</b>
<b>Minimum Frontage</b>	160'	160'
<b>Minimum Depth</b>	240' (Single lot depth, 125' may be used if the entire rear lot line is bounded by a major drainage right-of way or non-residential use and sufficient frontage exists for development)	125' (abutting a non-residential use) single lot depth
<b>Landscape Buffer Wall</b>	Not required	

### ENVIRONMENTAL REVIEW

The site was previously cleared and is developed with single-family residences on each lot respectively.

## STAFF RECOMMENDATION

The Planning and Zoning Department staff finds the request to be consistent with the direction and intent of the future land use map and policies of the City's Comprehensive Plan and recommends approval.

Planning and Zoning Board Action Options:

- Motion to recommend approval to the City Council
- Motion to recommend denial to the City Council

Please note: Should the Board need further clarification or information from either the applicant and/or staff, it may exercise the right to *table* or *continue* the hearing or review to a future meeting.

Prepared by and return to:  
**James C. Burns, Esq.**  
**Atlantic Title Group, INC**  
**480 Maplewood Drive, Suite 5**  
**Jupiter, FL 33458**  
**(561) 747-5900**  
File Number: **2025-200**  
Will Call No.:

[Space Above This Line For Recording Data]

## Warranty Deed

**This Warranty Deed** made this **17th day of October, 2025** between **WC LABOR SERVICES LLC, a Florida Limited Liability Company**, whose post office address is **1369 SW SOUTH MACEDO BLVD, Port Saint Lucie, FL 34983**, grantor, and **Michael Kells** whose post office address is **1892 SW Biltmore St, Port Saint Lucie, FL 34984**, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

**Witnesseth**, that said grantor, for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)** and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situated, lying and being in **St. Lucie County, Florida** to-wit:

**Lot 15, and 16, Block 626, PORT ST. LUCIE SECTION THIRTEEN, according to the Plat thereof, as recorded in Plat Book 13, Page 4, Public Records of St. Lucie County, Florida.**

**Parcel Number: 342056023700008 & 342056023690008**

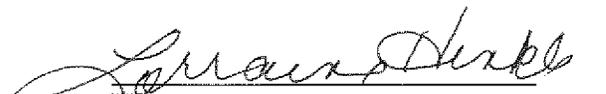
**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **12/31/2024**.

**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

  
Witness  
Printed Name: Lorraine Hinkle  
P.O. Address: 480 Maplewood Dr.,  
Suite 5, Jupiter, FL 33458

**WC LABOR SERVICES LLC, a Florida Limited Liability Company**

By:   
Wayne Clark, Managing Member

James C. Burns  
Witness  
Printed Name: James C. Burns  
P.O. Address: 1400 Maplewood Dr  
Suite B, Jupiter, FL 33458

State of Florida  
County of Palm Beach

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 17th day of October, 2025 by Wayne Clark, Managing Member of WC LABOR SERVICES LLC, a Florida Limited Liability Company who  is personally known or  has produced a driver's license as identification.

[Seal]

James C. Burns  
Notary Public  
Print Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_



**JAMES C. BURNS**  
Notary Public, State of Florida  
My Comm. Expires 01/23/2026  
Commission No. HM218664

Official Copy

# Raeann Laratro DBA RaeannSellsFlorida, LLC Realtor

+15163180041  
Raeannsellsflorida@gmail.com  
3383635

Dear Saint Lucie County Fusion Dept.

I am representing Raymond Michael Kells in the Rezoning Application.

I authorize Raeann Laratro to sign all documents for the Rezoning Application on 1892 SW Biltmore St. & 481 Voltair Ter. in Port St Lucie. In the Rezoning Application

Raymond Michael Kells Raymond Michael Kells \_\_\_\_\_ 2/9/2026

EKIM Enterprises, LLC Raymond Michael Kells \_\_\_\_\_ 2/9/2026

Raeann Laratro *Raeann Laratro* \_\_\_\_\_ 2/9/2026

*Raeann Laratro*

*Kind regards,*





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## **Kells, Michael**

Rezoning

Project No. P26-019

Planning and Zoning Board Meeting

Francis Forman, Planner III

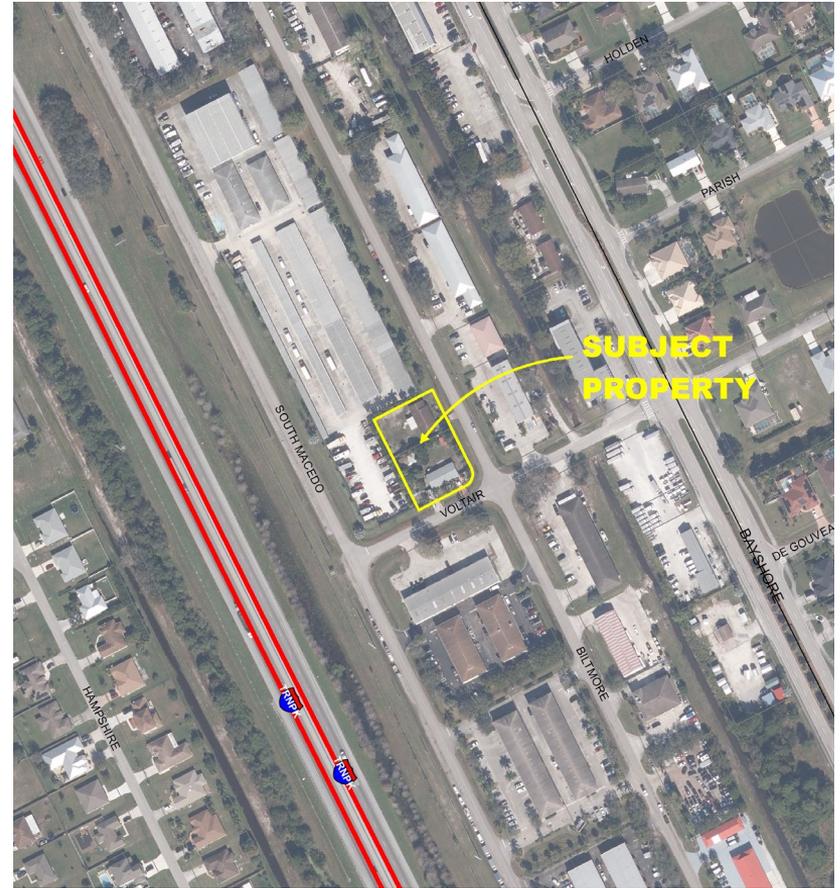
March 3, 2026

# Request Summary

- Owner: Michael Kells/EKIM Enterprises, LLC
- Applicant: Raeann Sells Florida, LLC
- Location: 1892 SW Biltmore Street & 481 SW Voltair Terrace
- Request: The applicant is requesting the rezoning of approximately 0.55 acres from Single-Family Residential (RS-2) to the Service Commercial (CS) Zoning District.

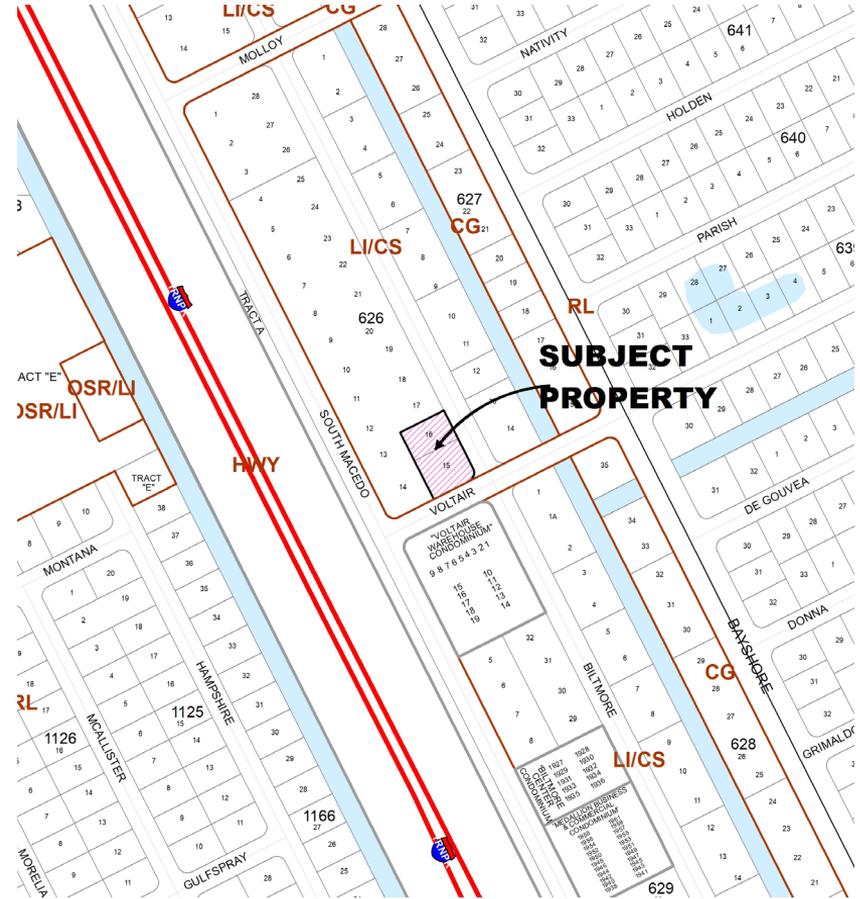
# Surrounding Areas

Direction	Existing Use	Future Land Use	Zoning
North	Warehousing	LI/CS	CS
South	Warehouse	LI/CS	CS
East	Warehousing	LI/CS	CS
West	Warehousing	LI/CS	CS



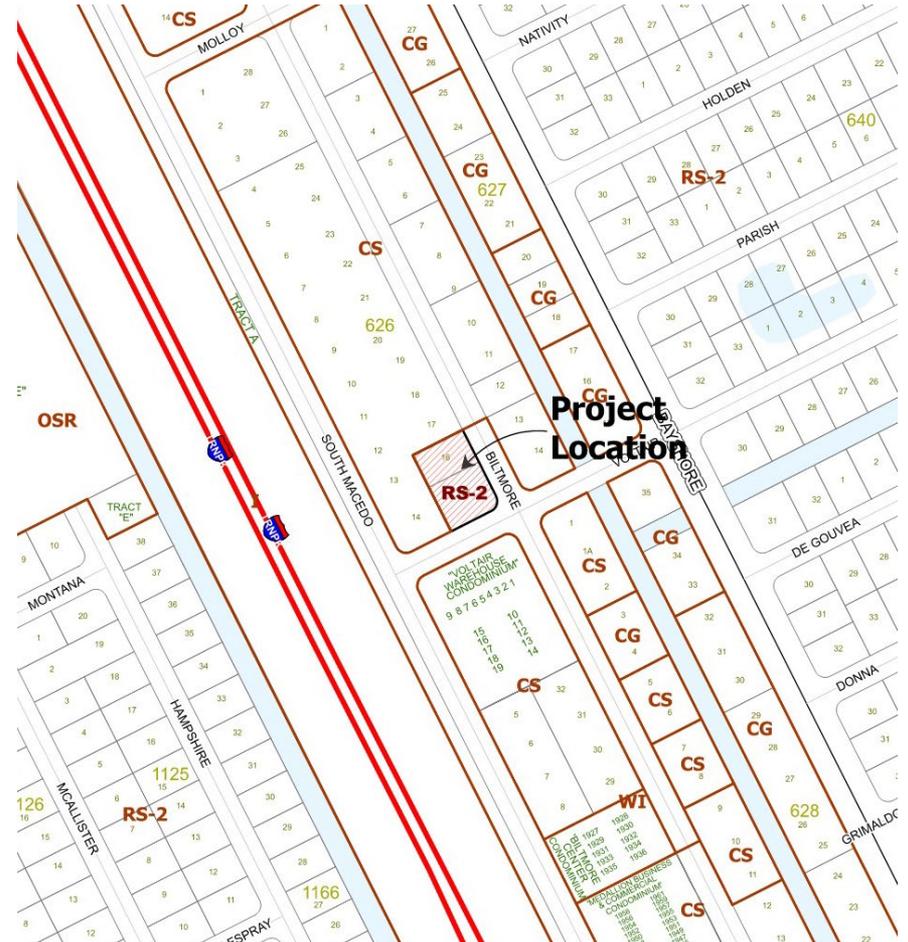
# Future Land Use of Surrounding Areas

Direction	Existing Use	Future Land Use	Zoning
North	Warehousing	LI/CS	CS
South	Warehouse	LI/CS	CS
East	Warehousing	LI/CS	CS
West	Warehousing	LI/CS	CS



# Zoning of Surrounding Areas

Direction	Existing Use	Future Land Use	Zoning
North	Warehousing	LI/CS	CS
South	Warehouse	LI/CS	CS
East	Warehousing	LI/CS	CS
West	Warehousing	LI/CS	CS



## Project Background

- The project site is located within Conversion Area 25
- This is the last remaining parcel within Block 626 to be rezoned from RS-2 to a zoning district that is compatible with the LI/CS future land use designation.

# Land Use Conversion Manual

FACTOR		
Planning Area Location	Conversion Area #25	
Is all property within planning area?	Yes	
Type of Conversion Area	CS	
Proposed rezoning	CS	
Will rezoning result in isolation of lots?	No	
Has Unity of Title been submitted?	Submitted into legal intake	
	Required	Proposed
Minimum Frontage	160'	160'
Minimum Depth	240' (Single lot depth, 125' may be used if the entire rear lot line is bounded by a major drainage right-of way or non-residential use and sufficient frontage exists for development)	125' (abutting a non-residential use) single lot depth.
Landscape Buffer Wall	Not required	

## Justification

- The proposed rezoning is consistent with Policy 1.1.4.13 of the Future Land Use Element of the Comprehensive Plan which establishes the compatible future land use and zoning categories.
- The Service Commercial (CS) Zoning District is listed as a compatible zoning district under the Light Industrial/Service Commercial (LI/CS), future land use classification.

### **Policy 1.1.4.13 Future land Use**

Future Land Use Classification	Compatible Zoning District
Light Industrial (LI), Service Commercial (CS)	CS, GU, WI, IN

## Staff Recommendation

The Planning and Zoning Department staff finds the request to be consistent with the direction and intent of the future land use map and policies of the City's Comprehensive Plan and recommends approval.

## Planning and Zoning Board Action Options:

- Make a motion to recommend approval to the City Council.
- Make a motion to recommend denial
- Make a motion to table