

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA APPROVING A SPECIAL EXCEPTION USE APPLICATION (P21-082) PURSUANT TO SECTION 158.060(C)(11) TO ALLOW FOR THE CONSTRUCTION OF A 120 FOOT WIRELESS COMMUNICATION TOWER IN A GENERAL USE ZONING (GU) DISTRICT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, CGI St. Lucie, LLC, a Florida limited liability company, is the Owner of the property known as 460 SW Utility Drive in Port St. Lucie, Florida (the “Property”) which is located in a General Use Zoning District (GU) (the legal description of the Property is attached hereto as Exhibit “A”); and

**WHEREAS**, the Owner proposes to lease a 25-foot by 80-foot rectangular area at the maintenance facility of the St. Lucie Trial Golf Club to construct a stealth monopine wireless communication tower with a maximum height of 120 feet; and

**WHEREAS**, Section 158.060(C)(11) of the City of Port St. Lucie’s Code of Ordinances provides that a wireless communication tower in a General Use Zoning District (GU) is a special exception use that may be permitted only following review and specific approval by the City Council, and Section 158.213(F)(1) of the Code establishes a maximum height limit of 300 feet for wireless communication towers in a GU zoning district; and

**WHEREAS**, Holly Valdez, of RG Towers, LLC, on behalf of the Owner, has applied for a special exception use to allow for the use of the aforesaid rectangular area for a 120-foot communications tower; and

**WHEREAS**, the Planning and Zoning Board held a public hearing on June 1, 2021 to review the special exception use application to determine the suitability for development of the proposed use of the Property and has submitted its recommendation to City Council that the application be approved; and

**WHEREAS**, City Council held a public hearing on \_\_\_\_\_, 2021 to consider the special exception use application (P21-082), advertising of the public hearing having been made; and

**WHEREAS**, City Council has considered the special exception use application (P21-082) based on substantial and competent evidence and the recommendation of the Planning and Zoning Board, and has determined that all of the criteria set forth in Section 158.260 of the Code have been met.

RESOLUTION NO. 21-R\_\_\_\_

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PORT ST. LUCIE, FLORIDA:**

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

Section 2. Approval of Application for Special Exception Use. The Owner's application for a special exception use is hereby approved to allow for the construction of a 120-foot wireless communication tower on the Property in conformity with the Plans attached as Exhibit B.

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

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

Section 5. Effective Date. This Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** by the City Council of the City of Port St. Lucie, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2021.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

By: \_\_\_\_\_  
Shannon Martin, Vice Mayor

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
James D. Stokes, City Attorney

**EXHIBIT A**

LEGAL DESCRIPTION

A portion of Section 25, Township 36 South, Range 39 East, St. Lucie County, Florida, and Tract B, St. Lucie West Plat No. 15, Commercial Sites – Phase One