

City of Port St. Lucie Text Amendment
Chapters 153 and 158 – Sections 153.01, 158.110, 158.120, 158.135, 158.137, 158.177 and 158.212
Project No. P25-030

SUMMARY

Applicant's Request:	This is a city-initiated text amendment to define virtual auto sales dealers and establish regulations, revise rear setbacks in select districts, and a scrivener's error related to PUD submittal requirements.
Applicant:	City of Port St. Lucie
Application Type	Zoning Text Amendment to the City's Land Development Regulations
Project Planner:	Bethany Grubbs, AICP, Senior Planner/Public Art Program

Background

This application is a city-initiated text amendment to Chapter 153, Definitions and Chapter 158, Zoning Code of the City's Code of the Ordinances. The purpose of the amendment is to define and establish regulations for virtual auto sales dealers, revise the rear setback requirements in the Institutional (I), Neighborhood Convenience Commercial (CN) and Utility (U) zoning districts, and correct a scrivener's error related to PUD conceptual plan submittals.

Analysis

The proposed text amendment to Chapters 153 and 158 of the Zoning Code reflects the city's proactive approach to addressing business trends. The establishment of regulations for virtual auto sales recognizes the growing shift towards online commerce and ensures that these businesses operate within a structured design. By defining and regulating virtual auto sales, the city can manage potential impacts such as land use compatibility, parking, and traffic flow from test drives and vehicle deliveries.

The proposed definition is as follows: **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.**

The use shall be permitted within the Warehouse Industrial (WI) zoning district and subject to the following supplementary regulations:

(A) In General. Retail sales of motor vehicles are allowed only within enclosed buildings, subject to the following regulations.

(B) Supplementary Use Regulations.

- 1. Indoor Operations Only.** All vehicle storage, sales transactions, and customer interactions must occur entirely within an enclosed structure. No exterior storage, parking, or advertising of vehicles is permitted.
- 2. No Ancillary Sales or Services.** The sale of vehicle parts, accessories, or related services, including repairs, maintenance, or washing, is prohibited.

3. **Test Drives.** Test drives must be pre-scheduled and conducted off-site. Vehicles must remain enclosed until a customer appointment, with no on-site browsing or staging.
4. **Compliance with Licensing Requirements.** The business must maintain an office and display space in compliance with Florida Administrative Code R. 15C-7.003.

Additionally, the revision of rear setback requirements in the institutional, neighborhood convenience commercial, and utility zoning districts will allow for more flexible site development while maintaining compatibility with adjacent uses. It is important to note, the maximum lot coverage allowances will remain unchanged within each respective zoning district.

Comparison of Rear Setback Changes

Zoning District	Existing Setback	Proposed
Institutional (I)	25'	10' / 25'*
Neighborhood Convenience Commercial (CN)	25'	10' / 25'*
Utility (U)	10'	10' / 25'*

***Note:** A 25-foot building setback is required when the yard adjoins a residential future land use category or a public right-of-way.

Lastly, the correction of a scrivener's error related to PUD conceptual plan submittals is an administrative update intended to correct the error and prevent misinterpretations.

The proposed amendment is as follows: Minor changes to the configuration of uses, open space, stormwater, utility, and roadways to overcome a particular difficulty or to achieve a more functional and desirable use of the property than was originally anticipated provided the proposed changes do not alter the intent and purpose of the approved overall development plan, do not alter the intent and purpose of the associated ~~NCD-District~~ **PUD** concept plan, and do not conflict with a specific provision of the adopted PUD approval.

Proposed Amendment

See attached Exhibits "A", "B", "C", "D", "E", "F", and "G". Changes are shown in ~~strikethrough~~ and underline format.

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 that: 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.