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**ORDINANCE 21-**

**AN ORDINANCE AMENDING TITLE XV. “MODEL HOMES”, CHAPTER 158 OF THE CODE OF ORDINANCES OF THE CITY OF PORT ST. LUCIE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

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

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

**WHEREAS**, Section 163.3174, Florida Statutes, provides that the Local Planning Agency shall review proposed land development regulations and make recommendations to the governing body as to the consistency of the proposed land development regulations with the adopted Comprehensive Plan; and

**WHEREAS**, Mattamy Palm Beach, LLC proposes a code amendment, P21-146, to amend Chapter 158 to clarify development standards for model homes within the Master Planned Unit Developments (MPUD) and Planned Unit Developments (PUD) and allow the site plans to be approved administratively; and

**WHEREAS**, the City of Port St. Lucie Planning and Zoning Board having been duly designated as the local planning agency pursuant to Section 163.3174, Florida Statutes, and having held a public hearing thereon, has considered this proposed amendment to the Code of Ordinances (P-21-146) and submitted its recommendations thereon to the City Council; and

**WHEREAS**, having considered the recommendations of the Planning and Zoning Board, the Port St. Lucie City Council has found and determined that the adoption of an amendment to Article XV, will foster and preserve the public health, safety and welfare; improve and protect the environment and value and character of the community; and implement the adopted comprehensive plan.

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

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

**Section 2.**     Section 163.04 of the City Code is amended as follows:

**Sec. 163.04. Site Requirements and Accessibility.**

- (A) The permit holder must submit an application to the zoning administrator on standard forms as provided by the planning and zoning department.
- (B) The handicapped parking stalls, and access ways from the parking area to the entrance shall be paved.
- (C) Each model home shall include a paved driveway not less than twenty (20) feet or more than twenty-four (24) feet in width. The secondary portion of a circular driveway shall not exceed sixteen (16) feet except as otherwise provided for in Section 158.222. Model homes with parking on separate lots are not required to have driveways to each model home.
- (D) The number of contiguous lots shall not exceed four (4) from the arterial or collector roadway. For three (3) or more contiguous model homes under the same ownership or application, a separate lot shall be used for parking. **Only one separate parking lot is required for model homes, this includes any subsequent additional models proposed by a developer.** This parking area shall include paved handicapped parking space that meets accessibility design standards. The driveway apron shall be paved. The parking area shall be unpaved or paved in accordance with the Engineering Standards for Land Development.
- (E) Designated parking areas of three or more spaces or on separate lots shall include landscaping along the perimeter next to residential streets and adjacent to residential lots. This shall include a continuous hedge along the exterior of the parking area with shrubs that are at least twenty-four (24) inches in height at the time of planting. Parking areas on separate lots shall also include eight (8) trees along the perimeter of the parking area. Landscaping shall comply with the approved list of landscape material as provided for in Chapter 154, City Landscaping Code.
- (F) Model home construction shall meet all accessibility requirements as specified in the Florida Building Code. The building department shall review all building permits for model homes for compliance with these provisions.
- (G) An amended site plan will be required when on site improvements or additional model homes are proposed in connection with an existing model home.
- (H) An appropriately designed stormwater detention area shall be provided for separate parking areas.

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**Section 3.** Section 163.20 of the City Code is amended as follows:

**Sec. 163.20. Model Home Permit; Eligibility.**

No model home permit may be issued except as otherwise provided in Section 163.25 unless the applicant therefor has proved compliance with the following conditions:

- (A) The applicant must be a contractor or qualified company.
- (B) The applicant or qualifying company must be the owner or lessee of the property upon which the model home is to be built.
- (C) The dwelling for which the model home permit is sought must be constructed upon a building permit pulled by the contractor.
- (D) The property must be zoned for single-family residential use. However, model home sales centers in PUDs are allowed. Model homes in PUDs are subject to review as a commercial site plan but need not be constructed to commercial building standards. The model row site plan in PUDs with residential lot/lots and parking lot shall be reviewed **and approved** by **the** SPRC (Site Plan Review Committee). ~~and approved by the City Council.~~
- (E) Model home permits shall not be issued in areas designated for conversion from single-family residential as identified in the adopted Zoning Conversion Area Manual. However, model home sales centers in ROI land use areas with compatible office zoning that comply with all site plan, office building design and land development regulations are permitted in those areas.

**ORDINANCE 21-**

**Section 4. Conflict.** If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

**Section 5. Severability.** The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

**Section 6. Codification.** The provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Port St. Lucie, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; the word “ordinance” may be changed to “section” or other appropriate word as may be necessary.

**Section 7. Effective Date.** This Ordinance shall become effective immediately upon final adoption on second reading.

**PASSED AND APPROVED** by the City Council of the City of Port St. Lucie, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2022.

CITY COUNCIL  
CITY OF PORT ST. LUCIE, FLORIDA

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

ATTEST:

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

APPROVED AS TO FORM:

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James D. Stokes, City Attorney