

## **ORDINANCE 26-40**

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, REZONING APPROXIMATELY 0.28-ACRES OF LAND, LOCATED AT THE SOUTHEAST CORNER OF SW PORT ST. LUCIE BLVD. AND SW BABBIT DRIVE, FROM SINGLE-FAMILY RESIDENTIAL (RS-2) ZONING DISTRICT TO GENERAL COMMERCIAL (CG) ZONING DISTRICT, FOR PROPERTIES LEGALLY DESCRIBED AS PORT ST. LUCIE SECTION THIRTY THREE, BLOCK 2320, LOT 1; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (P26-029).

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**WHEREAS**, Del Toro Law, LLC, on behalf of Midway Specialty Care Center, Inc., the owner of the property, seeks to rezone approximately 0.28-acres of land located on the southeast corner of SW Port St. Lucie Boulevard and SW Babbit Drive, and within the City of Port St. Lucie, from Single-Family Residential (RS-2) Zoning District to the General Commercial (CG) Zoning District; and

**WHEREAS**, the proposed zoning is consistent with all applicable elements of the City's adopted Comprehensive Plan and complies with the City's Code of Ordinances; and

**WHEREAS**, the City of Port St. Lucie Planning and Zoning Board held a public hearing on April 7, 2026, to consider the rezoning application (P26-029), notice of said hearing to adjoining property owners for a radius of seven hundred fifty (750) feet having been given and advertising of public hearing having been made; and

**WHEREAS**, the City Council held a public hearing on May 11, 2026, to consider the rezoning application (P26-029), advertising of the public hearing having been made; and

**WHEREAS**, the City Council has considered the rezoning application (P26-029) based on substantial and competent evidence and the City Council has determined to rezone the property legally described as Lot 1, Block 2320, Port St. Lucie Section Thirty Three, according to the plat

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thereof as recorded in Plat Book 15, Page 1, 1A through 1V, of the Public Records of St. Lucie County, Florida, as provided herein.

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

Section 1. Ratification of Recitals. The City Council of the City of Port St. Lucie, Florida, hereby adopts and ratifies those matters as set forth in the foregoing recitals.

Section 2. The property is located on the northwest corner of southeast corner of SW Port St. Lucie Boulevard and SW Babbit Drive, and legally described as Lot 1, Block 2320, Port St. Lucie Section Thirty Three, according to the plat thereof as recorded in Plat Book 15, Page 1, 1A through 1V, of the Public Records of St. Lucie County, Florida, is hereby rezoned from Single-Family Residential (RS-2) Zoning District to the General Commercial (CG) Zoning District.

Section 3. Conflict. If any ordinance, or parts of ordinances, or if any sections, or parts of sections, of the ordinances of the City of Port St. Lucie, Florida, are in conflict herewith, this Ordinance shall control to the extent of the conflicting provisions.

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

Section 5. Effective Date. That this Ordinance shall become effective ten (10) days after its final adoption.

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**PASSED AND APPROVED** by the City Council of the City of Port St. Lucie, Florida,  
this \_\_\_\_\_ day of \_\_\_\_\_ 2026.

CITY OF PORT ST. LUCIE, FLORIDA

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

ATTEST:

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

APPROVED AS TO FORM:

BY: \_\_\_\_\_  
Richard Berrios, City Attorney