

## ORDINANCE 24-01

**AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA TO REZONE 387 ACRES OF PROPERTY LOCATED SOUTH OF THE C-24 CANAL, EAST OF RANGE LINE ROAD, WEST OF I-95, AND NORTH OF CROSTOWN PARKWAY, FROM SLC-AG-5 (ST. LUCIE COUNTY- AGRICULTURE-5) TO PUD (PLANNED UNIT DEVELOPMENT) ZONING FOR A PROJECT KNOWN AS VERANO SOUTH POD H PUD (P21-070); PROVIDING FOR THE APPROVAL AND ADOPTION OF A CONCEPTUAL DEVELOPMENT PLAN AND PUD DOCUMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, PSL Land Investments, LLC, the owners of Verano South Pod H PUD, seek to rezone 387 acres of property located south of the C-24 Canal, east of Range Line Road, west of I-95, and north of Crosstown Parkway, and more particularly described in Exhibit “A”, from the County’s zoning designation of AG-5 (Agricultural-5) to the City’s zoning designation of PUD (Planned Unit Development); 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, including Section 158.170, et. seq.; and

**WHEREAS**, PSL Land Investments, LLC, has submitted a PUD document and PUD Conceptual Plan to the City; and

**WHEREAS**, the Verano South Pod H PUD document is consistent with all applicable elements of the City’s adopted Comprehensive Plan and complies with the City’s Code of Ordinances, including Section 158.170, et seq.; and

**WHEREAS**, the PUD conceptual plan is consistent with all applicable elements of the City’s adopted Comprehensive Plan and complies with the City’s Code of Ordinances, including Section 158.170, et seq.; and

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**WHEREAS**, the City of Port St. Lucie Planning and Zoning Board held a public hearing on January 4, 2022, to consider the rezoning application (P21-070), notice of said hearing to adjoining property owners for a radius of seven hundred and fifty (750) feet having been given and advertising of public hearing having been made; and

**WHEREAS**, the City Council held a public hearing on January 8, 2024 to consider the rezoning application (P21-070), advertising of the public hearing having been made; and

**WHEREAS**, the City Council has considered the rezoning application (P21-070) based on substantial and competent evidence, including the recommendations of the Planning and Zoning Board, and the City Council has determined to rezone the property legally described in Exhibit “A” as provided herein and approve the Verano South Pod H PUD document and conceptual plan, attached as Composite Exhibit “A”.

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

**Section 1. Ratifications 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.** That the property legally described in Exhibit “A”, is rezoned from St. Lucie County’s zoning classification of AG-5 (Agricultural-5) to the City’s zoning classification of PUD (Planned Unit Development), as described in the PUD document and depicted on the conceptual plan which is hereby formally adopted and attached as Composite Exhibit “A”, are hereby formally approved, and adopted with the following conditions:

- (1) Prior to the approval of the first residential subdivision plat the FPL powerlines that run in an east-west direction approximately 1,450 feet north of Crosstown Parkway shall be removed or relocated and the easement shall be abandoned.
- (2) The 30-foot-wide strip of land, the FPL easement, and the 50-foot-wide landscape buffer adjacent to Range Line Road shall not be included in computing the 95% of usable Park area.

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- (3) One 8-foot-wide sidewalk and one 5-foot-wide sidewalk shall be provided along the sides of the main entrance road.
- (4) The 50-foot-wide landscape buffer and berm must be landscaped as follows: At least one (1) tree shall be provided for each 30 linear feet of buffer, or fraction thereof. One (1) Type A tree (or two (2) Type B trees) may be placed in any arrangement within the buffer provided that the spacing between tree trunks is no greater than 50 feet. Large Type A trees shall be set back at least 20 feet from any powerlines. Shrubs shall extend the length of the landscape strip. One shrub shall be required for each two (2) linear feet and the shrubs shall be at least 24 inches in height at the time of planting. The remainder of the landscape buffer shall be planted with grass, ground cover, or other treatment excluding pavement. The earthen berm must reach a minimum of 8 feet. The applicant/developer shall cause the Verano Property Owners Association, Inc. or other appropriate entity (“Association”) to enter into an agreement with the City requiring the Association to maintain the buffer and berm prior to installation of said buffer and berm. The terms and form of the agreement must be agreeable to the City of Port St. Lucie.
- (5) Within three (3) months after the date of this approval for POD H, applicant/developer shall cause to be filed all necessary applications in the name of the City, with FDOT for a railroad crossing for North-South Road “A” in accordance with the terms of that certain Railroad Crossing Agreement between the City and Verano Development, LLC dated January 8, 2024. City will continue to timely process all site plan approvals and other development applications so long as applicant/developer remains in compliance with this condition. However, applicant/developer’s failure to comply with this condition will result in development approvals and permits being stayed until compliance is achieved.

**Section 3.** The Verano South Pod H PUD document shall be the internal design standard for the subject property.

**Section 4. Conflict.** If any ordinances, 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 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.

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**Section 6. Effective Date.** This Ordinance shall become effective ten (10) days after its final adoption.

**PASSED AND APPROVED** by the City Council of the City of Port St. Lucie, Florida, this 22<sup>nd</sup> day of January 2024.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

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

ATTEST:

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Sally Walsh, City Clerk

APPROVED AS TO FORM:

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Richard Berrios, Interim City Attorney