



City of Port St. Lucie

Planning and Zoning Department Memorandum

TO: PLANNING AND ZONING BOARD - MEETING OF JUNE 1, 2021

FROM: PATRICIA A. TOBIN, AICP, LONG RANGE PLANNING ADMINISTRATOR

RE: CITY OF PORT ST. LUCIE – ARTICLE XVII, APPEALS, SECTION 158.335
TEXT AMENDMENT
PROJECT #21-099

DATE: MAY 21, 2021

BACKGROUND:

This proposed amendment to Article XVII, Section 158.335 of the City of Port St. Lucie Code of Ordinances is a staff-initiated text amendment. The purpose and intent of this amendment is to include a provision in the appeals section of the Zoning Code to address an appeal of the landscape modification. At your May meeting, the Board voted to recommend approval of an amendment to the Landscape Code allowing the Planning and Zoning Board to hear and decide landscape modifications. Appeals of the Board's decision on these landscape modifications are proposed to go before the City Council.

In addition, with the recent changes in the site plan review process, appeals of the Site Plan Review Committee's decision are included with this proposed amendment.

PROPOSED AMENDMENT:

See attached Exhibit A. Changes are shown in underlined

STAFF RECOMMENDATION:

The Planning and Zoning Department staff recommends approval of the proposed amendment based on the analysis and findings as noted in the staff report.

PLANNING AND ZONING BOARD ACTION OPTIONS: *

- Motion to recommend approval to the City Council
- Motion to recommend approval to the City Council with changes
- Motion to recommend denial to the City Council

* Should the Board need further clarification or information from staff it may exercise the right to table or continue the hearing or review to a future meeting.

EXHIBIT A

Sec. 158.335. - City Council to Serve as Board of Zoning Appeals; Powers and Duties of Board.

- (A) The City Council shall serve as the Board of Zoning Appeals and shall hear and consider all appeals from the provisions of this chapter.
- (B) The Board of Zoning Appeals shall have the following powers and duties:
 - (1) To hear and decide appeals when it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Administrator in the performance of his duties.
 - (2) To hear and decide appeals on denials or approvals of variance applications by the Planning and Zoning Board.
 - (3) To hear and decide petitions involving proposed changes of nonconforming uses to other nonconforming uses, in accordance with the provisions of [section 158.281](#).
 - (4) To hear and decide appeals on all other final decisions of the Site Plan Review Committee or the Planning and Zoning Board.