

## ORDINANCE 23-78

### **AN ORDINANCE AMENDING CHAPTER 158 “ZONING CODE”, ARTICLE VII – “INSTITUTIONAL DISTRICTS” 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 (P23-216).**

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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**, this City initiated Code amendment, P23-216, proposes to amend Chapter 158 of the Code of Ordinance of the City of Port St. Lucie by amending section 158.110 entitled “Institutional Zoning District (I)”;

**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 (P23-216) 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 Chapter 158 will foster and preserve the public health, safety and welfare; improve and protect the environment, value, and character of the community; and implement the adopted comprehensive plan.

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

**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.

## ORDINANCE 23-78

**Section 2.** **Amendment.** Section 158.110 and Article VI of the Code of Ordinances of the City of Port St. Lucie is amended as follows:

### **Sec. 158.110. Institutional Zoning District (I).**

- (A) **Purpose.** The purpose of the institutional zoning district (I) shall be to locate and establish areas within the City which are deemed to be uniquely suited for the development and maintenance of uses of an institutional nature to serve the residents of the City; to designate those uses and services deemed appropriate and proper for location and development within that development within said zoning district; and to establish development standards and provisions as are appropriate to ensure proper development and functioning of uses within that zoning district.
- (B) **Permitted Principal Uses and Structures.** The following principal uses and structures are permitted:
- (1) Cemetery, including mausoleum.
  - (2) Enclosed assembly area, with or without an alcoholic beverage license for sales of alcoholic beverages to members and guests in accordance with chapter 110.
  - (3) Park or playground, or other public recreation.
  - (4) School (public, private or parochial, kindergarten (including VPK) and grades 1 through 12).
  - (5) Assisted living facility as set forth in Section 158.224.
  - (6) Nursing or convalescent home.
  - (7) Publicly-owned or operated building or use.
  - (8) Group care home, as set forth in section 158.224.
  - (9) Community Residential Home, as set forth in section 158.224.
  - (10) Funeral homes, with or without a crematory.
- (C) **Special Exception Uses.** The following uses may be permitted only following the review and specific approval thereof by the City Council:
- (1) College, technical, or vocational school, including dormitories.
  - (2) Hospital and free standing emergency department.
  - (3) Public utility facility, including water pumping plant, reservoir, electrical substation, sewage treatment plant, and wireless communication antennas and towers, as set forth in section 158.213.
  - (4) Publicly-owned or operated building or use with drive-through service.
- (D) **Accessory Uses.** As set forth in section 158.217. A caretaker's office or residence shall be considered to be an accessory use within this district.

## ORDINANCE 23-78

- (E) **Minimum Lot Requirements.** Twenty thousand (20,000) square feet and a minimum width of one hundred (100) feet, provided that properties located within conversion areas as defined by this chapter shall meet the requirements contained within the "City of Port St. Lucie Land Use Conversion Manual." More than one (1) permitted or special exception use may be located upon the lot as part of a totally designated development to be maintained under single ownership.
- (F) **Maximum Building Coverage.** Thirty (30%) percent; provided that the combined area coverage of all impervious surfaces shall not exceed eighty (80%) percent.
- (G) **Maximum Building Height.** Thirty-five (35) feet, except for the ROI (residential, office and institutional) conversion area as identified in the "City of Port St. Lucie Land Use Conversion Manual," lying between Airoso Boulevard and U.S. #1 where the maximum building height shall be one (1) story; and except for publicly owned or operated buildings or uses which may be sixty-five (65) feet.
- (H) **Minimum Living Area.** Caretaker's residence: Six hundred (600) square feet.
- (I) **Yard Requirements and Landscaping.**
- (1) Front Yard. Each lot shall have a front yard with a building setback line of twenty-five (25) feet.
  - (2) Side Yard. Each lot shall have two (2) side yards, each of which shall have a building setback line of ten (10) feet. A building setback line of twenty-five (25) feet shall be maintained adjacent to any residential future land use category or to a public right-of-way.
  - (3) Rear Yard. Each lot shall have a rear yard with a building setback line of twenty-five (25) feet.
  - (4) Landscaping Requirements. Landscaping and buffering requirements are subject to Chapter 154. All mechanical equipment shall be screened from property zoned residential. This screening shall be designed as both a visual barrier and a noise barrier.
- (J) **Off-Street Parking and Service Requirements.** As set forth in section 158.221.
- (K) **Site Plan Review.** All permitted and special exception uses shall be subject to the provisions of sections 158.235 through 158.245.

**Section 3. Conflict.** If any ordinances, or parts of ordinances, 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.

**ORDINANCE 23-78**

**Section 5. 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 6. 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 \_\_\_\_\_, 2024.

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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Richard Berrios, Interim City Attorney