

Exhibit "B"

Sec. 158.217. - Accessory Uses and Structures.

- (A) General Provisions. Accessory structures and uses are permitted in any zoning district in connection with any principal lawfully existing permitted use within that district, provided that all accessory structures or uses are in full compliance with all setback, height, building coverage, and other requirements of the zoning district, and all other requirements of this section. In no case shall accessory uses, either separately or in combination, exceed more than twenty (20%) percent of the total floor area of the principal building or ground area of any lot, whichever is more restrictive unless as otherwise noted for specific uses under section C as follows. Accessory uses are not considered a part of building coverage standards. Detached garages and storage buildings are also subject to size and standards as listed in subsection (C)(2)h. and (C)(2)i. Any proposed accessory use that exceeds the size limitations must be approved through application of a variance unless as stipulated within a Planned Unit Development zoning ordinance. Accessory structures on sites other than single-family lots must meet requirements of Section 158.237 ~~be shown on an approved site plan~~. Accessory nonresidential structures under 300 square feet in size are exempt from the Citywide Design Standards.
- (B) Private Boathouse and Docks. Private boathouses and docks are permitted on canal or waterway lots, but not to protrude more than five (5) feet into the canal or waterway. Private hoist facilities may extend into the canal or waterway by no more than ten (10) feet beyond the dock if the canal or waterway is sixty (60) feet or more in width. However, if the canal or waterway is one hundred (100) feet or more in width, a dock with or without private hoist facilities may protrude to a distance which is the minimum needed to provide a water depth of minus four (4) feet (mean high water) for the dock with the maximum length not to exceed one hundred (100) feet beyond the mean high water line or not more than forty (40) feet or twenty (20%) percent of the canal or waterway, whichever is the more restrictive, into the canal or waterway. The canal width shall be measured from mean high water line to mean high water line. No permit shall be issued for the construction of a structure into a canal or waterway until it has been approved by any State or Federal regulatory agency having jurisdiction. In no event, shall more than six

hundred (600) square feet of a boathouse be placed in a required rear yard, and no persons shall be permitted to use a boat or a boathouse as a residence.

(C) Accessory Uses in Single-Family Residential Districts.

- (1) Accessory uses or structures shall not be located in that area extending from the front corners of the principal structure ~~building line~~ to the front property line, unless otherwise specifically provided. Accessory uses or structures shall be located a minimum of ten (10) feet from the rear property line. The minimum setback from side property lines shall be those set forth in the applicable zoning district.

Temporary structures and fences are allowed as an accessory use on the same lot or on a contiguous lot in the same ownership. Any contiguous lot under the same ownership with a permanent structure requiring a building permit, other than a fence, is required to join the lots through a unity of title.

- (2) The following accessory uses are allowed in the RE, RS-1 through RS-3 single-family residential zoning districts. All other accessory uses are prohibited, with the exception of the provisions for amateur radio antennas and amateur radio support structures outlined in Section (C)(3) below.

- a. Customary yard structures such as clothes lines, communication antennas (excluding commercial transmission towers), children's playground equipment, and other similar equipment.
- b. Swimming pools and related decks, patios, detached roofed patios, and screen enclosures. Maximum size = based on allowable setbacks.
- c. Tennis and pickle ball courts with fence enclosures and similar installations including basketball, volleyball, badminton, and shuffleboard courts. A basketball backboard and goal may be located in that area extending from the front corners of the principal structure ~~building line~~ and on driveways or in swale areas as long as they are portable and a minimum of two (2) feet off the edge of the pavement and not on a collector or arterial road. The City reserves the right to move them for maintenance purposes.
- d. Skateboard ramps.

- e. Garden structures, including gazebos, pergolas, and well houses may be located in that area extending from the front building line.
- f. Hot tubs, saunas, free standing cabanas and bath houses, and other similar recreational structures.
- g. Fences or screening walls; shall meet the requirements of section158.216
- h. Unattached accessory building for storage, home workshops, children's playhouses. Maximum size = 500 square feet cumulative. These uses shall conform in appearance and design of the principal structure (house) if over 300 square feet in size.
- i. Garages. Maximum size = 900 square feet for detached or attached garages and limited in height so that it is not higher than the principal building's roof line or 22 feet in height, whichever is more restrictive for lots less than 18,500 square feet. Lots 18,500 square feet or greater shall be allowed a maximum of 1,600 square feet of total garage area (detached or attached) and limited in height so that it is not higher than the principal building's roof line or 22 feet in height, whichever is more restrictive.

A detached garage over 300 square feet shall conform in appearance and design to the principal structure (house). The garage door must be designed to be an integral part of the building's architecture with trim, detailing and fenestrations. All residential garage doors for garages shall consist of articulated panels and all garages shall incorporate at least two of the following features: decorative banding or moldings, multiple panel door designs or other architectural detailing with larger decorative brackets, windows/openings on garage doors, arches, decorative shutters, dormers, horizontal or vertical articulation, decorative vent covers on gable just above garage and/or sconce lighting.

- j. Solar energy systems, windmills, and other energy devices based on renewable resources. Solar ground and pole mounted energy systems may be located no closer than six (6) feet to any side lot line and ten feet to any rear lot line.

- k. Outdoor fireplaces, outdoor kitchen (not enclosed), and barbecue pits.
- l. Doghouse with a size not to exceed four (4) feet in height by four (4) feet in depth by six (6) feet wide.
- m. Noncommercial greenhouses.
- n. Concrete, stone, and wood driveways, patios, decks, and walks may be located in that area extending from the front corners of the principal structure ~~building-line~~, provided those structures do not extend any closer than six (6) feet to any side lot line or ten (10) feet to any rear lot line.
- o. Dish antennas provided they meet the above and following requirements:
 - 1. Only one (1) dish antenna per residence shall be permitted; and
 - 2. Dish antennas shall not exceed twelve (12) feet in diameter, nor shall the dish in any position exceed a height of fifteen (15) feet.
- p. Carports – Maximum size = 200 square feet and limited in height so that it is not higher than the principal building's roof line or 22 feet in height, whichever is more restrictive for lots less than 18,500 square feet. Lots 18,500 square feet or greater shall be allowed a maximum of 400 square feet of total carport area and limited in height so that it is not higher than the principal building's roof line or 22 feet in height whichever is more restrictive.

(3) Amateur radio service.

- a. Intent and purpose. This section is intended (1) to provide reasonable accommodation for amateur radio antennas and amateur radio antenna support structures in residential zoning districts within the City of Port St. Lucie and (2) to constitute minimum practicable regulation to accomplish the City's legitimate purposes consistent with state and federal laws including Federal Communication Commission regulations pertaining to amateur radio services, as noted in PRB-1 (1985), as amended and reconsidered. Legitimate purposes include but are not limited to preserving residential areas as livable

neighborhoods and preserving public health, safety, and welfare.

b. General Requirements:

1. a. Amateur radio antennas and amateur radio antenna support structures having an overall height of forty-three and one-half (43½) feet or less are permitted in all zoning districts for amateur radio operators who hold a current amateur radio license issued by the Federal Communications Commission. An amateur radio operator who installs an amateur radio antenna or amateur radio antenna support structure shall, upon request by an employee of the City's building department or code compliance division, show his/her current FCC-issued amateur radio license to that employee.
b. Amateur radio antennas and amateur radio antenna support structures having an overall height of forty-three and one-half (43½) feet, but less than seventy (70) feet are permitted in all zoning districts for amateur radio operators who hold a current amateur radio license issued by the Federal Communications Commission subject to the permitting requirements of the Florida Building Code and payment of applicable permit fees. An amateur radio operator who installs an amateur radio antenna or amateur radio antenna support structure shall, upon request by an employee of the City's building department or code compliance division, show his/her current FCC-issued amateur radio license to that employee.
2. In residential zoning districts, amateur radio antenna support structures shall not be used for co-location of commercial antennas. In non-residential districts, co-location of commercial antennas must comply with Zoning Ordinance requirements applicable to wireless communication towers. Otherwise, lawful amateur radio antennas may be installed on commercial antenna structures by agreement with the owner of such commercial antenna structures.

- c. Maximum height of amateur radio antennas and antenna support structures. An amateur radio antenna and its support structure located in residential zoning districts may not exceed a combined height of seventy (70) feet above ground level.

d. Other Provisions.

1. Ground-mounted amateur radio antennas and amateur radio antenna support structures shall be so located and installed as to be safe and to create minimum impact to the surrounding properties. Antennas and their antenna support structures shall not be located within the side and rear property setback areas or within 25 feet from the front property line. Guy wires may be permitted in the side and rear setback areas provided no part of the anchors and/or their foundations shall encroach within one (1) foot of any side or rear lot line.

2. Climbable ground-mounted antenna support structures shall have appropriate anti-climb devices or wire mesh fabric attached up to a height of five (5) feet or more.
 3. All retractable and non-retractable ground-mounted amateur radio antenna support structures shall be structurally sound and so designed and installed as to meet the manufacturer's specifications on assembly, construction and erection, in order to conform to § 102.2 of the Florida Building Code.
 4. Amateur radio antennas and amateur radio support structures shall be erected within six months of the issuance of their installation permit. In the event of the failure on the part of the applicant to complete the installation within six months, a renewal of the permit shall be required.
 5. The building department shall maintain a separate database of relevant information as to all approvals of installation permits issued under this provision.
 6. Section (C) of this ordinance, which concerns the amateur radio service and amateur radio antennas and amateur radio antenna support structures in residential zoning districts, shall not apply to temporary installations, as defined above.
 7. Amateur radio antennas and amateur radio antenna structures existing on the effective date of this ordinance shall be grandfathered and not subject hereto, provided, however any modifications thereto shall be subject to the provisions of this Section.
- (D) Storage of a Commercial Vehicle or Equipment in a Residential District. Storage of a commercial vehicle or equipment in a residential district is prohibited; unless any vehicle or equipment is placed within a fully enclosed building or structure in accordance with the provisions of section 72.03.
- (E) Major Recreation Equipment. Major recreation equipment is hereby defined as including boats and boat trailers, recreational vehicles, motorized dwellings, houseboats and the like. No major recreation equipment shall be used for living,

sleeping, or housekeeping purposes when parked or stored on a residentially zoned lot, or in any other location not approved for that use. Major recreation equipment may be parked or stored within a residential area only in accordance with the provisions of subsection 73.04(B).

- (F) Home Occupation. A home occupation as defined herein shall be permitted within an area zoned residential, subject to the following provisions:
- (1) The holder of the home occupation may have employees engaged in the business provided that not more than two (2) employees or independent contractors, may work at the home-based business but not reside there. Employees who work remotely are permitted.
 - (2) The use of the dwelling for the home occupation shall be clearly incidental and secondary to its use for dwelling purposes. The occupation shall not change the character of the dwelling or reveal from the exterior that the dwelling is being utilized for use other than dwelling purposes. There shall be no display of stock for sale or trade located upon the premises, and no article shall be sold or offered for sale except such as may be produced on the premises or is utilized in conjunction with the home occupation. The manufacturing of a product for resale shall not be produced with mechanical or electrical equipment which is not normally found in a dwelling and considered as purely a domestic implement.
 - (3) Any use of a dwelling contrary to these provisions or which creates or may create objectionable noises, fumes, odors, dust, electrical interference, or greater than normal residential traffic shall be expressly prohibited.
 - (4) Any individual who promotes or solicits a home occupation by displaying, advertising, or using in any fashion his home address or telephone; who provides or conducts a home occupation as defined herein; or who proffers home occupation services as defined herein shall be required to obtain a business tax receipt, therefore. The offering of articles for sale in isolated situations shall not be considered as a home occupation or require permit and taxreceipt.
 - (5) Application for a home business tax receipt shall be made to the city, setting forth the address of the subject premises, [and] the type of home

occupation desired. The City may inspect the subject premises to verify full compliance of the proposed home occupation usage with the provisions of the ordinance. Upon approval of the application, the City shall issue a tax receipt for the home occupation.

- (6) Real estate brokers licensed pursuant to Chapter 475, Florida Statutes, may conduct their business as a home occupation and place their broker's license at their place of residence. In addition to a single employee, a real estate broker is permitted to have two (2) real estate sales associates licensed pursuant to Chapter 475, Florida Statutes. The associates may place their license with a real estate broker conducting business as a home occupation provided the real estate broker home occupation shall be conducted in accordance with and conform to all of the above conditions and restrictions as otherwise established for home occupations.
 - (7) Vehicles and trailers used in connection with the business must be parked in legal parking spaces that are not located within the right-of-way, on or over a sidewalk, or on any unimproved surfaces at the residence.
- (G) Mobile Sales. Mobile vending businesses shall submit plans to be reviewed along with the occupational license application, renewable annually, and shall:
- (1) Be located in general commercial (CG), or planned unit development (PUD) zoning districts;
 - (2) Be associated with an existing business and obtain written permission of the property owner;
 - (3) Be located on a sidewalk in front of the business which has granted permission, provided adequate passage is maintained.
 - (4) Be the only mobile sales (outdoor vendor) on the lot;
 - (5) Be self-contained and portable so as to be removed from the site each night and not exceed two hundred (200) square feet in size;
 - (6) Limit signage to ten (10) square feet. Freestanding signs, banners, pennants, balloons or flags shall be prohibited;
 - (7) Be limited to the sale of prepared food and flowers. Other retail sales shall be prohibited.

- (H) Stand-Alone ATMs are a permitted use in P, CN, CG, CS, LMD, and PUD zoning districts. A stand-alone ATM shall be allowed in compliance with the following standards:
- (1) Two stand-alone ATM are allowed per site plan.
 - (2) Walk up ATMs shall not be located adjacent to a required drive aisle.
 - (3) For walk up ATMs, two parking spaces (one handicap space and one standard parking space) shall be provided and be located adjacent to the ATM. When parking is also provided for other uses on the site, the ATM parking space shall be signed as short-term ATM parking.
 - (4) For drive-through ATMs, stacking lanes shall accommodate stacking for at least two (2) vehicles.
 - (5) Drive-through lanes or aisles shall be situated so as to not block any other drive aisle or parking.
 - (6) Impacts to adjacent residential property from sound, lighting and idling vehicles and visibility of the ATM shall be mitigated by the developer with landscaping and/or other methods subject to the approval of the Zoning Administrator or Site Plan Review Committee.
 - (7) ATMs are exempt from the Citywide Design Standards.